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Religious Controversy
in Scotland
1625-1639

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PREFACE

I have known some of these documents for a number of years. I first learned about the writings of Wedderburn and Guthrie and Baillie—if in fact the author of 'The Unreasonableness of the Service Book'—in January and February 1983 when I visited the repositories in which they reside while a postgraduate student at the University of Guelph writing a thesis about Scottish episcopacy. The others came within my field of vision in the mid-1990s during which period I spent many months in Edinburgh preparing my study on Scottish puritanism. As I completed this latter work I came to the conclusion that a collection of unpublished manuscripts might be of some use to other scholars in the field, and I am grateful to the Scottish History Society for sharing my judgement.

Staff at Edinburgh University Library, New College Library, the National Library of Scotland, Glasgow University Library, the National Archives of Scotland, and the British Library made an enormous contribution to my work by their unfailing courtesy, often going beyond what one has a right to expect. Dr Jane Dawson of New College and Dr Hazel Horn of the National Archives of Scotland helped to identify the author of the report on the Glasgow Assembly, found in the Breadalbane Papers. Dr Horn and her colleague Ms Jane Brown answered paleographical questions. Dr Louise Yeoman at the National Library of Scotland gave generously of her time on more than one occasion to puzzle over handwriting or to give other advice flowing from her unrivalled knowledge of the Wodrow Manuscripts. Dr Maureen Meikle gave me a useful pointer in the NLS that helped with several identifications, and Dr David Shepherd helped me one morning in New College Library with a query concerning a Hebrew word. Professor David Stevenson located 'Woman's Universe' and kindly brought it to my attention. Professor David Wright was most generous in helping me translate various patristic sources—saving me from many an error—and Dr Roger Collins translated a Latin phrase in 'Historie of Church and State'. Professor Wright led me to the Rev. Angus Morrison who in turn led me to Professor Allan D. Fitzgerald, O.S.A., of Villanova University who graciously supplied several references in the copious writings of Augustine. Dr Julian Goodare, series editor, gave good advice and generally helped to make this a better book. His colleague Dr John Finlay, another of the publication secretaries of the Scottish History Society, gave the proofs a final reading and his sharp eyes saved me from several blunders. All remaining errors and infelicities of

transcription, translation, fact, and interpretation—a depressingly wide scope for human frailty, I fear—are attributable solely to myself.

Documents found in the National Library of Scotland are published here with the permission of the Trustees of the National Library of Scotland. Those materials deposited in the National Archives of Scotland are published with the permission of the Keeper of the Records of Scotland. New College Library and Edinburgh University Library gave permission to publish materials found in their collections. I am grateful to all these and to the British Library for their general cooperation in the production of this volume.

This volume is dedicated to the Institute for Advanced Studies in the Humanities, University of Edinburgh, in appreciation for three marvellous terms spent in residence (1995, 1996, 1998) under the then director Professor Peter Jones.

D.G.M.

22 August 1999

ABBREVIATIONS

<i>Acts 16-20 Parliaments</i>	<i>The Lawes and Acts of Parliament made be the most excellent and mightie King and Monarch James, since his Majesties xv Parliament 1597 to the xx Parliament 1609</i> (Edinburgh, 1611).
APS	<i>The Acts of the Parliaments of Scotland</i> , 12 vols., eds. T. Thomson & C. Innes (Edinburgh, 1814-72).
AV	The Bible, Authorised Version (1611).
BUK	<i>Booke of the Universall Kirk of Scotland (Acts and Proceedings of the General Assemblies of the Kirk of Scotland)</i> , 3 vols., ed. T. Thomson (Bannatyne & Maitland Clubs, 1839-45).
DCH	David Calderwood, <i>The History of the Kirk of Scotland</i> , 8 vols., ed. T. Thomson (Wodrow Society, 1842-9).
DNB	<i>Dictionary of National Biography</i> (1885-1993).
EUL	Edinburgh University Library.
FES	H. Scott (ed.), <i>Fasti Ecclesiae Scoticanæ</i> , 9 vols. (2nd edn., Edinburgh, 1915-61).
GB	The Geneva Bible, 1560.
<i>Lawes and Actes</i>	<i>The Lawes and Actes of Parliament</i> (Edinburgh, 1597).

- MSPB* G. Donaldson, *The Making of the Scottish Prayer Book of 1637* (Edinburgh, 1954).
- NAS* National Archives of Scotland, Edinburgh (formerly Scottish Record Office).
- NC* New College, Edinburgh.
- NLS* National Library of Scotland, Edinburgh.
- OER* H.J. Hillerbrand (ed.), *Oxford Encyclopedia of the Reformation*, 4 vols. (New York, 1996).
- PG* *Patrologiae Cursus Completus*, Series Graeca, 161 vols. in 166, ed. J.-P. Migne (Paris, 1857-66).
- PL* *Patrologiae Cursus Completus*, Series Latina, 221 vols., ed. J.-P. Migne (Paris, 1844-55).
- RBLJ* Robert Baillie, *Letters and Journals*, 3 vols., ed. D. Laing (Bannatyne Club, 1841-2).
- RKS* *Records of the Kirk of Scotland*, ed. A. Peterkin (Edinburgh, 1838).
- RPC*, 2nd ser. *Register of the Privy Council of Scotland*, 2nd ser., 8 vols. (Edinburgh, 1899-1908).
- STC* *A Short-Title Catalogue, 1475-1640*, 2nd edn., eds. W.A. Jackson *et al.*, 3 vols. (London, 1976-91).

INTRODUCTION

But the truth is, As with the Jesuite he is an Heretick, that is not *furioso more* a Roman-Catholick: so with the Puritan he is a Papist, that will not runne a-madding with them. It is not the first time, for this very cause, I have beene talked of, esteemed of, traduced as a Papist: which I can the better brooke, because they have meted this measure to the Church of England it selfe, as sympathizing with Papists in her Liturgie, Discipline, and Doctrine too. It were to be wished, that such transported spirits were taught to be more submisse and sparing in their talk.

I call God and all his holy Angels to witnesse, I nor am, nor have beene, nor intend to be hereafter, eyther Papist, or Romish Catholick; a Papist of State, or of Religion; but a Priest, a member, a follower of the Church, and Doctrine of the Church of England.

—Richard Montagu, *Appello Caesarem* (London, 1625), 110–11.

It is sufficiently known, what pains we take in disputing and writing against Papists, in confuting their errors in our pulpits, in leading processe against them, according to the order of the Church, and in doing all things against Romish errors, which can be expected from the most zealous Professours of the Truth.... we have pried as narrowly into the mysteries of Romish errors, for refutation of them, as any of those who impiously, and un-charitably traduce us, as favourers of Poperie.

—[Aberdeen Doctors,] *Generall Demands concerning the Late Covenant* ([Edinburgh,] 1638), 29.

The most volatile idea at work in Scotland during the 1630s was the fear of popery. If it did not single-handedly make the revolution of 1638, it was nevertheless the *sine qua non*—for it provided a lightning rod which aristocratic discontent could never have done in arousing the passions of an articulate and committed presbyterian clergy. It allowed those ministers to tap into a tradition reaching back to John Knox to mobilise the country in pursuit of goals which, I have argued elsewhere, were not necessarily internally consistent nor always compatible with those sought by even religiously conformist nobles.

The same kinds of theological concerns were present in England, and had been for decades. Scottish Protestantism was not a hermetically-sealed unit which rose and fell in isolation from the rest of the world. Scotland shared in a British religious culture which expanded across the Atlantic and shared strong linkages with the Continent. This is to say that, generally speaking, what Scotland experienced in religious terms up to about 1640 (and beyond, but I refer here only to

the period covered by this book) can in great part be found in abundance in England. One must be more cautious about reversing the equation because England's religious landscape had a much broader extent on the 'left'—Scotland did not produce exile communities in the Netherlands led by people like Francis Johnson, John Smyth, Thomas Helwys, or John Robinson, and when quakers and baptists and independents appeared in Scotland in the 1650s, their progenitors and many of their followers spoke with English accents. When Robert Brown turned up in Edinburgh in 1584 the kirk received him coldly,¹ and even the more radical Scottish presbyterians despised the name of Brownist. But this radical extreme is not central to the story told in the documents included here. What is important is the divide between episcopalians/Anglicans and presbyterians. Lori Anne Ferrell has shown how the English court under James VI and I attacked puritan nonconformity by identifying it with the subversive nature of popery.² That dissenting puritan 'movement' found plenty of popery in the life and work of Launcelot Andrewes, William Laud, John Cosin, and numerous others. Scottish opponents of episcopacy and of the use of ceremonial in worship were no less forthcoming in their opposition than were people like Alexander Leighton (himself an expatriate Scot), John Bastwick, Henry Burton, and William Prynne,³ all of whom suffered mutilation and imprisonment for their stridency.

Christopher Hill noted years ago that 'popery' 'was a convenient phrase under which opposition stemming from the most divergent causes could be united'.⁴ Another important term was 'Arminian', and this meant the same thing, as Arminians were simply the advanced guard of all things popish. In Scotland these tensions came to a head a few years earlier than in England, and indeed helped significantly to bring about the collapse of the Stewart monarchy in the British Isles and ultimately the execution of Charles I. Thus while Scotland had absorbed Protestant influences from England even before 1560, it repaid the debt completely and fatefully.⁵ Scotland's relationship with England was complex and ineluctable. It was impossible to ignore the more powerful southern neighbour. England harboured both fell enemies and fast friends, and

¹ DCH, iv, 1-3.

² L.A. Ferrell, *Government by Polemic: James I, the King's Preachers, and the Rhetoric of Conformity, 1603-1625* (Stanford, Calif., 1998).

³ S. Foster, *Notes from the Caroline Underground: Alexander Leighton, the Puritan Triumvirate, and the Laudian Reaction to Nonconformity* (Hamden, Conn., 1978).

⁴ C. Hill, *Economic Problems of the Church from Archbishop Whitgift to the Long Parliament* (Oxford, 1956), 5.

⁵ G. Donaldson, *Scotland: Church and Nation through Sixteen Centuries* (London, 1972) provides a helpful perspective on the insular religious problem.

Canterburians and presbyterians alike (though as the presbyterian Robert Baillie noted later, English presbyterianism tended toward a lame Erastian variety) found spiritual kin north of the Tweed.

The anonymous 'Historie of Church and State' (pp. 21-49) is notable neither for its originality nor for its accuracy (see p. 28, n. 27 below). The value of the work is its demonstration of a way of looking at the world, and in particular of recent 'British' history—no presbyterian could be persuaded that Scotland and England could go their separate ways. Lurking behind all the evils was the archbishop of Canterbury, whose sole purpose in life was to bring the island back into subjugation to Rome.

William Laud was not the outstanding theologian of his time, and while he undoubtedly rejected the advanced Augustinianism of his puritan critics there is nothing to suggest that he had turned into a medieval 'semi-Pelagian' on the point of salvation, and even Richard Montagu rejected the notion of meritorious works. Laud was a bureaucrat and an institutional reformer, committed to the renovation of the fabric of the church and to the increased ceremonial dignity of what took place in worship. And perhaps not only Anglo-Catholics might have considered that there were places other than churches where certain activities might be carried on, including the elimination of bodily wastes, the satisfaction of lustful impulses, the care and feeding of domestic animals. Laud declared: 'tis superstition now adaies for any man to come with more Reverence into a Church, then a Tinker & his Bitch come into an Ale-house.'⁶ The 'beauty of holiness' had a real practical point, and even Baillie allowed that under that otherwise desperate ecclesiastical regime some gains were made which might put Scotland to shame:

It is here alone, where, I think, we might learne from Canterburie, yea, from the Pope, from the Turks, or Pagans, modestie and manners; at least their deep reverence in the house they call God's ceases not till it have led them to the adoration of the timber and stones of the place. We are here so farr the other way, that our rascals, without shame, in great numbers, maks such dinne and clamour in the house of the true God, that if they minted to use the like behaviour in my chamber, I could not be content till they were down the stairs.⁷

Laud, however, was woefully inappropriate for the highest ecclesiastical office in the realm. He had very little political sense; he seems to have believed in the efficacy of his own spoken or written word, and his initial and pre-eminent response to refusal was that of an impatient absolutist. He was very nearly an emotional cripple, and beyond the narrowest circle of intimates where he may

⁶ William Laud, *A Speech delivered in the Starr-Chamber ... concerning pretended Innovations in the Church* (London, 1637), 46.

⁷ *RBLJ*, i, 123.

have achieved some degree of warmth and generosity, he was a severe individual with little or no pastoral sense. The four puritan martyrs were all grossly intemperate men, and Burton's autobiography is full of egotistical distortion in its description of the author's confrontations with Laud and his self-comparison with the apostle Paul.⁸ Nevertheless Laud's advocacy of the grotesque facial mutilation of these men cannot be defended and casts his career in a dismal light.

However, presbyterian rants about an inquisitorial reign of terror under Laud were nonsense. In the hands of the author of the 'Historie of Church and State' such declamations emerged from a view of history which was defined in the early stages of this excerpt. First was the council of Trent which set forth a programme of reconquest, and second were the machinations of papists to sway James VI and I to prelacy, and then to take advantage of his good will and that of his son to advance the cause of Rome.

On this telling, then, one would presumably have to reckon that the lack of conversions by churchmen to Rome was simply part of the conquest by stealth which Rome had plotted. The arrival of Henrietta Maria did encourage some open popery, and in the 1630s Laud expressed concern over further conversions. But what was the reality amongst men of his stripe?

John Cosin (1594-1672) was a protégé of Richard Neile, latterly archbishop of York, who, while bishop of Durham, appointed him to a prebend at his cathedral; Charles II would make him bishop. He was thought by puritans to be popish, but during seventeen years of exile in France he never wavered in his commitment to the Church of England, disputing with various representatives of the Roman communion. His son, however, educated by Jesuits, did convert, and when all attempts failed to bring him back to the Church of England, father effectively disinherited son.⁹ Cosin would affirm only two sacraments,¹⁰ and surely even the most rigid puritan spirit could find much to cheer him in Cosin's allegedly popish *Private Devotions*. On the fourth commandment, the holiness of the Lord's Day, he urged worship, retreat 'from unnecessary servile labours', and giving alms, and he rebuked those who 'spend it away in idle and vain sports; that eat and drink, or discourse, or sleep it away', though he undoubtedly spoiled all with his permission of 'the joyful festivity of this high and holy day' which allowed room for bodily recreation.¹¹

One who did convert to Catholicism was William Chillingworth, though his new trajectory carried him only about a year, whereupon he returned to

⁸ Henry Burton, *A Narration of the Life* (London, 1643).

⁹ John Cosin, *Works*, 2 vols. (Oxford, 1843-5), i, p. xxxiii.

¹⁰ *Ibid.*, ii, 121.

¹¹ *Ibid.*, ii, 116.

England and the bosom of the national church. He is famous for his *Religion of Protestants*, in which he expressed himself willing to defend Luther generally, even if the German reformer was inclined to excess. He lectured his papist opponent and admonished him to keep silent 'and to demand no more, "whether God be wont to send such furies to preach the gospel?"' unless you desire to hear of your killing of kings, massacreing of people, blowing up of parliaments; and have a mind to be asked, "Whether it be probable, that that should be God's cause, which needs to be maintained by such devilish means?"'¹² He addressed the question of whether or not Protestants were guilty of schism, and predictably determined that they were not, on account of the reasons for their separation from Rome: 'the impieties of your church being, generally speaking, damnable'.¹³ As for the others, most Laudians made names for themselves in defending the Church of England against the aspersions of Roman Catholics!

And then there was Richard Montagu. In his blockbuster book of 1624, *A Gagg for the new Gospell?*, he raised doubts about the pope's identification as the Antichrist (see below, p. 8). But such a man makes a poor candidate for a promoter of the Roman interest in England, as may be seen from other topics addressed in his book. He granted great honours to Peter, but denied that his precedence could sanction 'that illimited power given to the Pope, *Our Lord, Vice-God upon earth*'.¹⁴ He affirmed justification *sola fide*¹⁵ and that good works done before justification 'merit not at all, unlesse you meane Hell, and God's wrath'.¹⁶ To be sure, Montagu did not accept a radical determinism in salvation. He wrote that both Protestants and Roman Catholics were divided amongst themselves with respect to this doctrine, and implied strongly that the puritan view was a matter of private opinion rather than the received teaching of the Church of England: 'For particular opinions, So or so, *aetatem habent*; let them speak for themselves: and so be it they rent not the peace of the Church, let them abound in their private sense. I nor teach nor beleieve any such Paradox; nor the Church whereof I am, and you should be, a Member, positively.'¹⁷

It is at this point that James Wedderburn's theological notebook enters upon the stage, and while his writings are clearly English documents, they form a link with Scotland. Wedderburn would soon return thither, and the recoil of his fire against Catholicism struck at puritans. If his immediate concern was *English*

¹² William Chillingworth, *The Religion of Protestants a Safe Way to Salvation* (London, 1846), 387.

¹³ *Ibid.*, 341.

¹⁴ Richard Montagu, *A Gagg for the new Gospell? No: A new Gagg for an old Goose* (London, 1624), 63.

¹⁵ *Ibid.*, 151; the Reformation formula 'by faith alone', as opposed to salvation by human activity.

¹⁶ *Ibid.*, 155.

¹⁷ *Ibid.*, 180-1.

puritanism, that phenomenon was, as noted above, British in scope. The Scottish presbyterian assault against Laud and Cosin and their associates was not a nationalist protest against English imperialism. It grew out of a religious mentality shared by English and Scottish puritans which abhorred the Roman Antichrist and all his evil works, sought out evidence of a Roman conspiracy even in unlikely places, and refused steadfastly to believe good about those whom they identified as the pope's co-conspirators. There was room for the expression of anti-English sentiment here and there, but this was not the fundamental issue, as the author of 'The Unreasonableness of the Service Book' (pp. 100-20) made clear. If it had been otherwise, Scottish puritans would have been hard-pressed by the necessity of distinguishing themselves from English puritans whom they embraced enthusiastically and whose enduring friendship and support they carried in the Solemn League and Covenant. Although Scottish presbyterians were vocal in their accusations, they were not alone, and both the author of the 'Historie' and numerous other Scottish divines demonstrated their admiration for the Church of England where they might find numerous kindred spirits. The anti-prelatical, anti-liturgical movement was not the outward face of a nationalist impulse.

If there is one point of theological overlap between Canterburyans, other episcopalians, and presbyterians in the period under scrutiny, it is found in the wide-ranging corpus of theological writings produced by Augustine. This greatest of the Latin Fathers was born in Thagaste, in the Roman province of Africa, in 354, just 17 years after the death of Constantine who had done so much to lay the foundations of the medieval world, on which Augustine would erect an edifice which would endure for rather more than a millennium. Augustine lived until 430, having become bishop of Hippo in 396, and his death occurred just as the Vandals swept down on his Mediterranean diocese. His literary and intellectual legacy includes his autobiographical *Confessions*, abundant letters, treatises both philosophical and theological, and among these latter, a number of items which defined positions on the church, predestination, and the sacraments. The motivation for discussing the church lay to a considerable extent in his conflict with Donatism, a North African schism which emerged from the Great Persecution under Diocletian. The Donatists claimed to possess the authentic episcopal succession and thereby to be the one true church, despite its obviously provincial limitation. Presbyterians in particular were interested in Augustine's work on predestination, arising from his energetic debate with the British monk Pelagius who rejected teaching about original sin. In letters to his cousin John Crichton of Paisley, Baillie played the role of Augustine while Crichton apparently assumed Pelagius's mantle.¹⁸

¹⁸ NC, Baillie MS 1, 'A Conference by Letters with a Canterburyan Minister anent the Arminian

Late medieval Europe experienced a patristic revival, and Augustine in particular made a deep impression upon Roman Catholic and Protestant reformers. A.D. Wright observes that 'Augustine's confessional discussion of personal conversion, his obsession with the doctrines of justification and predestination, proved of compelling attraction'.¹⁹ Interest in him may be observed in the publication of his *Opera Omnia* in 1506; other editions followed, and when Wedderburn wrote down his notes on the catholic church he apparently had available to him a relatively new such publication, produced in Cologne in 1616.

Wright also points out that Augustine became a battlefield between and among Catholics and Protestants—there was more than one Augustine available. In Scotland, to presbyterians such as Baillie, and moderate episcopalians like John Forbes of Corse, he was the hammer of Pelagius; to a man like Wedderburn, Augustine's anti-Donatist ecclesiology had compelling force both in the battle with Rome and with more radical Protestants on the left. The American theologian B.B. Warfield wrote that the Reformation 'was just the ultimate triumph of Augustine's doctrine of grace over Augustine's doctrine of the church',²⁰ and so it was triumphant in Scotland in 1638 and in England in the succeeding years. What happened during the Restoration was the swinging of the Augustinian pendulum.

Given the presbyterian propaganda surrounding figures like Wedderburn, Laud, and Cosin, to name just a few 'Canterburians', there is an intrinsic interest in what Wedderburn might write with reference to Rome. In fact he wrote a treatise—or at least the basis for a treatise which was never published—in which he discussed the relationship of Protestantism, and especially the Church of England, to Roman Catholicism.²¹ Wedderburn was a Scot, born in Dundee and educated at St Andrews and in England, before returning to teach at his Scottish alma mater, something which apparently did not turn out happily. He thereafter emigrated again, in 1626, to England, where he consorted with the so-called Arminians and Canterburians and obtained preferment. In 1635 he returned to become dean of the Chapel Royal and was elevated to the see of Dunblane in 1636. He was deposed with the other bishops in 1638 and was one of those also excommunicated. He returned to England but did not survive to the end of

Tenet of the Saints Apostasie'.

¹⁹ A.D. Wright, *The Counter-Reformation: Catholic Europe and the Non-Christian World* (London, 1982), 3.

²⁰ Quoted in A. McGrath, *The Intellectual Origins of the European Reformation* (Oxford, 1987), 179.

²¹ A. Milton, *Catholic and Reformed: the Roman and Protestant Churches in English Protestant Thought, 1600-1640* (Cambridge, 1995), 332, 335-6.

1639. Professor Donaldson attributed to him a large part in the production of the Scottish *Book of Common Prayer*.²²

Clearly his treatise on Roman claims to catholicity arises from the immediate context of England, but given his Scottish origin and destiny it has value for students of Scottish history both because of its challenge to a rigid Protestant view of the Reformation, and also because of its sideways glances at puritanism. If papists are like Donatists in their spurious claims to superiority, so too are some Protestants; indeed he wrote of 'puritanisme of both sorts' (p. 62 below).

Thus the first two documents go far toward setting the agenda for the entire collection, for they lay out ways of looking at history; and the way we look at history will inevitably shape the way in which we conceive the present and the future. Wedderburn's Protestant revisionism rendered the combative essence of the Reformed, i.e. Calvinist, religion irrelevant. It left no irreconcilable enemy to defeat—at least not on one's doorstep—and no validation of Protestants' conspiratorial worldview which had so much to do with fear, guilt and vengeance. If there was no possibility of defeat, so there was no hope of victory. The outcome was a deflated eschatology, stasis not triumph, no pronounced sense of an earthly 'not yet'.

This may be seen in clearer perspective in Montagu's *Gagg*, where he wrote that there were two types of biblical references to Antichrist, one apocalyptic and speculative, the other a more generalised historical phenomenon without a particular individual identification. He had no doubt about the biblical basis for the notion,

but whether he was to be, one particular man; or a State, a succession opposite to Christ; I know no Article, Canon, or Injunction, that tyeth mee to beleieve. The Church of England leaveth me to my opinion: Every man may abound in his owne sence, and beleieve it, or not beleieve it, as he will. For who dareth peremptorily define what God himself hath not, but left at liberty?²³

His own historical interpretation of a succession rather than an individual was broad enough to include both the Turk and at least some of the popes.

In Scotland, one of the complaints at the Glasgow general assembly was that Patrick Panter of the University of St Andrews had identified the Antichrist with Mohammed rather than with the pope. This was one more small but significant step in the working out of the Grand Design of Rome. Such accusation was apparently *de rigueur* at the time,²⁴ for the author of 'The Unreasonableness

²² MSPB, 49-55, 81-2. The title of this book might obscure the fact that it contains the text of the prayer book, and in most instances this is the version referred to in subsequent notes throughout this book.

²³ Montagu, *A Gagg for the new Gospell?*, 73; D.G. Mullan, *Episcopacy in Scotland: the History of an Idea, 1560-1638* (Edinburgh, 1986), 166.

²⁴ Milton, *Catholic and Reformed*, 119.

of the Service Book' alleged it against David Mitchell, William Forbes and John Maxwell.²⁵

Over against this moderation may be juxtaposed the thought of David Calderwood, Scottish presbyterianism's leading propagandist in the twenty years preceding the National Covenant. In 1621 he aired Scottish hostility to episcopacy in strident apocalyptic terms. His manifesto entitled *The Altar of Damascus or the Patern of the English Hierarchie, and Church-Policie obruded upon the Church of Scotland* claimed that the perilous distinction among ministers began in Alexandria:

This was the beginning of that great mischiefe which followed: This was that Cockatrice egge out of the which Antichrist himselfe was hatched: For this perpetuall Presidencie and prioritie of order, did degenerate in superiority of power, and majoritie of rule, and the Bishops growing to some grandeur, they behoved to have an Archbishop, and at last a Pope. So that if a Bishop had not beene, a Pope had not been, and if there had not been a Pope, the great Antichrist had not been.²⁶

In all probability it was again Calderwood who wrote seventeen years later:

Whereunto doth this defection tend? Doth it not tend first to perfitte conformitie with the English Church, then at last will it not ende in full conformitie with the Roman Kirk?... All the Relicts of Rome, which are lying like stincking filth in their Church, shall be communicated to us; the paterne of their Altar, their Service, their Hierarchie, and Romish policie, shall bee set up in our Church. This defection tendeth yet further, to wit, to conformitie with Rome.²⁷

John Selden, a contemporary English legal scholar, parliamentarian and antiquarian wrote:

We charge the prelatical clergy with popery to make them odious though we know they are guilty of no such thing, just as heretofore they called images Mammetts and the adoration of images Mammetry, that is Mahometts and Mahometry, odious names, when all the world knowes the Turks are forbidden images by their religion.²⁸

Selden was, of course, an iconoclastic and cynical observer who took delight in ridiculing the sacred cows of his time, and one cannot help but wonder to what extent might his comment be applicable to Scottish presbyterian attacks on alleged popery? It is, on the one hand, difficult to imagine that men like Alexander Henderson, who had been associated with Archbishop George Gledstanes, and

²⁵ Likewise Laud. C. Carlton, *Archbishop William Laud* (London, 1987), 40-2, 127-30, 149-50, 222. Carlton eulphates Laud from being a papist, but in his psychologising the archbishop's character also suggests that he perhaps had some deep-seated sense of missing something through detachment from Rome which obviously preserved something more of ecclesiastical continuity with Christian antiquity. By way of contrast in Scotland, see John Forbes of Corse, *Irenicum Amatoribus Veritatis et Pacis in Ecclesia Scoticana* (Aberdeen, 1629), 271; D.G. Mullan, *Scottish Puritanism, 1590-1638* (Oxford, 2000), 220.

²⁶ (n.p., 1621), 74.

²⁷ *Quaeres concerning the State of the Church* (n.p., 1638), 8.

²⁸ John Selden, *Table Talk*, ed. F. Pollock (London, 1927), 99-100; ref. in Hill, *Economic Problems*, 5. I have modernised the text.

Robert Baillie, who had something of a struggle to align himself with the radical covenanting movement, could have accepted this over-heated rhetoric at face value. And yet, they acted as if they did. One suspects that these intelligent men set aside their critical faculties in the heightened passions of the 1630s, and this may serve to remind readers that just like the forebears of today's sophisticated and demure quakers, earlier presbyterians were of a rather different stripe than their modern establishment counterparts. Not one of the Scottish prelates outed in the revolution ever became a Roman Catholic; Bishop Thomas Sydserff spent many years in exile and never converted. Presbyterian/puritan accusations that these men were walking the high road to Rome were patently false, and Baillie recognised the extremes to which the rhetoricians of his party might be tempted.²⁹ He might also have recalled Spottiswood's willingness to see John Ogilvie hanged for his refusal to take the oath of allegiance. Strange Roman Catholics! But Baillie himself became a major contributor to the flood of frequently mindless diatribes and rants.

Given its interest in apocalypticism, presbyterianism was always in danger of falling into a religious mire consisting of guilt, fear and recrimination. Typical was the conspiracy theory expressed at Glasgow about the new crew of papal troopers, the Arminians, 'the reserved squadron of Knights of his new order of refined Reconcilers, by whose pretences of friendship and peaceable meditations, he is confident to overthrow the Protestant cause more quickly than by the heads and hands of all his former Squidiers'.³⁰ But then the other side confronted its own perils of interpretation, portraying all of a puritan tendency as inveterately disobedient and seditious men.³¹ Middle ground was hard to find; indeed, in view of what Baillie had to say at the outset of his treatise on episcopacy (pp. 149-91), perhaps it did not exist.

The remaining documents may be dealt with rather more summarily. The conference between Bishop Sydserff and Samuel Rutherford (pp. 82-99) illustrates the immense amount of common ground shared by both sides—and the unbridgeable chasm which opened at their feet. Negotiation was hopeless since every controversy had been decided in advance; indeed Scottish quarrels about ecclesiastical government and worship had been well aired in a lengthy literary war between Thomas Cartwright and Archbishop John Whitgift in Elizabeth's

²⁹ D.G. Mullan, 'Arminianism in the Lord's Assembly: Glasgow, 1638', *Records of the Scottish Church History Society*, xcvi (1996), 1-30, at p. 11.

³⁰ [Robert Baillie,] *A Parallel or briefe Comparison of the Liturgie with the Masse-Book, the Breviarie, the Ceremoniall, and other Romish Rituals* (London, 1641), A2r-v.

³¹ Milton, *Catholic and Reformed*, 515-23.

time and there was really nothing new to add.³² Baillie's discussion of the Scottish *Book of Common Prayer* (pp. 100–20) continues the accusations of popery and once again illustrates the conspiratorial view of the universe and the failure of dialogue. What kind of conversation could there be with men who could write of that book: 'As for the second parcell, the Angelike salutation, *Ave Maria*, it is not actually in our Booke; but may wee not say it is in it potentially?'³³ The letter from Spang (pp. 121–31) focuses on the difficulty which could be generated for a man whose prudence led some to think he was too reserved in his support for the Covenant—something which, if known, must surely have brought a wry smile to the faces of men like Sydserff and Maxwell, especially in view of the reputation of that individual, Henry Rollock, to whom he protested his innocence. Rollock had been known as a waverer.³⁴

The tribulations and backslidings of the times could be counted on to produce a call for a fast (pp. 132–6), and it was almost certainly Calderwood who generated this one, reciting Scotland's woes and seeking to wrap the country in a protective garment of divine mercy. He cited idolatry, heresy, Arminianism and popery as impending perils, and thus the traditional ritual of the fast was conscripted into the struggle against the enemies of the presbyterian God. Given the national scope of a fast, it might be counted on as an effective instrument of propaganda in stirring up the passions of the religiously aware and vulnerable.

The remaining documents reflect the impact of the general assembly of 1638, held from 21 November in the cathedral in Glasgow. The first of these (pp. 137–48) is an anonymous report, almost certainly by Archibald Campbell of Glencarradale, which clarifies some of the processes within the assembly and reflects the kind of information which might be circulated back to the other centres of power within the country. Baillie's undelivered speech on episcopacy (pp. 149–91) illustrates the fact that presbyterians were not oblivious of Christian antiquity. They succeeded in raising the question of 'which antiquity?' and debating the substance of 'patristic authority'. A larger historical question has to do with the nature of presbyterian familiarity with ancient sources and their treatment of those writings. That question lies beyond the present work, but its significance is evident in Baillie's 'Discourse', as it was in Calderwood's *Altare Damascenum* (n.p., 1623).³⁵ The process against William Wishart (pp. 192–203)

³² The various debates have been reduced to digestible portions in D.J. McGinn, *The Admonition Controversy* (New Brunswick, NJ, 1949). See also J.D. Ford, 'Conformity in conscience: the structure of the Perth Articles debate in Scotland, 1618–38', *Journal of Ecclesiastical History*, xlv (1995), 256–77.

³³ Baillie, *Parallel*, 8. See also MSPB, 71.

³⁴ On Rollock, see Mullan, *Scottish Puritanism*, 76, 82, 100; and on Spang's early dealings with Sydserff and Maxwell, 221.

³⁵ *Ibid.*, 234–40.

brings one to more local issues which supply interesting detail but present difficult problems of how to read it. The complaints, while making Wishart into something like an imperious papist, also accused him of wrongdoing in the session. It is clear that local disputes—not just abstruse theological arguments or even liturgical ‘innovations’—had much to do with the accusations and processes of the period.³⁶

The collection concludes with two documents from episcopalian hands. The Caroline episcopate failed to establish an impressive intellectual presence through publication of works of divinity—even William Forbes’s treatise waited until 1658, 24 years after his death, to appear in print—and the behaviour of some of these men in their time of trial was pusillanimous and unprincipled.³⁷ In ‘A Reply to the *Reasons for a Generall Assemblie*’ (pp. 206–13), a bishop—not inconceivably Archbishop Spottiswood—or a supporter supplied a forthright rebuttal to presbyterian arguments, but it came too late to be published in Scotland and languished in manuscript. It was, in any event, difficult for episcopalians to defend themselves in that they had little regard for the constitutionalism professed (not unambiguously) by presbyterians. They placed their faith either in the king—even Sydeserff admitted his regret about the ceremonies introduced by royal authority, but which he could now only support (p. 97)—or else in the traditions of Christian antiquity, which Baillie thought himself quite capable of demolishing. Similarly Bishop Guthrie (pp. 214–23) could write only for himself, because the Scottish press had fallen into hostile hands, but one can be sure that of all the authors included in this collection, Guthrie would have been the most approving of the editor’s presentation of his work, an *apologia pro vita sua*, to the widest possible public.

Unless one is ready to confine the academic study of history to the ivory tower from which it is forbidden ever to descend, one is inevitably forced back onto some species of the didactic use of history, and this need not be hindered by the distance one may feel from early modern evangelicalism, and indeed from its modern survivals. For unless one consigns history to some notion of inevitability, people’s actions and their manipulations of ideas are susceptible to a tentative moral assessment, if only because the actors on an earlier stage could have chosen otherwise than they did. In this instance the covenanters fell prey to a conspiracy theory. They were neither the first nor the last to do so, and indeed the idea of a conspiracy is probably close to the surface of human experience in many times and places, not least in the twentieth century on both sides of the great divide which defined the post-World War II period. A sense of hostile

³⁶ Mullan, ‘Arminianism’, 25.

³⁷ Mullan, *Episcopacy in Scotland*, 190–2.

conspiracy germinates in the ground of discontent, and once set in place it is difficult to combat for it capitalises on grains of truth which give the presentation of a conspiracy an aura of credibility.

What is particularly frightening and distressing about this and other such episodes in humanity's tottering movement through time is that it was generated by the intelligentsia of society, those who had access to the universities and to the training in logical thinking which formed such a significant element in the curriculum. These men, especially the clergy but along with some members of the laity, were capable of sophisticated thought in theology and in the areas of law and politics, and for these social leaders to fall prey in such large proportion to such puerile nonsense represents a literal *trahison des clercs*. The ruin of Scottish society was their work; it was their folly which led directly to the violent deaths of thousands of their own countrymen. Surely there is a morality lesson embedded somewhere within the matrix of this tragic story, and it would be an equal, indeed worse, folly if we were to imagine ourselves too advanced to follow in the same path. Intellectual treason appears all too frequently, and every occurrence supplies a lingering rebuke to self-congratulatory notions of human progress.

The Documents

'Historie of Church and State', c.1646

Source: NC, CHU 12, Wodrow MSS, Folio, vol. x.

Given the local interest expressed in this work, the author was probably either William Major, minister of Caerlaverock, or Gavin Young, minister of Ruthwell. William McMillan pointed to the former, and because he was a delegate at the 1638 assembly for the presbytery of Caerlaverock, that is a reasonable if less than certain attribution.³⁸ This excerpt contains the most interesting material, much of the remainder consisting of well-known documents. NLS, Wodrow MSS, Folio ix is another history from 1560 to 1619, and exists in a rather different hand. NLS, Advocates MS 34.5.9 has an obvious relationship with this document, but is not exactly the same and probably represents another (earlier?) version.

James Wedderburn, 'On the Church of England and the Problem of Catholicity', c.1632

Source: British Library, Harley 750, 63r.-76r.

Wedderburn's literary remains are in the British Library in two volumes in the extensive Harley collection. The first of these, 749, has on its title page 23 October

³⁸ W. McMillan, *The Worship of the Scottish Reformed Church, 1550-1638* (London, [1931]), 192, n. 4.

1613, though that means nothing in particular in terms of dating the contents. It is a commonplace book, on theology, beginning with God, Christ, the Holy Spirit, baptism, ministry, eucharist, Mary, predestination, heresy and schism, angels, man, the Word of God. The hand of Augustine is evident at every turn, and other ancient and (fewer) modern authors. It is mainly in Latin, but *De Conjugio* has a good deal of English. The second, 750, is a miscellany, beginning with 'An Order agreed upon for translation of the Bible', i.e. the AV. Then come comments of an exegetical nature on various biblical books. On 79r. of this volume (i.e. the document which follows that printed here) one finds a theological disputation dated 6 June 1632, suggesting a not distant date for this document. There are two paginations. The higher number, presumably Wedderburn's own pagination, has numbers always one greater than the other, from fo. 23.

Samuel Rutherford and Thomas Sydserff, bishop of Galloway, 'Ane discussing of some arguments against cannons and ceremonies in God's worships', 1636

Source: NLS, MS 15948.

Rutherford was a graduate of the University of Edinburgh, and became minister of Anwoth in 1627.³⁹ He was appointed a professor at St Andrews in 1639, and remained there for the rest of his life. He wrote a number of works, the best-known of which was *Lex, Rex* (1644), for which he might have been put to death at the Restoration had he not died from natural causes in 1661. Sydserff was born in 1581 of an Edinburgh family. He served parishes in Edinburgh until his appointment to the see of Brechin in 1634. He moved to Galloway in 1635. At the Restoration he was appointed to Orkney, dying in 1663.⁴⁰ Robert Baillie wrote:

Mr. Rutherford, of whom you write, was silenced and confined to Aberdeen, for preaching against the Articles of Perth and such things. It is true he refused to give the Chancelour or any of the Bishops their styles; they were animat also against him for taxing Camerone in his book, and most for his indiscreet railing at Jacksone; also it is long since the Register, dealing to have Mr. Henry Rollocke coadjutor to the blind Bishop of Galloway, did put in the King's hands a treatise written by Rutherford upon Conventicles, or the extent of private men's libertie in publick praying and expounding of Scripture, to be ane argument of that Bishop's negligence. All thir things and some moe did provoke them, bot the alleadged cause of their censure was onlie Conformity. The man is godly and a prettie scholar; however I like not weill his obscuritie in that book, and I mislike also his conclusions and reasonings in a pamphlet of his, goeing athort our people, 'A Relation of a Conference of his with Sincerfe of Galloway', wherein he will have our kneilling black idolatrie. One of his grounds is a tenet which he imputts to the Bishop, that the Act of

³⁹ J. Coffey, *Politics, Religion and the British Revolutions: the Mind of Samuel Rutherford* (Cambridge, 1997), 30–61.

⁴⁰ FES, vii, 353–4.

Perth does injoyne to kneill, for reverence, to the mysterious elements; this kneilling I think a Papist would not maintain, so I take it for a calumnies ...⁴¹

One sees in this comment some of the fracture lines which the covenanting movement had to try to paper over; they are also visible in Spang's letter.

The document is a presbyterian production, perhaps by Rutherford himself, and from Baillie's comments, it had some circulation in manuscript—not an uncommon medium for presbyterian divinity. The question of indifference had a long history from the time of the Protestant Reformation and was discussed by other Scottish divines.⁴²

[Robert Baillie,] 'The Unreasonableness of the Service Book which is made for the Church of Scotland: An Answer unto the Preface of the Service Booke', c. 1638

Source: EUL, Laing MSS, La.I.292a.

On 2 January 1637 Robert Baillie asked William Wilkie, regent in Glasgow, to send him a copy of the service book, though it was not yet published. 'I am myndit to cast my studies for disposing of my mind to such a course as I may be ansuerable to God for my cariage. Whouever, I am greatly affrayit that this aple of contention have banishit peic[e] from our poor Church heireftir for ever.'⁴³ With rhetoric like that contained in this and other tracts, that would have been a judicious expectation. Given the points of similarity between this tract and Baillie's *Parallel or briefe Comparison of the Liturgie with the Masse-Book, the Breviarie, the Ceremoniall, and other Romish Rituals* (London, 1641), it is reasonable to suggest that he in fact wrote it, though he was not the only divine to write on the subject. John Hay, minister at Rafford, reported to the 1638 assembly that he had done likewise;⁴⁴ there exists another manuscript treatise entitled 'Jeshurun, or a people once right going wrong in the service of God made manifest by the new order of the communion';⁴⁵ and an anonymous writer produced a four-page tract entitled *Reasons for which the Service Booke, urged upon Scotland ought to bee refused* (n.p., 1638).

William Spang to Henry Rollock, 1638

Source: NLS, Wodrow MSS, Folio lxvi, no. 55.

This appears to be an autograph. A note on the back of the document reads: 'To

⁴¹ RBLJ, i, 8–9.

⁴² J.D. Ford, 'The lawful bonds of Scottish society: the Five Articles of Perth, the Negative Confession and the National Covenant', *Historical Journal*, xxxvii (1994), 45–64; Ford, 'Conformity in conscience'.

⁴³ RBLJ, i, 1.

⁴⁴ RKS, 166; FES, vi, 221.

⁴⁵ EUL, Laing MSS, I. 293.

the reverend my worthy brother Mr Henri Rollock, minister of the Gospell at Edenbrugh'. Rollock was an ambiguous figure, and by this time was trying to reinvent himself as a determined covenanter.⁴⁶ Spang was born in Glasgow in 1607. He entered the ministry of Campvere in 1630. He was hardly deficient in his commitment to the presbyterian and covenanting cause, but his reserve in making the most negative judgements or the most dramatic gestures was sufficient, in the charged atmosphere of the National Covenant, to cause some co-religionists to doubt his reliability. He moved to Middelburgh 4 May 1653⁴⁷ and died there 17 June 1664. His publications are noted on p. 45, n. 107 below.

[David Calderwood,] 'Motives and Causes of Humiliatioun', c.1638

Source: NLS, Wodrow MSS, Folio xxix, no. 12, fo. 27r.-v.

There is a marginal note in Wodrow's hand: 'Causes of Fasting about 1637 or 1638', and there is no basis for disputing this. The author may well have been David Calderwood, known to modern students as the great presbyterian antiquarian of the Jacobean period, but his immediate impact was as that party's leading controversialist to about 1637, thereafter overtaken by Gillespie, Baillie, and Rutherford. Identification of authorship is predicated upon a comment near the end of the document where the author describes a speech by David Ferguson. The account follows Calderwood's as yet unpublished history (*The True History of the Church of Scotland* [n.p., 1678], 324; *DCH*, v, 435-6) very closely, right down to the concluding 'etc.' Indeed he might have lent his work to someone who borrowed from it, but the material is consistent with Calderwood, and the attribution, if unproven, is highly plausible. The first sentence refers to 'the reformatioun of religioun' which most probably refers to 1560, as it appears that the second Reformation, i.e., 1638, has not actually taken place. This call for a fast was therefore issued sometime between the prayer book riots in July 1637 and the signing of the National Covenant in February 1638. Fasting had a prominent place in the history of the Reformed kirk, and a lengthy section in the *Book of Common Order* was devoted to it.⁴⁸

[Archibald Campbell of Glencarradale,] 'Report of the Glasgow Assembly', 1638

Source: NAS, Breadalbane Papers, GD112/43/5/6-8.

The handwriting is consistent with that of Archibald Campbell of Glencarradale,

⁴⁶ See above, p. 11, n. 34.

⁴⁷ *FES*, vii, 541, 547-8. This publication has him appointed to Campvere on 27 Jan., but the date of 25 May is given in J. Davidson & A. Gray, *The Scottish Staple at Veere* (London, 1909), 278.

⁴⁸ *The Book of Common Order of the Church of Scotland, commonly known as John Knox's Liturgy*, eds. G.W. Sprott & T. Leishman (Edinburgh, 1868), 150-91.

a faithful correspondent of Colin Campbell, eighth laird of Glenorchy (c.1577–1640).⁴⁹ The laird was a cultured man, and apparently liked to be kept informed of events. Other examples of Archibald Campbell's handwriting are to be seen in the Breadalbane Papers, e.g., GD112/39/67/26. He appears to have been in attendance upon Archibald, marquis of Argyll, and so absent from one of the sessions he would otherwise have reported upon. The material is in agreement with what is known of the assembly from other sources.⁵⁰ The writer also adds some colour of his own, and leaves us with some idea of what was being reported around the country.

Robert Baillie, 'A Discourse anent Episcopacy', 1638

Source: NLS, Wodrow MSS, Quarto xxxi, no. 5.

A note in the NC copy, Baillie MSS, Baill 4/2 (fos. 103r.–116r.), fo. 103r., describes the context of this treatise:

This speach anent episcopacie was not delyvered in the sinod, for it was not thought expedient to dispuitt the grounds of this estate, bot onlie to try the being of it in our church by the acts of our lawfull assemblies, and books of discipline, yett ye may be pleased to heare what I was mynded to have said upon the matter itselfe, without reference to the prior acts of our church, if I had beene requyred.

Alexander Henderson, the moderator, eschewed unnecessary theorising about issues, focusing on more legal and factual matters, all in a successful attempt at keeping the assembly on a rigidly defined trajectory. Baillie himself did not vote in favour of the broad motion that episcopacy—including the superintendency—could not consist with the Negative Confession, but he had no doubt that the historic episcopate, as it had developed over the centuries, against the better judgement of the Fathers, was corrupt and ungodly.⁵¹

'The Protestation with some Grievances and Complaints ... against Mr William Wisheart, Parson of Restalrig and Minister at Leith', 1639

Source: NLS, Wodrow MSS, Quarto cvi, pp. 318–29.

Wishart graduated from King's College, Aberdeen, in 1606. After appointments in Fettercairn (presbytery of Fordoun), Minto (presbytery of Jedburgh), and again in Fettercairn, he took up the charge of South Leith in 1630. He became a member of the high commission in 1634. He was summoned to appear before a church court in 1639: 'Mr William Wisheart, minister of Leith called on, compeared not; a foul processe proved against him, drunkennesse the space of

⁴⁹ *The Black Book of Taymouth*, ed. C. Innes (Bannatyne Club, 1855), 72–85; J.B. Paul (ed.), *The Scots Peerage*, 9 vols. (Edinburgh, 1904–14), ii, 188–9.

⁵⁰ *RKS; RBLJ*, i, 118–75; Robert Douglas in NLS, Wodrow MSS, Quarto lxxii, no. 1.

⁵¹ *RBLJ*, i, 157–8, 176–8; *RKS*, 168.

ten years, never sober, but oft tymes at preaching. He was deposed.⁵² He had probably already left the country and later died in Cornwall.⁵³ He published two books, the first being the generally unexceptionable *An Exposition of the Lords Prayer* (London, 1633). In 1642 he issued a poem of 7,000 lines entitled *Immanuel*,⁵⁴ he also wrote a brief poem, 'Aaron's Obsequie', upon the death of Bishop Patrick Forbes in 1635.⁵⁵ The 'Protestation' is followed by an appendix, containing excerpts from another poem by Wishart, 'Woman's Universe', cited as one of the complaints against him. This is located in NAS, RH15/45/36/18.

'A Reply to the *Reasons for a Generall Assemblie*', 1638

Source: NLS, Wodrow MSS, Folio lxvi, no. 35.

This document is important as an episcopal or at least episcopalian rejoinder to *Reasons for a Generall Assembly* ([Edinburgh,] 1638), dated 29 June 1638, the day after a royal proclamation announced the calling of an assembly,⁵⁶ the first since 1618 when an assembly meeting in Perth authorised the five articles for use in the Scottish church. *Reasons* is a tract of 9 pp., and its section entitled 'Objections answered' suggests the circulation of something earlier in support of the episcopalian position. Hence this is the third item in a literary debate. Again there is a dispute about history, and the Revolution in Scotland was, as in other revolutions in the modern world, a struggle to control the apparatus of historical interpretation.

John Guthrie, bishop of Moray, 'Life'

Source: NLS, Wodrow MSS, Quarto lxxxiii, no. 2.

Most of the century's religious autobiographies were produced by radical covenanters, so it is of particular interest to have one from the hand of a bishop, in fact one of only two such, the other being by Bishop William Cowper.⁵⁷ Guthrie

⁵² NLS, Wodrow MSS, Octavo x, 'Mr Robert Douglas account of the Assemblys 1638 & 1639' (but referring to the Edinburgh Commission which dealt with charges against ministers in 1639), fo. 118r.

⁵³ FES, i, 161-2.

⁵⁴ *Immanuel: or the Mistry of God, manifested in the Flesh* (London, 1642):

The very Heav'ns are in thy sight impure,
O thou dread Sovereign of all Creature!
Thy Wisdom's such, and eke thy pow'r so large
That thou layst folly to the Angells charge ... (p. 1).

⁵⁵ In *Funerals of a Right Reverend Father in God Patrick Forbes of Corse, Bishop of Aberdeen* (Edinburgh, 1845 [repr. of 1635 edition]), 438-9.

⁵⁶ RKS, 70-1.

⁵⁷ *The Life and Death of William Cowper, Bishop of Galloway* (1616), in Cowper, *Workes* (London, 1623). One might also note Gilbert Burnet's autobiography, published as *A Supplement to Burnet's 'History of my own Time'*, ed. H.C. Foxcroft (Oxford, 1902), though this belongs more to England.

was born in St Andrews in 1577, and as he describes, studied in that city and then pastored in several locations before he became bishop of Moray in 1623.⁵⁸ The records of the synod of Moray, 1623–44, may be seen at NAS, CH2/271/1. They indicate that Guthrie was diligent in attendance and typically opened meetings with ‘invocation’ and ‘doctrine’. On p. 104 a contemporary hand has written under the minutes of the synod held 2 October 1638: ‘Heir ends the provinciall meitting under episcopacie.’

Editorial practice

The documents are diverse and have required differing levels of editorial intervention, reflecting in great part the number of references to biblical or patristic sources. Where suitable documentation may be deemed to be wanting, it may usually be located in my own books and essays, and I might here direct readers to the bibliographies of *Episcopacy in Scotland* and *Scottish Puritanism*; where individuals are somewhat cursorily introduced, further details may often be sought in *DNB* and *FES*.

Contractions have been expanded, including ‘&’ to ‘and’, and while I have otherwise left original spellings in place, I have modernised the names of biblical books and characters and the Church Fathers, e.g., Timothy for Timothie, Augustine for Austin, Jerome for Hierom. I have used upper case for Covenant where the reference is to the National Covenant, and for Word where it has biblical significance. I have sometimes introduced a degree of consistency into the formatting, and I have taken the widest liberty in dealing with punctuation.

Because the extent of the use of the Authorised, i.e. King James, version of the Bible, published in 1611, is a question of some interest, I have attempted to identify the biblical source used in the various documents. The search is complicated both by the fact that AV is sometimes based word-for-word on the Geneva Bible—which it would eventually replace (but when?)—and also by the freedom in quotation exhibited by these writers, aided by the fact that they knew the biblical languages and sometimes introduced their own translations from Hebrew and Greek. I have generally made no annotation where no clear decision is possible.

Where patristic sources are cited in these documents the following rules apply, unless otherwise stated in footnotes. If an English-language source is described, this was used to replace a Latin quotation. If a Latin source is given, I am responsible for the English translation, though as noted above credit for what is done well goes to another. Those translations have almost always been made

⁵⁸ *FES*, vii, 351.

only after locating a printed source, whether older or more recent, of Cyprian, Ambrose, Augustine, in order to correct the often ragged citation in the manuscript. In Baillie's 'Discourse anent Episcopacy', Greek texts have been omitted, and the translations of those particular texts are Baillie's own. Where the system of numbering of letters or sermons has changed, I have, wherever possible, introduced the modern number into the text, signalling the fact in the footnotes. In the case of Baillie's 'Discourse' it is not possible to say whether Baillie or a scribe made such a mess. However, I have decided not to take up space giving both versions. Baillie might ignore context, but there is no evidence of intention to deceive. He would only have made himself look foolish by manipulating the texts—there were too many educated and informed readers who would have jumped on his muddling of the evidence (though one may suspend this judgement in one or two loci in 'Unreasonableness', where I suspect his emotions eclipsed his caution). Throughout I have substituted quoted material directly from the original source—e.g., *Basilikon Doron* or *Ladensium Autokatakrisis*—rather than keeping the author's own citations, and bringing the more serious variants to the reader's attention in footnotes.

Historie of Church and State, c.1646

The historie of Church and State of Scotland, from the beginning of King Charles the First his raigne, untill the end of the yeare of our Lord 1646. Faithfully collected from the severall records, bookes, proclamations, protestations, declarations, and other such, that were put forth in these tymes, and what wee ourselves heard and saw in these tymes. Wherein also the estate and condition of England and Ireland dureinge that tyme is breifly handled:

The second part of the historie of the Scottish kirke and kingdome, beginning with King Charles the First, monarch of Great Britane, his entrie to his kingdomes, and containeing till the end of the yeare 1646.¹

The first booke containeing from Aprile 1625 untill June 1633.

Now I enter into Iliads of evils² which fell out in all the three kingdoms of Scotland, England, and Ireland dureinge the raigne of King Charles, who, albeit naturealy a clement and gracious king, yet stirred up by papists and politicians against his owne best subjects uppon false surmises. He is verie simple that sees not whence the originall of all our evils doe flow. There is two sure grounds, obvious to anie man of witt and understanding, that cannott be denied, which I propose: first, the Roman strumpet is very industrious to tempt the earth with her fornicatione, Revelation 19:2. The conventicle of Trent said their grounds for extirpation of the Protestant religion, the beginnunge shall be in France (say they) by conductinge of the Catholike King Phillip of Spaine and by some of the nobility of France, which matter put in executione the whole power of both together, with the pope's army and helpe of the duke of Savoy and Ferrar, shall asault Geneva and shall not leave it till they have put to the sickle, leaveinge in it no liveinge creature. France and Germany being by these means so [2] chastised,

¹ The volume does not go beyond 1645; perhaps the unwritten 11th book (p. 198) was intended to do so.

² Ironically, a similar term was used by Arminius, 'an Iliad of disasters'. See his Oration V, in *Works*, trans. J. Nichols & W. Nichols, 3 vols. (London, 1825-75), i, 388.

abased, and brought to the obedience of the holy Catholicke Roman Kirke, the fathers doubt not but tyme shall provide both counsell and commoditie that the rest of the realms about may be reduced to one flocke and one apostolicke governor and pastour. And who knowes not bot the masacre in Paris, the navy that thought to have swallowed this ile in the 1588, and all in the troubles in Germanie hath flowed from this conclusion,³ and England and Scotland beinge of these against whom there conclusion was laid, that the pope himselfe hath thought it a matter worthy the farthest straine of his will and power to reduce this ileand to his subjection, and for the effect have left no meane unattempted.

My second ground that I lay is this, that many plotts and deepe devices hath beene used to effectuate that worke, and that now lately since the entrie of King Charles to his raigne alanerly [(albeit in his tyme that mysterie of iniquitie had further progresse and came more violently on then in his father's tyme) bot ever since the first Reformation, King James, before he came to the crowne of England, had a heart too large for his dominion, and therefore such as had an eye to poperie workinge uppon his affections councelled him first to sett up bishoppes in Scotland, for if he were a puritane the prelatie partie in England would crosse his entrie. This was accordinglie done, then to forbear papists and not execute the law against them, for they also were a great strong partie in England, and then was too much of this, the factors of Rome, haveinge studied his interest and nature, according to their wonted confidence attempt him. As for his understandinge so weill informed in the forgeries and falsehood of the Romish religion, it was not to be ventured on. And therefore they apportion their workings to his passions which were desire of accession of power, mixt with a more then ordinary feare leaste he should be interrupted if not disappointed in the entresse, and in this conflict obtaine of him some intimations if not assurances of favour to the Catholicke cause, with which they were for the present satisfied.

The king uppon his entrie and settlement in England saw cause rather to dispenche with his promises then with his principles, whereuppon the popish faction grew discontent against him, and a fruit of that discontent was the hellish powder plott⁴ never to be mentioned of by any good Protestant but with ane gratitude to Almighty God and just detestatione to the Romish religion. This treason wrought not kindly with his majestie, for whereas he might have made the plott a ground of defiance, and the deliverance a ground of confidence, the horror of the bussines wrought such impression of dreade uppon his timorous spirit that though he was not blowne up yet was he shaken with it all his lifytyme

³ The author is appealing to the St Bartholomew's Day Massacre in France in August 1572, the Spanish Armada in 1588, and the Thirty Years' War (1618-48) in Germany.

⁴ The Gunpowder Plot of 5 Nov. 1605, led by Guy Fawkes.

after, and drawne one peace and peace⁵ to give conveance at their proceedings.

In the latter dayes of King James, as I shew somewhat in the end of the former booke,⁶ he was extraordinary affected to the ducke of Buckinghame. This man had a faction about him who had their compliance with pope, king of Spaine, and others enemies to religion and all meanes used be that faction of which were some papists, some prelates, some atheists, manie polititians, all aimeing at the subversion of religion and the liberty of the subjects for there owne severall ends.

[3] By counsell and advice of this faction it is thought good that the prince of Wales, now our king, shalbe joyned in mariage with the Spanish infanta. This (say they)⁷ shall cutt away the ould quarrells betwixt Spaine and England, and that allay⁸ shall make us honnorable and powerfull. These be some shewes and the prepositions of the treatie of that mariage offered in England, revised at home, and they, by the negotiations of Bristoll agreed to [(though afterwards broken) was with large advantages to the spreadinge of poperie in England, and as I reade they were these: 1) that the papists in England shall have free libertie of the exercise of the popish religion in there houses; 2) the quein shall have none but Catholike servants; 3) there preists beinge cloathed in their preistly vesture should not be mocked nor any way hurt; 4) the quein should have a chappell for the free exercise of her religion at court; 5) the children begotten betwixt them should be repute lawfull and for no exceptione against their religion should be withhold[en] from the crowne. Are not these great advantages to the Romane cause? Bot that marriage held not, and King Charles (as is thought) was too much wrought upon in his Spanish voyage to favour popery. I doe no thinke (God forbid I doe after so manie protestations of his majestie to the contrare) that he himselfe is [of] the popish religione, but truely the papists hath too much credit at his hands, and false prelates of whom his majestie could judge no other but that were true Protestants; yet these workes and writings make it evident that they love the pope too weell, yea, better then they doe his majestie.

I hearde that while our king was in Spaine, the pope wrote to his majestie (the letter is now extant in the English tongue) shewing that his desire is that the governemente might be brought backe againe into the lapp of Rommish church and the prince of the apostles put into possessione of this most noble isle, which desires of the pope have beine secondit with continuall endeavours of swarms of Jesuits recident about court. And the Spanish pistolets had greate force. Still was there cherished in King James a disaffectione to puritanes, a inclinatione

⁵ i.e., 'drawn on piece by piece'.

⁶ I have not located this section of the history.

⁷ The original has 'This' also in the parenthesis.

⁸ ally.

to bishopps. Countenance was procured to profaners, both by practise and declareatione, for licentious Sabbath breakeinge, and in King James his tyme was some bould to mantaine popish tenents, breach of Sabbath, and at the verie instant of his death, Montague, with Bishop Whyte's approbatione, did put to the presse all the articles of Arminians⁹ in the same tearmes with the same arguments and most injurious calumniationes of the orthodox doctrine, as Spalato¹⁰ and the Remonstrance had done a litle before, but with farre greater bitternes. And alas, such is the caire of kings, they are never suffered to know themselves of all men, they have fewest freinds. This I know seimes a paradox, bot it is true they have too manie to buzz in their eares that they may doe what they list, that the will of the king is the supreame law, bot few to play the part of King Philip of Macedone his page to remember them that they must dye.¹¹ King James and also his sonne King Charles had too manie about them still to provocke their gentle natures to tyranie. Our councitman Mr John Weims of Craigton, commissar of Saint Androes (I will say no more of him) [appointed by] Mr George [4] Gladstones, bishop of Saint Androes,¹² in the yeare of God 1623 set out a booke intituled *De Primatu Regis*, which [he] dedicated to Buckingham whome he calls a bright shineinge starre, *velat inter ignes luna minores*, as the moone amongst the smaller lights: in this booke the authoritie royall is so farre adavanced that never heathens ascribed more to their kings and monnarchs. Our learned councitman Mr Robert Bailly [Baillie] in that his peace called *Ladensium*

⁹ Richard Montagu was a controversial figure in attempting to navigate between Rome and Geneva. Under Charles I he became successively bishop of Chichester and Norwich. Francis White was likewise given to anti-Romanist controversy, but was also aligned with men like Neile and Cosin. He became bishop in turn of Carlisle, Norwich, and Ely under Charles I. The Remonstrance was the notorious Five Articles of the Remonstrants, condemned at the Synod of Dort. See H. Bettenson (ed.), *Documents of the Christian Church* (2nd edn., London, 1963), 377–9. Montagu's work was the *Appello Caesarem* (London, 1625), published with White's approval, under royal commission; see A4v.

¹⁰ Marco Antonio de Dominis. Trained by Italian Jesuits, he became archbishop of Spalato in the state of Venice, converted to Protestantism, came to England in 1616 and obtained preferment. He returned to Rome, was subsequently imprisoned despite his abjurations, and died in 1624. His remains were later burned on grounds of his being a relapsed heretic. On his approach to predestination, see W.B. Patterson, *King James VI and I and the Reunion of Christendom* (Cambridge, 1997), 238–9. Patterson supplies a rather more favourable view of the man and his work than one finds in *DNB*, where one reads that 'his whole life ... seems to have been one of dishonesty'.

¹¹ 'Philip [II of Macedon, father of Alexander the Great] had defeated the Athenians at Chaeronea. Encouraged by his success he nevertheless kept control of his faculties and did not become arrogant. So he thought it necessary to be reminded by one of his slaves early in the morning that he was a human being, and he assigned this task to the slave. He would not go out himself, they say, or let any petitioner in to see him, until the slave had called out this daily message to him three times. The slave said "Philip, you are a human being."' Aelian, *Historical Miscellany* [*Varia Historia*], trans. N.G. Wilson (Loeb Classical Library 486: Cambridge, Mass., 1997), 273–5, bk. 8, ch. 15.

¹² Gledstones died in 1616.

Autokatakrisis, *The Canterburian's Self-Conviction*,¹³ he's quoted many prophane flatering sentences out of him. The reader may see them in the last chapter of that booke; one short sentence but, out of the preface, I insert: *Regis autem in diviniorem sortem, ut ait Seneca, transcripti, cute et specie tenus homines, reipsa boni genii censendi sunt, in quos ut homines Iovis divinii honoris affines, pene & consortes, oculos animosque nostros defigi convenit.*¹⁴ That is, 'Kings are of a more divine condition; in hyde and shew, they are onely to be thought men, but in effect are accounted to bee good angells. It effeires us to cast our eyes and derect our mindes to them as to humane gods, haveinge affinity and almost fellowship in the divine honnor.'

For this he gott hyre to bee a counsellor and lord of session. The secular power of princes he's beene by such so farre advanced that kings themselves could never crave, nor desire so farre; and for what cause is this but that they may ride on the shoulders of soveraigntie to trade¹⁵ under there feete first the subjects, then the soveraignes themselves. That moneth of Aprile 1625, wherein King James died, there was fearefull windes and innundations throughout the whole Ile of Britaine, and the verie day of King James his death, so that verie manie trees both in England and Scotland were blowne up by the rootes, presageinge great troubles and comotions to follow after.

The same yeare wherein his father died, King Charles married Henrita Maria, the daughter of King Henrie IV late king of France, sister to Lewis XIII, and this according to scripture truth is and ever he's beene a dangerous preparative to a strange god: 'surely they will turne away your heartes after there gods', 1 Kings 11:2.¹⁶ The Spanish match was given up upon this marriage, as the court desolved into ryotts and massquings. And in the midst of that noise were the king and his counsell, there purposes and enterprizes against Calies¹⁷ and Retz¹⁸ perfidiously betrayed and the Richell¹⁹ was by English hands and popish counsell betrayed,

¹³ Robert Baillie, *Ladensium Autokatakrisis* (Edinburgh? 1640), 121–8 [STC 1205].

¹⁴ John Wemyss of Craigtoun, *Basileos Hyperoche. Sive de Regis Primatu Libellus* (Edinburgh, 1623),

*1r–v. I have corrected the quotation from the original.

¹⁵ tread.

¹⁶ It is not possible to tell whether the writer was citing GB, AV, or his own translation. This citation is close to GB's use of 'hearts' (i.e., the plural), while it follows AV's use of 'after'. The latter would seem to have the stronger claim in that 's' is more readily added than an entire word.

¹⁷ Presumably Calais. In 1624 the French blocked an English request to use Calais to mount a relief expedition on behalf of the Palatinate. There was a deterioration in relations between the two countries and in August 1626 English citizens in the city were rounded up. C. Carlton, *Charles I: The Personal Monarch* (2nd edn., London, 1995), 56, 90.

¹⁸ Presumably the Ile de Riez, south of Nantes, where on 15 April 1622 Huguenot forces suffered a disastrous military setback. M.P. Holt, *The French Wars of Religion, 1562–1629* (Cambridge, 1995), 181.

¹⁹ La Rochelle, the last bastion of Huguenot political resistance, fell to the French crown on 28 Oct. 1628 after a lengthy siege.

both in its religione and libertie, to the greate shame of our king and kingdomes, and shortly after was a peace concluded with Spaine and the Palatinate left to that which leaves it yet miserable—and is hasting us fast after it, except God in his mercie assist us.

Now, what is the Kirk of Scotland doing this while since the pretendit assembly at Perth whereate was concluded these Five Articles, which now are throwne out of [the] kirke? We had no generall assemblie, nor was to have none, till that solemne generall assembly holden at Glasgow the yeare 1638. A shew [(and nothing but a naked shew) had wee of provincially assemblies, for there the bishopp sate moderator,²⁰ and in case of his absence, which was ever almost bot when they had some noveltie to [5] urge, anie whom he designde supplied his place, and this moderator with the other constant modirators of the presbyteries with a few with them of the bishopp or his deputies their choosinge onely, made up a privie conference, and these alone handled all the matters of the assembly. The rest of the ministers were some in the towne, some in the fields; litle more was required of them but suit and presence.

Greate diligence was used to bring all to conformity annent these articles foresaid, and if a minister was conforme, he was in litle danger to be challenge for anie faultes. And many honnest men, the ablest men of our kirke, were suspendit, some deposed, some confyned for no conformitie. And at anie man's entrie to the ministerie, had he never so eminent gifts, he behoved to sweare canonicall obedience to his ordinare and practise of conformity, yet some of them were not content of oathes alone, bot took bands. And which yet is worse, no man, almost how evill soever he was qualified, was received without some summe of money, more or lesse, to the bishopp's man.²¹ Symonie and sacriledge were as common amongst them as poligamy ammongst the Jewes, and heirby they became no more to be esteemde sins nor the Jewes did poligamy. All means were used to blott out our ancient gennerall assemblie. Young men who had not seine this kirke in her primitive puritie and libertie thought all weill, bot old men who had seene the former temple weiped to see the beauty of our kirke so farre eclipsed and godless men takeinge one them to rule the kirke by their power alone. Ignorance and prophanitie came fast one apace, but then when Bishopp Lad was become primate and metropolitan of England and was knowne to have the king als farre at his devotion as ever Buckinghame had either him or

²⁰ W.R. Foster, *The Church before the Covenants: the Church of Scotland, 1596-1638* (Edinburgh, 1975), 117-18.

²¹ See Bishop Guthrie's protest against such an allegation in p. 218 below. John Livingston claimed that when he was denied entry to the parish of Torphichen, and the charge went instead to George Hannay, 'the report went that either that Mr George, or his brother Mr James, had given the Bishop, or some about him, 500 merks to get that place.' *Select Biographies*, ed. W.K. Tweedie, 2 vols. (Wodrow Society, 1845-7), i, 136.

his father King James, and that he was knowne to be an Arminian and mantainer of Arminianisme in all ther most grosse tennets thereof, then did all men who were ambitious of preferment study Arminianisme, knowinge that to bee ane Arminian was the first step to preferment. At once in St Androes, Edinburgh, Aberdene, and about Glasgow, that weed began to spring amayne.²² Doctor Wedderburne, in the New College of St Andrews, did stuffe his dictates to the young students in divinity with these errors. This man uppon feare of our church's censures fledd the countrie but was kindlie received by Ladd at court and well rewarded with a fatt benefice in England for his labours. Bot to the end that his tallent should not lye hidd, he (albeit a man verie unfitt either for preaching or government) was sent downe to us, without such as acquainting our kirke thereof, by Canterbury's only favour to be bishopp of Dumblane, for this purpose, that in the Royall Chapell, whereof that bishopp wont alwayes to be deane, he might in spyte [6] of all our presbeteries weive out the webb he had begunn at St Androes.

So at once there was erected a societie of two royall chaplins²³ who wer thought fittest of the whole cleargie of the kingdome to be alured with hopes of favour from court to preach to the state the dean's Arminian tenets, and truely some of our ministers, who looked to be called lords,²⁴ learned the bobb at the name of Jesus, and some one or other uncouth phrase, savoringe of Arminianisme or noveltie with the foremost.²⁵

In Edinburgh one Thomas Sydsferfe did press to play his part, and for reward of his boldnes had cast in his lapp in a trace the deanrie of Edinburgh, the bishopricke of Brichen, and last of Galloway, with great hopes in a short tyme the archbishopricke of Glasgow. In the north Doctor Forbus, the onely father of the most of these who fell away from the doctrine of our kirke, came too good speid in his ill labours, and for his paines was honnered with the first seate in the new erected chayre in our principall citie of Edinburgh. Bot he enriched it short while and left a poore legacie, as I hearde say.²⁶ About Glasgow and elsewhere

²² Mullan, 'Arminianism', 26-9.

²³ corrected from margin.

²⁴ i.e., bishops, my lord bishop.

²⁵ foremost?

²⁶ William Forbes. His testament may be seen at NAS, CC8/8/57, fos. 74r.-76v. He had books valued at 4,000 merks, and 'utenceills, silverwarke, and domicileills, with the abulzementis of his bodie, including his airschiipe guidis, estimat to the sowme of four hunderth thrie scoir six pundis 13/4'.

sowme of the inventory	£ 3133/6/8
sowme of the debtis awin to the deid	£ 5384/14/6
sowme of the inventar with the debtis	£ 8518/1/2
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restis of frie geir, the debtes awine	£ 8184/14/6

divers yong men made there preachings of the Arminian errors the pathway to their assured advancement.

At King Charles his entrie to his crowne that faction about him made him understand that the makeinge mo bishoppes in Scotland and choosinge sharpe men to be bishoppes and makinge some of the most pragmatikall amongst them lords of councell, sessione, and exchequer, would make his power and absolute authority to be promotted; and that haveinge his owne factione of such bishoppes and his officers of state to goe his way, he might sway matters as he pleased in counsell, parliament, and all judicatories whatsoever, civill or ecclesiasticke. Therefore purposes he to erect two new bishoppricks, one in Edinburgh (which was done), annother in the dales, that is Nithsdale, Annandale, Eskdale. This failed and I know whose hopes were frustrated in that misse. And haveinge Spotswood (a man that might match a Matchivell himselfe in policie), must be much made of, he must be a councillor, a lord of exchequer, and in end great chancelor of Scotland, and his majestie's privy councillor in all the three kingdomes. And a man of his owne humor but more furious, he findes apt to devise and sett forward anie noveltie, Mr John Maxwell, who, comeinge first in request with him and Ladd, then bishop of London, for his peart avouchinge that Christ went to hell loccally to deliver from thence

some of the soules of vertuous Pagans, as of their philosophers, Lawgivers, governours, kings, queens, and other private persons renowned for their wisdom, prudence, fortitude, temperance, bounty, chastity, justice, mercie; and generally for there civill [7] carriage, and morall conversation—such as were Hermes Trismegistus, Zoroaster, Socrates, Plato, Aristotle, Pithagoras, Homer, Phocildes, Theognis, Epictetus, Cicero; and such as were Hercules, Theseus, Cyrus, Solon, Lycurgus, Aristides, Simon, Timotheus, Epaminondas, Tarrina, Camilla, Nicaula, Panthea, Penelope, Artemisia, and others the like: for my owne part [saith he], I doe professe such love to those vertuous wights, for their vertue's sake, as I had rather condemne [condone?] twenty such opinions as that of *Limbus patrum*, then to damne eternally the soul of one Socrates, of one Cyrus.²⁷

²⁷ This is a direct quotation from Baillie, *Ladensium Autokatakrisis*, 80, note 1. The author of *Historie* has copied it fairly closely, but has left out a couple of names. However, the real problem here is that the anonymous author believes this refers to John Maxwell who became bishop of Ross in 1633; he failed to notice that Baillie was citing the work of James Maxwell, *A Demonstrative Defence or Tenfold Probation of the Doctrine of the Church of England* (London, 1617) [bound with *A New Eightfold Probation*], 10. I have used Maxwell's original to correct punctuation in Baillie and also to confirm the present author's correction of Theogrus to Theognis. This author uses 'admitt' for Baillie's and Maxwell's 'condemne'. Surely this is to be preferred, and one wonders whether Maxwell's 'condemne' was a mistake by the typesetter for 'condone'. In place of 'Pagans' Maxwell had 'Gentiles'. It might also be noted that on p. 11, Maxwell continues the quotation beyond Cyrus: 'let alone of a Salomon: concerning whom, we shall likewise dispute the question, whether his soule went to Paradise, or to the hell of the damned; and shall proove the salvation of his soule, against Cardinall Bellarmine, and other his Romish damners, by many authorities & arguments.' Cf. Samuel Rutherford's criticism of William Prynne in his *The Divine Right of Church Government and Excommunication* (1646); cited by Coffey, *Politics, Religion and the*

Maxwell *Demonstrat*. For such lyke tryes Maxwell came in request. And Spotswood, knowinge him to have a fell heade, he procured to him the bishopricke of Rosse, where soone he forgate himself and wan to be a counsellor, a lord of session, and ane exchequer lord, and truely veriefied the old verse: *Asperens nihil est humili dum surgit in altum*; that is to say: 'Where shall hee finde so proud a wight, as one base clowne ryseing to height.'²⁸ He for his preferment did good service to Ladd, for in the *Booke of Cannons* he left a cleire entrie to the pope and had his thanks from Ladd for that cannon, what was hidd within the contrarie. So usfullie Spotswood also found Doctor Whiteford,²⁹ a man verie fordward for bold attempts, and furthers him to the bishoprick of Brichen and high commission. Spotswood, Maxwell, Whiteford, in effect for a while swayed both our kirke and state, but when they were even at the height they gott a pittifull fall. And Spotswood found true that which Mr John Welsh³⁰ of wortheie memorie (and yet banished by the tyranie of bishopps untill his dyinge day) wrote to him in the years 1604, that he should dye ane outcast, albeit he scornde the warninge then.

But how goes it with England this while? Truelie worse then with us, for Laud, becomeinge bishopp of London, had more strength and meanes to promott his heresies and to advance such as ran his way. And for tyranie and savadge persecutione, there was never by the heathens practised such as he practised, cheifly when he was made archbishoppe of Canterbury—cuttinge off of eares, slittinge of noses, burninge one the cheeke, imprisonment in stockes, cold, hunger was too litle punishment, in there thoughtes, to anie that would oppose there novelties in the leaste degree. But our countrieman Mr Bailie (of whom I spoke before), haveing in that his foresaid treatise clearely convinced³¹ the Canterburians: 1. of avouched Arminianisme; 2. of profest affectione toward the pope and poprie in grosse; 3. in joyneing with Rome in his grossest idolatries; 4. in avouchinge there imbraceinge of popish heresies and grossest errors; 5. in there popish superstitions; 6. in there imbraceinge the masse itselfe; and lastly, in there maximes and practises of most barbarous [8] tyranie. I will not wrong that wortheie author nor my reader to tell these things after him, for he gives cleerer testimonie from themselves of these points nor I can doe.

British Revolutions, 73. Maxwell was born in Scotland and graduated from the University of Edinburgh (1600). He went to France and London, and back to the continent where he was both threatened and cajoled with regard to his Protestant attachment. It appears that his attempt to find preferment in England failed.

²⁸ more literally: 'Making difficulties is nothing to the base-born man while he is rising to the heights.'

²⁹ Walter Whitford was consecrated bishop of Brechin on 7 Dec. 1635.

³⁰ John Welsh was minister of Ayr until he was exiled for keeping the banned assembly at Aberdeen in 1605. He became a minister in France.

³¹ i.e., convicted.

England is this way abused by ane unhappie faction, and no[w] therewith they promott to such offices, both in kirke and state within Ireland, such as is fittest to advance tyranie and poprie. For the state, St[r]afford³² is a fitt man; for the kirke, Downe³³ doe all. He has strange puritans in his bounds who wax the more and grow by his censure. Doctor Bramble³⁴ of that isle must be advanced not onely to the sea of Derry, bott to the king's viccarish gennerall. Doctor Chappell³⁵ must be sent first to the universitie of Dublin to sow that unhapie seede of Arminianisme there, and then to ane episcopall chaire. The poore old man Doctor Usher,³⁶ for opposeinge Arminian tenets must always be crossed and his head borne downe so that he was often tynes hearde say that this factione of Arminianisme would banish him from his place and make him faine in his old age to teach litle children for his maintenance. When the anti-Arminian articles were offered to the parliment in Ireland, they were not onelie refused by meanes of these Brambles but were threatned to be burnt by the hand of the hangman, and such devillish privy articles as Bramble of Derrie used to present to divers who tooke orders from his hands was never hearde of in anie Christian church. Montague, Whyte, Wrea,³⁷ and divers of that stampe wrote so bouldlie, defendinge to the full all the Arminian tenets, that some remnant whom God had saved from that pestilence [(t)he undoer of church and state where it comes) hazarded to write and preach against them, as Prin, Burton, and Bastwicke, which cost them deare in end. And presses and pulpitts, some ringing for defence, some for impugninge Arminianisme, it was thoght good to discharge, by oppen proclamations, both parties to put anything to presse in these points, and truely it was carefully enough seine to that nothing against Arminianisme should be put to the presse.³⁸ But after the proclamatione these men preached and printed what

³² Thomas Wentworth, first earl of Strafford, appointed lord deputy of Ireland 12 Jan. 1632. He was executed on 12 May 1641.

³³ Henry Leslie, bishop of Down and Connor in 1635; to Meath in 1661.

³⁴ John Bramhall, chaplain to Wentworth in 1633; bishop of Derry in 1634; Restoration archbishop of Armagh. Robert Baillie wrote against him; see *A Review of Doctor Bramble* (Delft, 1649).

³⁵ William Chappell benefited from Laud's patronage and became bishop of Cork and Ross in 1638; he was thought by some to be a puritan, by others an Arminian with a great affection for religious ceremonial.

³⁶ James Ussher, appointed archbishop of Armagh in 1625. He was friendly toward Scottish puritans.

³⁷ The text certainly appears to be 'Wrea', but I can find no trace of such a person. Probably the reference should be to Matthew Wren. He made his way by the patronage of Lancelot Andrewes, and became Prince Charles's chaplain, going with him to Spain. He went to Scotland with the king in 1633 and in 1634 was appointed bishop of Hereford, then Norwich in 1635, and Ely in 1638. He was an ardent anti-puritan.

³⁸ Perhaps a reference to the royal proclamation of June 1626. See K. Sharpe, *The Personal Rule of Charles I* (New Haven, Conn., 1992), 292-7, 647-54.

they pleased without controlement, as hes beine remonstrated oftymes. The well-affected in kirke and state of England, seinge abuses waxinge worse and worse, supplicated the king for a parliment to restraine the Arminian heresie whilke was granted and begun, but soone dissolved. This was the 28 yeare of our Lord and 3rd of our king's raigne. So soone as poperie and Arminianisme is chapped at in earnest and monopolies and abuses in the land presented, the king is perswaded that his crowne and the pope's chaire have comon enemies and friends. And therefore see you how they deale with both.

First, for the parliments. They see they³⁹ are verie good advantages in there constitutions to the preservatione and reformatione of the Protestant religione and good helps to repress violence and wrong done to the subjects. They represent them to his majestie as most disadvantageous to his desired power and profit. They were onely tymes of recompence of wrong, of petitions for right, controllers of prerogative, assertors of popular libertie, and therefore are they desolved, disgraced by scandalous [9] declarations, publictly aspersed both from the press and pulpit as by Doctor Alabaster,⁴⁰ Beale,⁴¹ Manwareing,⁴² and others of that stampe, and seinge that money could not be had by consent of parliment unless many inconveniences to there honnors and profits could be yeilded to, therefore put they the king at distance with his best subjects and in a utter dislike of parliments. And by Weston,⁴³ Noy,⁴⁴ and others of that stampe, severall exquisite ingines of iniquitie and oppression were found out, as loans, patents, ship money, and thus for 12 years' space, no more parliments in England.

Then for puritanes, men truely Protestants and zealous of there owne religion, which nowhere but amongst us is a fault. Because they were tenacious of just libertie and true religione, how spightfully were they disgraced as men of anti-monarchicall principles, factious spirits, rancked with Jesuits (who were

³⁹ read 'there'.

⁴⁰ William Alabaster went with Essex to Spain in 1596 and converted to Roman Catholicism. When he returned he was apparently put in the Tower. He escaped, went to the Continent, published a work on cabalistic divinity, found no warm welcome in Rome where he was imprisoned for a time by the Inquisition, escaped and returned to England, reconverted to the Church of England and obtained preferment.

⁴¹ Probably William Beale, royalist divine, master of St John's, Cambridge, in 1634, then vice-chancellor of the university. He redecorated the college chapel. See N. Tyacke, *Anti-Calvinists: the Rise of English Arminianism, c. 1590-1640* (Oxford, 1987), 194.

⁴² Roger Mainwaring, chaplain to Charles I, notorious for supporting the king's arbitrary measures. He was condemned and imprisoned by parliament. In 1635 he became bishop of St David's.

⁴³ Sir Richard Weston, first earl of Portland, was a Roman Catholic, and following the assassination of Buckingham was the most prominent of Charles's servants. He died in 1635.

⁴⁴ As attorney-general William Noye advanced Charles's interests and prosecuted Prynne with an energy which surprised even Laud.

better used as they) as the incendiaries of church and states. For the suppressing of these men, the authoritie of the high comission, starr chamber, bishoppes' courts, and the ordinary courtes of justice, through the corruption of judges and other inferior officers made verie serviceable. And that they might have no shelter nearer nor New England, most of the faithfull ministers and religious justices were for some pretence or other discountenanced, displaced, and it was comeinge to that passe that who would depart from evill made himselfe a prey.

In England, cheifly this north part of it, is no powerfull ministerie at all. At this same tyme in Cumberland and Northumberland there is 50 parish kirkes, and not three able men amongst them all, as our cuntrymen that now quarter among them can beare wittnes. In Carleile that stronghold is no ordinary preachers, nor ever was in my tyme, but 4 prebends there Sabboth about came and preached. As for catichiseinge, they were not much acquainted therewith, and Mr Parker, a prophane and ignorant man, baptized and married most of their folkes. And anie of our Scots people that could not be married lawfully at home would, for a crowne, yea for halfe a crowne, if they would make prigginge,⁴⁵ be married, albeit they were brothers and sisters. Prophane idle men, the most vitious for swearing and drinkeinge (I speake as I saw), are persons,⁴⁶ some of them of three or foure parishes of which they never see except once or twice in the yeare. Some never saw anie of there parishes all their lifytyme. Poore sily curates, of whom some of them can scarcely reade the service booke, doe the cure by readinge a homily and a part of the service booke, and have for this some foure, some five, verie few six ponds sterlinge by yeare, wherefore there best and readiest pay is there Easter reckonings—so much for every head in the house, so much for every milke kow, so much for the sheepe. And I have seine with my eyes poore Abimilech,⁴⁷ high curate of Rockcleife, beare lynle⁴⁸ and hemepe to the watter on his backe. O! what disgrace is this to our professione, and what disgrace in particular to that kirke and kingdome of England which braggs so much [10] of her learned divines, her pleasant kirks, and bells. For learninge we grant there is manie learned men among them, but alas! the pore people were not fed by there learninge. Some hide there light under a bushell, some kyth there learninge in publishing uncouth tenets more fitt to plucke downe then edifie God's house. And some indeede have kithed there learninge, realy and for good (but heare mee), but while they are frameinge, likeinge, and reviseinge some curious thing for the presse, the people in meanetyme that belong to their charge are slighted.

⁴⁵ to haggle over a price.

⁴⁶ parsons.

⁴⁷ Probably to be read Ahimelech, who held some high status in the priesthood. 1 Chronicles 24:3. Used here undoubtedly in disparagement.

⁴⁸ linen?

Good men and learned men they have manie [(t)he Almighty increase there number!], bot of idle, prophane, ill-sett men, two for one good. I pray God put it in their parliment's hearts and the assembly of devines⁴⁹ to see for remeeds to this, uthewise these people cannot but perish for want of knowledge and there blood will be required at the watchmen's hands who should helpe them.

I have seine these of Eske, Lyne, Rokcleife, Bonihouse,⁵⁰ and Carleile itselfe come up with their loads and pouks one twenties and thirties one the Sabbath day for the mercat of Dumfries while it held one the Monday, and when I and other of my brethren have regrated this to there ministers, they could not mend it, bot weill I wott on any of their saincts or holy dayes, they durst not travell at all, yea, not do the least pointe of a servile worke under a great penaltie, which was not forgiven.

Bot I returne to my countrie. Wee were even posting after them to profaneatione of the Lord's day, and keepeinge of holie dayes, chiefly Yule and Pash, in great solemnity. Bishoppes gave good examples to cry downe afternoone sermons, for in there discourse they affirmed them neidles,⁵¹ and for themselves, either they keiped at home in tyme of afternone service, or went to bowleinge at John Dickson's house in the Potter Row [which] was to some of them there Sabbath's afternoone place for recreationes, and amongst us ministers many were well acquainte with that profane peice of Doctor White's one the Sabbath⁵² and of that of Heyling,⁵³ and manie alowed there people to goe to footeball, or penistone,⁵⁴ on the Sabbath. And to shew his Christian libertie and that the comandement of the Sabbath was not morall, Mr Thomas Forbus then preached at Millrosse,⁵⁵ 'haveinge but one ruckle⁵⁶ of corne, [I] would cast that in, even on the Lord's day'. To poperie and profanitie fast were wee postinge.⁵⁷

⁴⁹ The Westminster Assembly of Divines met from 1 July 1643 to 22 Feb. 1649.

⁵⁰ Esk and Lyne are rivers north of Carlisle, and Rockcliff is a settlement near the estuary of the Eden, below Carlisle. I have not located Bonihouse.

⁵¹ i.e., needless.

⁵² Francis White, *A Treatise of the Sabbath-Day* (London, 1635). A rebuttal to a work by Theophilus Brabourne, who had maintained the Sabbath according to puritan notions of purity and perpetuity. White referred to such people as 'Sunday-Sabbatizers' (235).

⁵³ Peter Heylyn, *The History of the Sabbath* (London, 1636). This is a historical consideration of the Sabbath, thereby mounting an attack upon those who would observe the fourth commandment in all rigour, and claiming dominical and apostolic sanction for so doing.

⁵⁴ penny-stone, a game.

⁵⁵ Thomas Forrester of Melrose. See Mullan, 'Arminianism', 20.

⁵⁶ var. of rickle, a stack of hay, etc.

⁵⁷ A. Stevenson, *The History of the Church and State of Scotland, from the Accession of King Charles I to the year 1649* (Edinburgh, 1840; cf. 1st edn., 1753-7), 125.

In the Chappell Royall was the organs sett upp, and a companie of them, most of them of young boyes, in there surplusses to play that spring. Then by the diligence of Mr James Hannay was the organs sett up in the Abbay Kirke, and beinge good agent for such like worke he was rewarded with the deanrie of Edinburgh.⁵⁸ St Giles Kirke, haveing a mid wall to devide betwixt the kirkes—called the New and the Old—is not spacious and gorgeous enough to be a cathedrall church. Therefore most the mid wall be taken downe and all made one church. And so, what albeit they heare not the preachinge a third man of them, they shall heir the organs and queristers to stur up their devotione. The kirke was made [11] all in one. But, blessed be God, the organs came not, nor never shall, as I hope.

Divers strange and uncouth wonders fell out in Scotland. I may call them judgments, albeit there was to[o] few tooke notice of them in these tymes.

First, in the moneth of November, the first Tusday thereof in the yeir 1627, the sea in all the coasts where it floweth went beyond the ordinarie course of it verie farre and threw downe divers bullwarks and houses that stood neir the coasts. In particular, in our southerne coasts a southwest winde blowing directly from the Ile of Man threw the sea uppon the Blackshaw within the parish of Carlaverock and old Colpolle and divers other parts within the parish of Ruthwall in such a fearefull manner as none livinge had ever seen the like, for it was at least halfe a mile beyond the ordinare course. Divers houses in the Blackshaw was demolished, cattell drowned within houses, but the lives of the people was preserved. All the sheippe, yee, the wilde hairees that was one that side, was driven over to Ruthwall coast and perished in Ruthwall. The poore people who live by makeing salt of sand were inclosed one all hands, that but a few—and that with great hazard—wan to the land. Seaventeene men were drowned. Thirteene were found tomorrow and brought altogether to the churchyard of Ruthwall to be buried. The other foure were not found till long after. The house of old Colpoole was invironed with the sea one all sydes. Within the house the people clambe up to the balkes⁵⁹ of the house for saffety of there lives, kists⁶⁰ swam and one young childe in a cradle was wonderfully preserved for the cradle was caried up by the watter, and while it was swimeing away, none of the house being able to releive the poore inocent, be God's will as it is going out at the dore the cradle turned and went directlie athort⁶¹ the dore and there abode till the flood asswaged. This day the flood was perceaved thrice to have ebbd a lytle, and thrice to have

⁵⁸ He became dean of Edinburgh in 1635. *FES*, i, 56–7.

⁵⁹ beams.

⁶⁰ chests.

⁶¹ across.

flowed againe, and each tyme in a more vehemencie then the former. Heir was pitifull lamentations that would have pearced a heart of stone, some seekeinge and cryinge 'Alas my husband'; some, 'Alas my father'; some, 'Alas my brother'. This flood made in our parts a pitifull desolation, and in remembrance thereof ten yeirs together afterward wee had the holie comunion about that tyme, and called to remembrance even that bodilie deliverie.⁶²

The yeare 1628: a hudge mosse that lay betwixt Stirlinge and the Fallkirke beinge one ane hill was sensible perceaved to move, three dayis together from the hill towards the plaine, so that the people that dwelt one the playne gott leasure to flee, and at the third daye's end it settled downe one the plaine overwhelming some gentlemen's housses, manie other housses, and great bounds of land, so that for good houses and land there was nothing to behold there but a filthy mosse. This was lamented to the lords [12] of privie counsell, who recomendit there pitifull condition to the charitie of our parishes and umquhill John Johnstone,⁶³ writer, was there comissioner to our parts, as I doe well remember.⁶⁴

The yeares 1631, 1632, 1633: all thire yeares together in the iles off Orkney and Shetland there was such a famine that horse flesh was good cheir there amongst the poore people.⁶⁵ There conditions was represented to the lords of counsell by Mr George Grahame, then the pretended bishoppe of Orkney, and they were helped by victualls and moneyes. The Palatinate and Boheme was in a pitifull condition all this tyme and yet ware not helped; the Almightye see to there helpe. These unhapie warrs began in the yeare 1618, and before the end of the yeir 1624 was reckoned above 80,000 that dyed in these warrs. Our helpe to them was very untymelie; wee should not have looked uppon the day of our bretheren so carelessly.⁶⁶

Now to close this booke, the reader may perchance wonder when he reades heare that our prelates both in England and Scotland were readie to allow profan[e]nes and ignorance. What could that advantage their cause? I answere that truely, profan[e]nes and ignorance are verie serviceable to poperie, and that is it which they would have beine at. Ignorance, you know, is the mother of popish devotione, that is, supperstitione, a speciall qualification of a disciple of Rome, where blindfold is the onely play, a tricke whilke the pope borrows from the devill: 'the god of this world hath blinded there mindes', 2 Corinthians

⁶² Stevenson, *History of Church and State*, 109-10.

⁶³ He is mentioned in *RPC*, 2nd ser., i, 134, and ii, 80.

⁶⁴ Stevenson, *History of Church and State*, 113.

⁶⁵ M. Flinn (ed.), *Scottish Population History from the 17th Century to the 1930s* (Cambridge, 1977), 130.

⁶⁶ Stevenson, *History of Church and State*, 106.

4:4. And so likewise profan[en]es is a borderer uppon poperie by the loose principles of which it is much countenanced. It is true there is some sins not so good cheape amongst them as others, but all may be had at a reasonable rate. And profane persons whose remainders of conscience tell them they must at least pretend to some religion or other (unlesse they have arived at the height of atheisme) readilie pitch uppon that right next hand which would alow most libbertie, and our present experience gives testimonie of the service these two fruits of the bishopps' government have done: prophan[en]es made too great aversnes to reformation; and ignorance, with the helpe of profan[e]nes, hes furnished Irish and barboris hillanders to these unatureall rebel[lion]s to hold this kirke and state in perplexitie. [13]

The second booke of the Historie of our Scottish Kirke and Kingdome under the raigne of King Charles the first, monarch of Great Britaine. Begining with his coronation and first parliment heir which was 1633, continueinge till the renewing of our Covenant which was in February 1638.

King Charles in the moneth of June 1633 came in proper person to receive the crowne of his ancient kingdome of Scotland and to hould parliment. Never was anie king in the world received with more joyfull acclamations of his people of all ranks then he was.⁶⁷ The citie of Edinburgh, to there great charges, had sett up manie costlie shewes, adorned the parliment house and churches and all the most conspicuous places in the towne. His majestie came in uppon the Saterdag at night. His entrie in was by the West Port whereby he might have a view of the most part of the towne, and there was prettie speach made to him, and the keyes of the gates offered. Then in midst of the Strait Bow was erected a gallary, all with tymber oppen to himward, and a shew was there and annother short speach. Then at the heade of the Lucken Bootheres is annother long gallary wherein was the portraitures of all the kings of Scotland till himselfe from Fergus I, being 108, and one representinge King Fergus had a pretie speich, with which and the shew the king was much delited. At the Tron was erected Parnassus Hill,⁶⁸ the most curious and costly peice of all.⁶⁹ His majestie went to the castle and there all the cannons were lett off. All this way his majestie was conveyed with the

⁶⁷ Ibid., 131.

⁶⁸ A mountain in Greece, associated with Apollo and the muses.

⁶⁹ NLS, Advocates MSS, 34.5.9, fo. 23v: 'At the Trone was erected a curious hie work called Parnasus Hill, the most coastlie work of all, for it had on all sydes glass filled with smel [? i.e., scented?] waters which suld at the king's cuming by scatter in small drops abrod upon the king and his cumpany. Bot with a uncannie cast of a finger [?] stone of some foolish persons the glasse was broken and the waters spill, so he went to his palace'.

yannkiers⁷⁰ of the citie, a pleasant companie. Uppon the Saturday his majestie rested, and his companie. On the Lord's day he came to St Giles to heare preaching, but in effect his majestie heared not a preaching, but a base flatering panegyrick—I speake the more bouldly because I hearde it, and can yet give accompt of my heareinge.

Before his majestie's comeinge to church, Mr John Maxwell, then pretended bishop of Rosse, was bussie man to have all after the new mode and forme of England. What words past [14] betwixt Mr Pathricke Hendersone and him I know not, but many a soure glunsh he gave him, and at length by vyolence thrust him out of the reader's seate and placed three in there surplusses in his roome, one in the seate and one uppon either side. And there we gott a part of that service.

With his majestie (not reckoning his nobles) was Laud, then bishopp of London and his majestie's chapleine, but apeareinglie made not manie good prayers for his majestie, as may be well seene, when with his owne hand that choosinge the morninge prayer for the king's owne person ('who are the Father of thine elect and their seid') was scraped out, belike⁷¹ he esteemed it unlawfull for King Charles to avow his certaintie and perswasione that ~~was~~ God was his father, and [he] his adopted childe electt to salvatione.

Mr John Guthrie,⁷² once ordinaire minister of Edinburgh, then pretendit bishopp of Morray, busked in his long surplice coveringe almost all his gowne, and a short one above that, which covered his shoulders like a combinge cloath. Affter three low becks even to the ground toward his majestie (made the pannegiricke) he began with an apology to his sometyme people of Edinburgh that he appeared that day in pulpit with such habitt as he had never used before them. And what was his apologie, thinke yee? 'I answere for this, even as David did to Michaell his wife, who offended to see him dance before the Arke uncoveringe himselfe, as shee aleadged, as one of the vaine fellowes uncovereth himselfe: "it was before the Lord (said David)", and so (say I) and yet will I be more vile then this, for this habitt imports innocency befittinge God's ministers.'⁷³ His text was onely these two words in the last verse of the 20 Psalme. The bishop

⁷⁰ youngsters.

⁷¹ 'probably', with an ironic twist. The quotation is from the *Booke of Common Prayer* (London, 1609). In 'An Order for Evening Prayer', the prayer for the queen and prince and other royals begins: 'Almighty God, which hast promised to be a father of thine elect, and of their seed', A4r. This wording does not appear in the Cambridge, 1629 edition; see B3v-B4r. Nor does it appear in the Edinburgh, 1633 edition; see B1r. Might the author or his reporter have had an older copy in hand during the service, and jumped to an unjustified conclusion?

⁷² See pp. 214-23 below.

⁷³ 2 Samuel 6:20-2.

made more use of the latter words of the psalme, 'let the king heare us when wee call'. 'These words', saith he, 'makes not a full sentence, therfore they must be made up by that word, "the king", and so wee have a full sentence, "Lord save the king"'. This suplement (I thinke) was onelie his owne inventione, for there is a colon at 'Lord save', and the interpreters that I have read make it the conclusion of the prayer of the people, both for their king and themselves. 'If any people in the world have cause to pray (Lord save their king), then (saith he) wee have most cause, for if our king had not his succession to the crowne lynealy by 108 of one blood, but were to be chosen, then if wee had him to choose, a fitter or more worthy then King Charles wee could not hitt on for all the conditions requirable in elective kings are in the highest degree in his majestie.' Thus went he into such exhorbitant praises of his majestie in his face that he was forced to blush and hing downe his heade. He promised [(but alas he hath proven a false prophet) great peace and prosperitie under his raigne, and promised that Edinburgh should have no more use for that old *stugan* ensigne of the Blew Blankett.⁷⁴ With such [15] like tales spent he the houre to the weareinge of all honnest and descreit hearers.

The magistrates of the citie invited his majestie and the English that were come with them to a sumptuous dinner which they had prepared for him, and had built a large house in the Parliment Close to receive them for that dinner. And so was that Sabbath spent. His coronation was the morrow after, with all solemnities requisite, and foure or five bishoppes was appointed to exerce the ceremonies at the coronation.

The 28 day of June the king and states of parliment rode in a more solemne and frequent manner then our parliments were wont to have. There might have beine seine the pride of the prelates fulie. The two archbishoppes rode bewixt the earles and the two marqueisses, the rest of the bishoppes betwixt the earles and lords, and St Androes with his velvet hat was verie pope-like that day.

The parliment began verie presently, and two acts which useth to begin our parliments annent the libbertie of holie kirke and ratifieinge of former acts for the effect was unanimouslie agreeede to. Bot at the conceavinge of the third act there was great discontent, for in that act was together the acknowledginge of the king's royall prerogative over all persons in all causes within his dominions, includit power to his majestie and successors by vertue of his royall prerogative to appointe habitt for kirke men and judges, what shall seime best to his majestie and his successors, kings of this realme. And the act was so conceived that either the states must dissasent to his majestie's royall prerogatives or else consent that

⁷⁴ An exhibit in the Museum of Scotland, Chambers Street, Edinburgh, shows a sample of the Blue Blanket, identified as the emblem of the Edinburgh trades. It has alternating blue and white bands, and the particular item has also a small Saltire in one corner.

he and other kings his successors should at anie tyme, when it pleased him or them, injoyne surplus to be worne by churchmen, corner cappe, or anie other habitt pleased them.

This diverse of the well-affected nobilitie [and] some also of other states foresaw, and would not assent to the whole act as it was thus conceived, which greatly incensed the king so that he came abruptlie out of parliment, very few following him, and went to his palace in Halirudhouse on foote that afternoone. The act as it was conceived is this:

Our Sovereigne Lord, With advice, consent, and assent of the whole estates, acknowledging his Majestie's Sovereigne⁷⁵ Authoritie, Princely Power, royall Prerogative, and Priviledge of his Crowne, over all Estates, Persons, and Causes whatsoever [16] within this Kingdome, Ratifies and approves the Act of Parliament, made in the year 1606⁷⁶ anent the King's royall Prerogative, and perpetually confirms the same, for his Highnes, his Heires and Successors, als amply, absolutely & freely in all respects, as ever any of his Maestie's royall Progenitors did possesse and exercise the same. And withall remembring, that in the Act of Parliament made in the year 1609⁷⁷ anent the Apparell of Judges, Magistrates, and Kirkmen: It was agreed, That what order soever his Majestie's Father of blessed Memorie should prescribe for the apparell of Kirkmen, and send in Writ to his Clerk of Register, should bee a sufficient Warrant for inserting the same in the bookes of Parliament, to have the strength of an Act thereof: Have all consented, that the same Power shall remaine with the Person of Our Sovereigne Lord, and His Successours that now is, And with the same clause for execution thereof, as in the said Act is contained.⁷⁸

His majestie, seinge his purpose crossed that day, came back againe to parliment, and (as he was advised by Ladd) tooke pen and inke in hand to marke who should be dissasenters. Bot albeit this dashed some, yet others, seing so hard course used, tooke more boldnes to say there minde in modestie and due respect to his majestie. On one of the weekedayes Bishop Ladd preached, takeing his text Ephesians 2:14, about the partition wall, which text he handled miserably when he made it to be Jesuits and puritanes hinderinge reformation—that is, if he had spoken as he thoght, reconciliation with Rome. The parliment closed soone for neither king nor countrie had contentment. Manie joyfull acclamations was at his majestie's comminge, few or none at his outgoinge, which his majestie himself perceived and inquired what could be the cause, to whom Bishopp Leslie of the Isles⁷⁹ (who was ever fordward) said that it fared with his majestie as it did with our Saviour in Jerusalem: 'he was received one day with "Osanna, osanna, blessed is who cometh in the name of the Lord"', but within few dayes they

⁷⁵ In MS, 'princely' was written first, then crossed out and 'sovereigne' written beside it in the margin.

⁷⁶ *Acts 16-20 Parliaments*, 16r-v; *APS*, iv, 281.

⁷⁷ *Lawes and Actes*, 34r.-35r.; *APS*, iv, 435-6.

⁷⁸ *The Acts made in the first Parliament of our most high and dread Sovereigne Charles* (Edinburgh, 1633), 18; *APS*, v, 20-1. The MS is very close to this.

⁷⁹ John Leslie, of Irish birth, educated at Aberdeen, bishop of the Isles in 1628, then transferred to the see of Raphoe in 1633, and Clogher in 1661, at the age of 89. *FES*, vii, 349.

cryed, "Crucify, crucify". This people hath changed countenance and toone to your majestie because ye are bringing in novelties uppon them; they are a people that can bide no inovations.'

Sundrie⁸⁰ of our prime nobles and lords did put their hands to a supplicatione⁸¹ to be presented to the king's majestie after his coronatione, wherein the matter of there greatest complaint was, so farr as ever wee could learne, there challenginge of the bishoppes for what they had done and were like to doe. The double of this supplication beinge conveyed by an unfreind a long space after, privily out of my Lord Balmirinoch's chamber, was a ditty whilke broght him uppon pannells, being a verie sicke man in the tyme [17] and his life in great hazard for example to all noblemen to beware of the like rashness, especialy his fellow supliants who are declared by that fault to have deserved that same sentence of death. *A Large Declaration*,⁸² a manifestio, and the king whose name is stollen to that manifestio, is brought in, sayinge, p. 14: 'nor could they have found the least blemish in Our justice, if Wee should have given warrant both for his sentence and execution, whose life was now legally devolved into Our hands;'; p. 13: 'Wee, out of our innate and usuall clemencie, were graciously pleased (that the feare and example might reach to all, but the punishment onely to one of them) to passe by many, who undoubtedly had beene concluded and involved by Our Lawes in the same sentence, if Wee had proceeded against them'. There is heard dealeing that the greatest nobles of the land ought to forefault there life and estate if they be so bould, as to put their hands to a supplicatione to their gracious prince, against the abhominable practises of these proud prelates.

Now, after the king's majestie his returne into England, the most of the preaching that was alowed in all the whole three kingdoms was raileinge against non-conformists, puritanes, and parliments had their wype⁸³ by the way. Ane unhapie correspondencie was kept amongst all the bishoppes of the three kingdomes to hould downe the heades of all faithfull preachers and advance such headie peices as would promote poprie and Arminianisme. Bishopp Ladd found old Bishopp Abbotts⁸⁴ a mott in his way; he beare him so downe that two yeares before Abbott's

⁸⁰ This paragraph, up to the final sentence, has been plagiarised from Baillie, *Ladensium Autokatakrisis*, 108n.

⁸¹ See M. Lee, Jr., *The Road to Revolution: Scotland under Charles I, 1625-1637* (Urbana, Ill., 1985), 157-62.

⁸² *A Large Declaration concerning the late Tumults in Scotland* (London, 1639). The title page says: 'By the King', and the opposing page bears the king's portrait. The editor is generally taken to have been Walter Balcanquhall.

⁸³ reproof.

⁸⁴ Perhaps 'Abbot is'? George Abbott, archbishop of Canterbury in 1611. He was long an antagonist of William Laud who succeeded him in 1633.

death he was not seine neir court but meereley was confined at his house in Lambeth.

When he entered one his high chaire at Canterbury, O! what tyranie he exerced, what abhominable heresies by his factors spred athert the kingdomes, cheifly that kingdome of England. It may be well said of him as was said of old by that unhappie Boniface, *intravit ut vulpes, regnavit ut leo, mortuus est ut canis*, he came in like a fox, he raigned like a lyon, and dyed like a dogg. The least speakeing against the abuses of those tymes was pilloreing of honnest preachers. Bastwicke and Burton's noses was slitted, Prin's cheeke was burned, Lighton's⁸⁵ eares cut off[f] his head, Lilburne⁸⁶ was scourged through the citie, and Williams⁸⁷ bishop of Lyncolne—and whatever the man be else I know not, yet I am perswaded as learned a bishopp as England had—was comitted to prisone. Many honnest men was murthered by famine, cold, vermine, stinke,⁸⁸ and other miseries, in caves, in vaults in the bishopp's house of inquisitione. Who doubts of the truth of these things, [18] and more nore I can heare sett downe, lett them reade the *Newes from Ipswich, The Canterburian's Self-Conviction*, pp. 107-9.⁸⁹ And Canterburie, in his epistle to the king before his *Starre Chamber Speech*, haveing magnified the king's mercie for saveing the life of Burton and his companions, is bould to advise the king not alwayes to be so mercifull in these words: 'Yet this I shall be bold to say, and your Majesty may consider of it in your Wisdom; That one way of Government is not alwaies either fit or safe, when the Humors of the people are in a continuall Change. Especially, when such men as these shall worke upon your people, and labour to infuse into them such malignant Principles to introduce a Parity in the Church or Common-wealth.'⁹⁰ And Heylen (one who[m])

⁸⁵ Alexander Leighton was an expatriate Scot, who graduated from St Andrews, received the MD from Leiden, and practised medicine in London. He became known for radical religious views, and for his *Sion's Plea* (1628) was mutilated and imprisoned for life (1630); he was released only in 1640. His son Robert became a Restoration archbishop of Glasgow. Actually, the punishment inflicted on Bastwick and Burton was the cropping of their ears. See Foster, *Notes from the Caroline Underground*.

⁸⁶ John Lilburne, the political radical of such note in the 1640s, was whipped, pilloried, and imprisoned in 1638 for his involvement with a radical publication, i.e., [William Prynne,] *Newes from Ipswich* (Edinburgh, 1636?), and for challenging the authority of the Star Chamber.

⁸⁷ John Williams had been favoured by James VI and I, who made him bishop of Lincoln in 1621, but was not viewed in the same terms by Charles, nor by Laud who became his bitter enemy. In 1642 he was elevated to the archbishopric of York. He was confined in 1637.

⁸⁸ a probable reading.

⁸⁹ i.e., *Ladensium Autokatakrisis*. The correct pp. are 115-17.

⁹⁰ William Laud, *A Speech delivered in the Starr-Chamber, 14 June 1637 ... concerning pretended Innovations in the Church* (London, 1637), a3r. I have corrected the quotation from the original publication. Such corrections are minor matters of orthography, but it should be noted that for 'a parity' the manuscript has 'a partie'. The author has taken this material, including the introductory words, from Baillie, *Ladensium*, 109.

the bishop esteemed much in his *Moderate Answer*, p. 18⁹¹) hes manie reasons and examples to prove that Burton and his like deserved no lesse then publicke executione, and yet these men are so gentle to papists that they glorie in there meekenes towards them, professinge that to the bitterest of the Jesuits they have never given a course word. And Canterbury in his epistle to the king in the year 1639 before the relatione of the conference: 'God forbid I should ever offer to persuade a persecution in any kind, or practise it in the least: for, to my remembrance, I have not given him or his so much as coarse language.'⁹² He may well be beleaved one his word, for the love he caried to the pope and papicie is manifested to the world be his practise and the prechings, so much countenanced by him, of his flatterers in favours of the pope and all popish articles, bot cheifly by his bargains with the popes, made manifest by that serious and ingeneous tractate called *The English Pope*, together with *The Pope's Nuncio* annexed,⁹³ which makes these things more cleare then anie would thinke the secrecies of these negociations would have aforded to manie disaffected to them, wherein wee have the proponinge and driveinge of the bargain betwixt the agents of Rome and the archbishophe and his complices, who bought and sould the puritanes for cardinals' caps and pensions. Amongst whom the bishophe of Chichester, then afterward of Salisbury, was a chiefe and therefore was thought fittest to be the prince his tutor,⁹⁴ bot I will leave England in a hard case and make a step into Ireland and se how it fares with those servants of God there.

⁹¹ Peter Heylyn, *A brieve and moderate Answer, to the seditious and scandalous Challenges of Henry Burton* (London, 1637); see 181–3, which seem more to the point than 18, as given in the MS.

⁹² Laud, 'A Relation of the Conference betweene William Lawd ... and Mr. Fisher the Jesuite', *Works*, 7 vols. (1847–1860), ii, p. x. The MS has the phrase 'ever presume a persecution in anie kinde against the Jesuits'. Laud continued: 'But, on the other side, God forbid, too, that your Majesty should let both laws and discipline sleep for fear of the name of persecution; and, in the meantime, let M. Fisher and his fellows angle in all parts of your dominions for your subjects. If in your grace and goodness you will spare their persons, yet I humbly beseech you see to it, that they be not suffered to lay either their wheels, or bait their hooks, or cast their nests in every stream, lest that tentation grow both too general and too strong. I know they have many devices to work their ends; but if they will needs be fishing, let them use none but lawful nets. Let us have no dissolving of oaths of allegiance; no deposing, no killing of kings; no blowing up of states to settle *quod volumus*, that which fain they would have in the Church'.

⁹³ *The English Pope, or A Discourse wherein the late mysticall Intelligence betwixt the Court of England, and the Court of Rome is in part discovered* (London, 1643). This tract, addressed to the Westminster Assembly, sees Laud and his companions on the road to Rome. D.T., *The Popes Nuntioes* (London, 1643), another anti-Catholic tract: 'that Tiber and Thames were almost in one Channel', A2r. It describes Roman negotiations in England during 1634–6. Apparently the author viewed these two works attached; they were published by the same London press. In the NLS this one precedes *The English Pope*. NLS, 1.334 (7 and 8).

⁹⁴ Brian Duppa, tutor to King Charles's sons. He became bishop of Chichester in 1638 and Salisbury in 1641; at the Restoration he moved to Winchester.

In the 4th yeare of his majestie's raigne severall imunities and encouragements were granted to the papists. The then deputie, though his veine lay more right for tyranie and exactione in regard of his imperious spirit, yet he failed not to doe manie good offices to the papists, by conivance and countenance given to the free and publique exercise [19] of idolatrie and this was helped on by makeing manie popish peeres, that a parliment in that kingdome might rather prove advantageous to papicie then otherwise. The fruite of which liberalitie of honnor was reaped with the Irish parliment's allowinge a contribution to the warre against Scotland, and there sendinge to Whitehall a comitee. Manie of them were forward papists, now cheife rebels the summer before the rebellion bracke forth, who in all probabilitie shifted the carts for the bloodie game that was plaide in October after.

A papist lived verie securelie in England and Ireland both in respect⁹⁵ of anie honnest preacher or lay person, man or woman, that would not conforme with England and consequently with theme and there superstitious ceremonies. What hard censures was used against these notable men of God—now bright shineinge lamps in our kirke, Mr Robert Blair,⁹⁶ Mr James Hamiltone,⁹⁷ Mr John Livingstone,⁹⁸ Mr John McLelland,⁹⁹ and manie more faithfull wittnesses to the truth—by Lessly of Downe and Bramble of Derrie and the deputie, by there instigation, is pitifull to repeate, as I have hearde it of some of themselves. They were suspendit, deposed, declared rebels, all men discharged to countenance and receive them under all hiest paines. How oft hath these sweete men disguised themselves, changed there habits for safetie of their lives, so that a great number of faithfull people and some ministers with them were driven to that point in end that they made readie a ship for themselves to carie them over to Nova Anglia.¹⁰⁰ Bot God had a worke adoe in thir kingdomes, wherein his majestie minded to make use of their service. And it was weill knowne that numbers, not onely of men but also of silie woemen, were driven backe in Ireland from there flight out of the kingdome to close prisons.

Now come I to Scotland. Our bishoppes were verie bussie to urge conformite, to silence and confyne honnest ministers. Bot blessed be God, they found not

⁹⁵ in comparison.

⁹⁶ Blair was educated in Glasgow. His radical presbyterianism meant that he could not obtain a parish in Scotland, so in 1623 he went to Ireland and became minister of Bangor. He was outed in 1632 and returned to Scotland, becoming minister at Ayr 1638 and then St Andrews in 1639.

⁹⁷ James Hamilton, minister at Comber in County Down in 1626.

⁹⁸ Livingston graduated from the University of Glasgow and went to Killinshie, Ireland, in 1630. After he was silenced he returned to Scotland and became minister of Stranraer and later Ancrum.

⁹⁹ McLelland was a schoolteacher in Ireland and was licensed to preach. Upon deposition he returned to Scotland and became minister of Kirkcudbright in 1638. *FES*, ii, 417.

¹⁰⁰ Mullan, *Scottish Puritanism*, 34, 37–8.

the secret councill of the kingdome so ready to put in executione there furious desires against honest ministers and good people as were the judges in England and Ireland. Spotswood sylenced manie, and Bishopp Sydsferfe (a man fitt to have beine Jehu his coachman¹⁰¹) for his new bishopricke in Galloway and hopeinge to gitt ane archbishopricke for his paines, made a sore persecution of ministers and divers gentlemen in Galloway. Bot blessed be God for it, and lett our honorable privy councill (albeit too manie of them were for bishoppes at first and there rites) have there owne commendatione for it. They gott no power to slitt noses nor burne on the cheeke. Mr Samuell Rutherford was long tossed to and fro and at length banished to the farre north.¹⁰² [20] And bishoppes of the ill strayne had their inquisitors to try out and delate honest men, and Bishopp Sydsferfe had one verie fitt for that purpose, as malicious as himself, viz. Mr James Scott¹⁰³ who for his good service was presented by him to the kirke of Dumfries (which then was at the bishop of Galloway's presentation), after the death of Mr Thomas Ramsay¹⁰⁴ of worthie memory. But he never came to give his tryall nor never will. At his kirke of Tongland I conferrde with this man, perceaveing his humor to be a bitter satiricke and a libeller against all his brethren. He gave me my loathing of him and his courses. I thanke God for it.

In Glasgow dyocie Mr David Dickson¹⁰⁵ was confined, divers honnest men processt, and, which was worst of all, the brether of the presbeteries not onelie there but in manie parts of the kingdome elsewhere were pitifulie devidit. The pulpits was filde with declamations, one against another's practise and judgment. As for our bishoppes, they were nothing behinde the greatest tyranie that ever was at home, as any man of sence may perceave these their presumptuous practises. In the whole kingdome the bishoppes alone, without the privitie of anie of the cleargie or anie of the laitie, in a dash went to abolish all the ecclesiasticall judicatories, whilke the standing and unrepeated laws which the constant customes ever since the Reformatione had settled, and put in their roomes new forraigne courts which the kingdome had never knowne, scairce so much as by name. At one strocke they strived to anull all the acts of three or foure nationall assemblies and sett upp in there rounge a *Booke of Cannons* of their owne diviseinge. They attempted to abolish all the formes used in the worshipp of God without anie question for threescore yeirs and above, both in the publicke prayers and administratione of the sacraments, singing of psalmes, preaching the Word, in

¹⁰¹ 2 Kings 9:24-5.

¹⁰² Coffey, *Politics, Religion and the British Revolutions*, 42-8.

¹⁰³ He was deposed in 1639: *FES*, ii, 100.

¹⁰⁴ He died in 1637 or 1638: *FES*, ii, 264.

¹⁰⁵ Minister of Irvine, and a leading covenanter.

celebrateinge of mariage, of visiteinge the sicke, ordinatione of ministers. Insteade of these accustomed formes, [they] brought in foure bookes of there owne—of service, of psalmes,¹⁰⁶ of ordinatione,¹⁰⁷ of homilies.¹⁰⁸ And all this they did at Canterburie's directione as our comissioners made good by presentinge his owne hand to the parliment of England for that effect. Scairclie can Rome itselfe in anie age parallell this worke which our bishoppes broght forth in litle more nor one yeare.

The *Booke of Cannons* was sett forth to make way for the rest, and in that unhappie booke, page 8,¹⁰⁹ there is a sore cannon. Let it speake itselfe, and honnest men judge of it:

Whosoever shal hereafter affirme, That the Doctrine of the Church of Scotland, the forme of worship contained in the *booke of Common Prayer* (and witt yee this *Booke of Common Prayer* is not as yet comed from the presse), and administration of the Sacraments; The Rites [21] and Ceremonies of the Church; The government of the Church by Archbishops, Bishops, and others which beare office in the same; The forme of making and consecrating Archbishops, Bishops, Presbyters, and Deacons, as they are now established under His Majestie's Authoritie, doe contayne in them anie thing repugnant to the Scriptures, or are corrupt, superstitious, or unlawful in the service and worship of God; let him be excommunicated, and not restored, but by the Bishop of the place, or Archbishop of the Province, after his Repentance, and publicke Revocation of such his wicked Errours.

And in the 43 page is to be seene, that cannon in all the *Booke of Cannons*, 'where-so-ever there is no Penaltie expresslie set downe, it is to bee understood, That (so the Cryme or Offence bee proved) the Punishment shall bee arbitrarie,

¹⁰⁶ *The Psalter, or, Psalmes of David: According to the last Translation in King James his time* (Edinburgh, 1636).

¹⁰⁷ Indeed such would have been a necessity in order to establish a three-fold ministry. George Grub cited contemporary sources to support his assertion that 'before the end of the year 1636, a Book of Ordination was printed.' But in a note (3) he had to add: 'I have not been able to discover the existence of any copy of this Book of Ordination.' *An Ecclesiastical History of Scotland*, 4 vols. (Edinburgh, 1861), ii, 368. It is not listed in H.G. Aldis, *A List of Books printed in Scotland before [1701]* (2nd edn., Edinburgh, 1970); nor is there an entry in STC. However, it must surely have been published, even if not widely distributed, as James Gordon includes portions of it translated back into English from William Spang, *Renum nuper in Regno Scotiae Gestarum Historia* (Danzig, 1641), 229–30. The running title of this work is *Historia Motuum in Regno Scotiae*, not to be confused with Spang's other relevant work, *Brevis et fidelis Narratio Motuum in Regno & Ecclesia Scotica* (Danzig, 1640). Both were published under the pseudonym Irenaeum Philalethen, 'Peaceable Lover of Truth'. See James Gordon, *History of Scots Affairs, from 1637 to 1641*, 3 vols. (Spalding Club, 1841), ii, 92–4; RKS, 163–4.

¹⁰⁸ John Row wrote in his *History of the Kirk of Scotland, from the Year 1558 to August 1637* (Wodrow Society, 1842), 401, that he anticipated the appearance of Books of Homilies, but Gordon stated that such a work 'saw never the light, but was stifled in the very birth thereof': *History of Scots Affairs*, ii, 93.

¹⁰⁹ I have corrected a somewhat informal quotation from *Canons and Constitutions Ecclesiasticall gathered and put in Forme, for the Governement of the Church of Scotland* (Aberdeen, 1636). These quotations were lifted from Baillie, *Ladensium Autokatakrisis*, 107n.

as the Ordinarie shall thinke fittest.¹¹⁰ And albeit these canons comprehend abonndent iniquities, yet it was thought fitt by one cannon commendit to Rosse by Canterbury, that a dore should be left open to the pope himselfe at a fitt opportunity to this effect:

But for-as-much as no reformation in Doctrine or Discipline, can bee made perfect at once in anie Church; Therefore it shall and may be lawfull, for the Church of Scotland, at anie tyme, to make Remonstrance to His Majestie, or His Successours, what they conceive fit to bee taken in farther consideration, in, and concerning the Premises. And if the King shall thereupon declare his lyking, and approbation, then both Clergie and Lay shall yeeld their obedience, without incurring the Censure afore-sayde, or anie other.

This is to bee seine page the 25.¹¹¹ This is the cannon of which I spoke before, for which Canterbury thanked the bishopp of Rosse in a letter, which I doubt but the English parliment hath seene it long agoe, sayinge that he was glad the cannon was so usefullie placed behinde the courtaine and comanded it should be fullie printed.¹¹² Canterbury procured this *Booke of Cannons* to be approven by the king at Greenwich May 23, 1635, and the copie of the king's letters prefixed to the booke, the tennor whereof followeth:

Charles R: Wee, out of Our Royall Care, for the Mayntenance of the present Estate and Government of the Church [Kirke] of Scotland, having diligentlie, and with great content, considered all the Canons and Constitutions after-following; and finding the same such, as Wee are perswaded, will bee profitable not onlie to Our Clergie, but also to the whole Church [kirke] of that Our Kingdome, if so they bee well observed; Have for Us, Our Heyres, and lawfull Successours, of Our especiall Grace, certayne Knowledge and [22¹¹³] meere Motion, given, and by these presents doe give Our Royall Assent, unto all the sayds Canons, Orders, and Constitutions, and to all and everie thing in them containyd, as they are afterwards set downe.

And further: Wee doe not onlie by Our Prerogative Royall, and Supreme Authoritie, in Causes Ecclesiasticall, ratifie, and confirme, by these Our Letters Patents, the saydes Canons, Orders, and Constitutions, and all and everie thing in them containyd; But lyke- wyse, Wee command, by Our Authoritie Royall, and by these Our Letters Patents, the same to bee diligentlie observed, and executed, by all Our lovinge Subjectes of that Our Kingdome, both within the Provinces of Saint-Andrews and Glasgow, in all poynts, where-in they doe or may concerne everie, or anie, of them, according to this Our Will and Pleasure, heere-by expressed, and declared. And for the better observation of them, Wee straytelie charge, and command, all Arch-bishops, Bishops, and all others that exercise anie Ecclesiasticall Juris-

¹¹⁰ The MS gives p. 37; corrected from the *Canons*. The author of the *Historie* copied this material straight from Baillie, *Ladensium Autokatakrisis*, 115, where Baillie had already set forth the mistaken page number.

¹¹¹ Again, I have corrected the quoted material from the *Canons*.

¹¹² Letter to John Maxwell, bishop of Ross, in Laud, *Works*, vi, II, 434: 'I am very glad your Canons are also in so good a readiness; and that the true meaning of that one Canon remains still under the curtain. I hope you will take care that it may be fully printed and passed with the rest.' 'Twill be of great use for the settling of that Church.'

¹¹³ The MS has p. 23, obviously an error, which continues in the succeeding pages. I have corrected the numbering in this edition.

diction, within that our Realme, to see and procure, (so much as in them lyeth) all and everie of the same Canons, Orders, and Constitutions, to be in all poynts duellie observed; not sparinge to execute the Penalties in them severallie mentioned, upon anie that shall willinglie and wilfullie breake, or neglect to observe the same, as they tender the Honour of God, the Peace of the Church [kirke], the Tranquillitie of the Kingdome, and their Service and Duetie to Us their King and Soveraygne. Given at Our Manor of Greenwich, the 23 of May 1635.¹¹⁴

This for the *Booke of Cannons* cruel and tyranicall, and which, as you have hearde, a dore left open to all poperie to enter in. But the verie bodie of poperie was next brought in, to witt, that *Booke of Service*, which in effect was nothing but ane English masse, and divers of our preachers undertooke to shew in it all the substantiall partes of the masse and accordinglie did at the gennerall assembly in Glasgow make good there undertakeinge. A *Parallel* [was]

written by a preacher among us, comparing all and every particular portion of the Masse, as they are cleared by Innocent, Durand, Walfrid, Berno, and the rest of the the old Liturgick Rationalists, with the parts of our Liturgie, as they may bee cleared by the late writs of the Canterburians, which ends not, till all the parts great and small of the Masse bee demonstrat in our Book either formally, in so many words, as the most considerable are, and that in the very popish sense, If you will joine to our book the Canteburian commentars: or virtually a necessity being laid upon us, upon the same grounds which perswads to embrace what in those books is formally expressed, to embrace also what of the Masse is omitted, whensoever it shall bee their pleasure in a new edition to adde it.¹¹⁵

And albeit there was in the English lyturgie divers corruptions which honnest men in that kirke perceaved and required to be ammendit, butt yett our liturgie is in severall parts changed from the English to the worse. Mr Bailie, in his fore-named booke, hath made this so cleere that no just opposition can be made to the contrare, pp. 97-9. This goodly peice in St Androes, chanrie of Rosse, Buchan and other some parts was practised, and alwayes preparitive for receiveinge it in Edinburgh was used. Sir John Hay (a man for the king, none doubts) was made proveist, and he with helpe of towne councell, of which some were for him, [23] would be able (thought they) to make it be received there, but it proved otherwise.¹¹⁶

The Tumult in Edinburgh for the New Liturgy

The bishopp of Edinburgh Mr David Lindsay gave order in July 1637 that all the ministers within the citie should reade the service booke in there severall parishes' kirkes; he, with his deane Mr James Hannay, came to Saint Giles Kirke

¹¹⁴ I have corrected and, where necessary, expanded the quotation from *Canons*, 5-6. Square brackets indicate the usage of the author of the *Historie*.

¹¹⁵ This is a direct quotation from Baillie, *Ladensium Autokatakrisis*, 95, referring to his own *Parallel*.

¹¹⁶ *Extracts from the Records of the Burgh of Edinburgh, 1626-1641*, ed. M. Wood (Edinburgh, 1936), pp. xvi-xvii, 194, 196; Mullan, 'Arminianism', 25.

to see the service there. Bot so soone as they began to worke, a whisperinge and noise began to arise in the church, and all the woemen, some also of the men, went to there feete. The bishopp (albeit not a good footeman) and his deane made hast to flee to a lodgeinge and gott ill-plucked gownes before they wan to a house. The like manner was Mr James Fairly¹¹⁷ served in the kirke called the Gray Freirs. He, to kyth his thankfullnes for the bishoppicke of Argyle which was newly conferde uppon him by moyand of his schollar the earle of Traquair, fell to read the service there, and he and reader both (as I heard say) got some blowes with woeman's kirke stooles and such like as came readiest to their hands. This man had never profit nor pleasure of his bishoppicke. The day of his consecratione the house tooke fire wherein he was to give his dinner to his bennefactor and the bishopps, *malum omen*, and shortlie after he was deposed with the rest at Glasgow. And albeit ane able man, and who truely repented that ever he was a bishopp, yet found he great difficulty to gett a place in the ministerie againe. The bishopps are all in a high chaffe and cry, all of them, 'Treason, treason', yet might they not be openlie seine in the streets. They wrote to the king's majestie how presumptuously the towne of Edinburgh had usde [sic] the two bishopps and the deane for puttinge in practise the service booke. The king's majestie is highly incensed and sends downe command and charge that the lords of councell and session and all civill justices should depart from Edinburgh to Linlithgow, and afterward charge came to repaire to Stirling.

The lords of privy councell sate in Dalkeith one day, by councell of the bishopps, for they found it not safe for bishopps to be seine to sitt in Edinburgh. And divers of the ministers and others protested against the sitting of the bishopps in councell to bee their judges, seinge they had declared themselves to be their party. The councell makinge to Stirling as the king had commanded, wisemen, ministers, and others saw great incovenient comeinge one kirke and state by meanes of the bishopps; therefore thinke they most convenient that one or two of every prespetrie [sic] [24] ~~That one or two of everie presbeterie~~, the gravest ministers and one or two descreit gentlemen of everie shire, should be chosen to present their remonstrances, greivances, and complaints to the lords of privie councell, that by their lordships' mediation and means the king's majestie might be acquainted with the same. These commissioners upon the 27 of September, the 15 of October, the 7th and 27th of December gave into the councell such supplications as was fitt for his majestie's informatione, and specialie that his subjects feared an innovacione in religion whereby the commonwealth could not but suffer detriment.

The bishopps, perceaveinge themselves taxed in these suplications as plotters

¹¹⁷ Mullan, *Episcopacy in Scotland*, 191.

of much mischeife against religione and libertie of the kingdome, and findeinge themselves odious to all rankes of persons, were not seine publicly in streetes, and by there [their] meanes (as appeares) was a proclamation published at the Crosse of Edinburgh February 19, 1638, chargeinge all the foresaid comissioners to passe off the townes of Edinburgh and Stirlinge within six houres after the proclamacione, under the paine of treason. And the proclamacione was also made at Stirlinge the 20th of February 1638. The tennor of the proclamacione followeth.¹¹⁸

[25] Protestation of the Comissioners

For safetie of religion, the honnor of the king and the lawfull liberties and privileges of the subjects, the comissioners there present with one respect, protested as followeth:¹¹⁹

[27] This supplicatione and protestation got but small heareinge.

Than did the noblemen, barrons, burgesses, gentlemen, and others well affected by advice of the ministers, thought it their best to renew there Covenant with God amongst themselves, acknowledginge that God in his justice had suffered these evils to come uppon them for the breach of that Nationall Covenant, and from all parts of the kingdome men came flockinge into Edinburgh to subscribe the Covenant. The Privy Councell would not asist. Spotswood, heareinge of the Covenant to be renewed, was in a sore perplex[i]tie and said (prophetically, I hope, as once Caiaphas¹²⁰), [28] 'The bottome of our cause is broken out; for mee it is my best to goe to England', which he forthwith did, and with greife died a martyre to this designe, and as Mr Welsh forwarnde him 24 yeares before, he died an outcast.¹²¹

¹¹⁸ Not transcribed. See RKS, 59, and *A Large Declaration concerning the late Tumults in Scotland* (London, 1639), 48–50. The proclamation was mild in that those who had resisted the *Scottish Book of Common Prayer* were to leave Stirling and anywhere else the privy council should meet: 'Yet because We beleieve that what they have done herein is out of a preposterous zeale, and not out of any disloyaltie or disaffection to Sovereignty, We are graciously pleased in so farre as concerns these meetings ... to dispense therewith, and with what may bee their fault or errour therein.' However, it gave no satisfaction to opponents of the *Prayer Book*.

¹¹⁹ Not transcribed. See RKS, 59–60; John Leslie, earl of Rothes, *A Relation of Proceedings concerning the Affairs of the Kirk of Scotland, from August 1637 to July 1638* (Edinburgh, 1830), 88–9; *Large Declaration*, 50–2. The Protestation was an act of defiance against the preceding Proclamation. It summarised previous action to gain redress of grievances, and stated the protesters's desire to defend true religion, all the while maintaining their own loyalty and duty toward their 'gracious' king.

¹²⁰ Presumably a reference to John 11:49–52 where Caiaphas, high priest when Jesus was tried, prophesied Jesus's death for the Jewish nation.

¹²¹ End of Book ii. Hereafter the *Historie* consists more and more of documents which may generally be found elsewhere.

James Wedderburn, 'On the Church of England and the problem of Catholicity', c.1632

Some things to be considered of any one, who living in the communion of the Church of England, where he was borne and bred, and discerning the gross errors and superstitions that be in the modern Roman church, is notwithstanding strongly moved to leave the one and betake himself to the other, as the only Catholique, without which there can be no salvation.¹

Long before Luther, many of all sorts and degrees of Christians living under the obedience of Rome did often call for reformation, not only in maners, but also in doctrine and divine worship. This being refused or too long delayed, sundry princes and commonwealthes did reforme the churches with, in their territories, and refused to yeeld their accustomed obedience to the pope. Wherein whether they made a schisme or not, *adhuc sub judice lis est*,² especially they having been then, and being still, readie to reunite themselves to the Church of Rome, and to yeeld the pope, though not a blind, absolute, yet a canonicall obedience (such as the Gallicane church to this day only acknowledgeth) upon the removall of those scandalls which many thousands who attempted not the like Reformation did and doe detest and wish to be remooved.

¹ Wedderburn's extensive quotations from Augustine are taken from the 1616 edition of his works: Augustine, *Opera*, 10 vols. in 5 (Cologne, 1616). On this basis I have corrected Wedderburn's citations, extended them where abbreviated, and clarified the locations, where necessary and where possible. I have sought published translations for his citations, and have resorted to my own translations only where necessary, aided by the Latin/French edition published by Desclées de Brouwer. I have reduced some of the citations from Augustine in view of their repetitive nature.

Initial references to letters or chapters or books, etc., are those given by Wedderburn. The numbering of letters has changed since the 1616 edition, and I have entered the modern reference into the text. Numbers in square brackets, e.g. [vi, 47], refer to the 1616 edition. Many of the translations I have located come from the edition of Augustine's *Works*, ed. M. Dods, 15 vols. (Edinburgh, 1871-6), referred to simply as *Works*. Its individual volume numbers refer to the following titles, which are rather more prominent: vols. i and ii: *City of God*; vol. iii: *Writings in connection with the Donatist Controversy*; vol. v: *Writings in connection with the Manichaean Heresy*; vol. vi: *Letters*, i; vol. ix: *On Christian Doctrine, The Enchiridion*, etc.; vols. x and xi: *Lectures or Tractates on the Gospel according to St. John*; vol. xiii: *Letters*, ii.

² 'the controversy is as yet undecided.'

Butt put case they made a schisme: it will not therfore follow that all who live and die in the Reformed church are quite excluded from all possibility of salvation. For as it is true which Vincent of Lerins³ hath concerning St Cyprian with his colleagues the African bishops and Donatus with his crue, 'the teachers are absolved, the disciples condemned'; for is it as true *vice versa* that the authors of a shisme may be condemned, and yet they or many of them saved who are involved in it, if they doe as St Cyprian did, and be like minded as he was, that is, if they refuse only a communion in those things that they judge to be erroneous and unlawfull for them to consent unto, and keeping charitie towards all, doe communicate with them not only internally, but also externally in the rest.

But you may say that after so many yeares and so many demonstrations of the truth, there can be no salvation for them that will not yeeld, seing after that the Nicen councill had determined the point of rebaptization, it was heresie to hold, or doe the contrarie. To which I answer, 1. That there was no lesse demonstration of the truth made to Cyprian and his fellow bishops, and by no lesse autoritie (if wee may beleeeve the now rigide Catholiques of Rome) then that of a generall councill, to witt, by more popes then one, *id est, ex cathedra*.⁴ Yett he lived and died in his error, which was no small one (*exufflare baptismum Christi, et signa imperatoris sacrilega audacia* [63v] *violare*, as St Augustine⁵ often speaketh, refuting the same error in the Donatists), who, notwithstanding by all good Christians is held for a blessed saint and glorious martyr. 2. Wee have had no generall councill since the Reformation, for that of Trent is not received for such of

³ Vincent of Lerins was a monk and theologian, of Gallic origin, who died some time before 450. He produced, probably in the 430s, a work entitled *Adversus Haereticos*, more commonly known as the *Commonitoria* or *Commonitory*. The Vincentian canon is attributed to him, i.e. *Quod ubique, quod semper, quod ab omnibus creditum est*. The reference here is to ch. 6. 18, in a discussion of Cyprian's opinion that those baptised by heretics should be rebaptised, a view adopted by the Donatists for which Vincent thought they should burn in hell forever, but maintaining that Cyprian would reign eternally with Christ: 'the teachers are absolved, the disciples condemned: the writers of the books will be children of the Kingdom, the defenders of them will have their place in gehenna.' See Vincent of Lerins, *The Commonitory*, trans. T.H. Bindley (London, 1914), 38. See also another translation by R.E. Morris in Niceta of Remesiana, *Writings* (Fathers of the Church, vol. vii, Washington, DC, 1949), 255-332.

⁴ 'that is, from the bishop's office or chair'.

⁵ 'to scorn the baptism of Christ, and to violate the standards of the emperor with sacrilegious audacity'. Probably a composite by Wedderburn. The first phrase may be seen in *City of God*, in *Works*, i, 91, 'Emperor God' (*imperatorem Deum*, 1616 edn., ix, 22), and *Works*, i, 164, 'that blow on Christ as if they abhorred Him, that blaspheme baptism' (*adversus exufflatores Christi, adversus blasphematores baptismi*, ix, 36). Likewise *Epistle 185*, in *Works*, iii, 517, 'because we have treated your baptism with contempt' (*quia exufflavimus baptismum vestrum*, ii, 79). The second phrase might have been constructed on the basis of *Epistle 87*, in *Works*, vi, 363, 'imperial standards' (*imperatoris signa*, ii, 255), and *On Baptism*, in *Works*, iii, 73, 'the standard of our General' (*imperatoris nostri signa*, vii, 44), and *Works*, iii, 95, 'the signs of our Sovereign' (*imperatoris nostri signa*, vii, 49).

some whole nations and seigniories of Catholiques, and not acknowledged for such (not *animatus*,⁶ as many observant and unpartiall travellers can tell) of many good Catholiques in Italie and Rome itself.

And heer by the way I crave leave to moove two queries: 1. If it was a true generall councell of the whole Catholique church, and so did not, nor could erre in *ulla re ad fidem moresque Christianorum spectante*,⁷ in what case are those many thousands of Catholiques who doe refuse to receave it, being⁸ nothing else (as in their printed bookes they have published) but a private conventicle of the pope? 2. Whether they that reject it beleive all the same thinges which they doe who receive it? and if so, whether they have both one reason and ground of their beleif? Of what hath bene said, this to me seemeth to be a sequele, that *rebus sic stantibus ut stans*,⁹ we are not bound under paine of damnation to communicate with the church of Rome in those thinges which in our conscience we thinke erroneous and unlawfull, but only in the rest which are not so: and this we doe, for we doe not relinquish the communion of the Catholique church, but of a Catholique church corrupted, and that only in so farre forth as she is corrupted, retaining still an internall communion with her in *fide fundamentali et charitate*,¹⁰ and an externall too, in the profession of one faith, one baptisme, yea and in one preisthood, and sacrifice or sacrament of the altar, *exclusis erroribus et superstitionibus, quas multo ante reformationem quam plurimi pii omnium ordinum, imperatores, reges, principes, viri ecclesiastici etc. viderunt, gemuerunt, et ut tollerentur omnes conatus adhibuerunt*.¹¹

If it be objected that we are guilty of the schism so long as we communicate with them that are schismaticall, in that they exclude all that live and die in the communion of the present church of Rome, from all hope of salvation, I answer: 1. That there are but few that are so: 2. That by them who make *partem maiorem et meliorem*,¹² they are refuted, and condemned as schismaticks or schismatically disposed. 3. That our communicating with them in *sacramentis Christi* maketh us not schismaticks, so long as we openly dissent from them in *erroribus vulgi*,¹³ and

⁶ heartily.

⁷ 'in any matter having respect to the faith and the morals of Christians'.

⁸ the word is preceded by a stray (.

⁹ 'matters being as they are'.

¹⁰ 'in basic faith and love'.

¹¹ 'excluding errors and superstitions, which indeed long before the Reformation many pious men of all orders—emperors, kings, princes, church men, etc.—saw, bemoaned, and made every effort that these should be removed'.

¹² 'the greater and better part'.

¹³ 'in the sacraments of Christ ... in the errors of the people'.

so much the rather as they have no warrant of their uncharitable opinion from the doctrine or discipline of the Church of England. 4. Having thus answered, I demand whether it were not as dangerous or more dangerous for our soules' health to communicate with the Church of Rome in those thinges which our consciences condemne, then it is to communicate with men schismatically affected in those thinges which the conscience of every Christian doth approve, that is, in the ordinances of God. *Ita mihi sentire liceat, sicut qui in Catholica charitate* [64r] *non habent non pertinent ad Catholicam, ita qui necessitate constringente inter multos schismaticos vivunt (non tamen extra Catholicam), si charitatem habent et retinent, ad Catholicam pertinent.*¹⁴

It were not amisse for him to consider the particulars here expressed, who in his conscience cannot approve sundry of the grosse errors and abuses of the Church of Rome, and yet is ready openly to approve them by leaving the communion of the Church of England and goeing to them, where, being a new convert, he must be a zelote too, and not so much as [to] have any internall communion with any the most moderate Christian in the world, but with such alone as are professedly, explicite, and absolutely of the Romane obedience. For *votum et praeparatio cordis*, to doe it *remotis obicibus*,¹⁵ will not satisfie them, though it doth in the case of baptisme, which I hope is no lesse necessarie to salvation then obedience to the sea of Rome.

Were it not then the more charitable course, and the more safe for his soule's health, in this present evill world (wherein Satan, transforming himselfe into an Angell of light, doth on both sides sow dissention and hatred: whereby it hath come to passe, that notwithstanding, the much and but too vulgar understand-
ing and unholy knowledg of divine thinges, yet as our Saviour foretold of these times, *quia abundavit iniquitas refrigit charitas*,¹⁶ especially in this mutual hatred and condemning one the other for some differences of religion, both holding the same precious foundation and makeing one visible Catholique church) to stay where he is, and what is here deficient or amisse, to pray for, and (according to his place and power) to endeavoure the amendement thereof, keeping true brotherly love and communion with all Christendome, then by resigning himself up to them totally, to leave the communion of all Christians beside, wherein there is greater sinne then some think of, not only in that they shrink up Christian charitie and communion within narrower bounds then they have warrant

¹⁴ 'Thus it would seem to me reasonable to think that just as those who do not have Catholic charity do not belong to the Catholic church, likewise those who by binding necessity must live among many schismatics (not, however, outside the Catholic church), if they have and maintain charity, belong to the Catholic church.'

¹⁵ 'for a wish and a preparation of heart, [and] the obstacles having been removed'.

¹⁶ 'wherefore iniquity abounded and charity grew cold'; an allusion to Matthew 24:12.

for—which of its own nature is *sui diffusiva*¹⁷—but also in that they make their scantling¹⁸ the measure of God's mercy, which of all his attributes he is most charie of. And for his justice, what doe they else but, as St Paul speaketh, *ante tempus judicare*,¹⁹ by pronouncing sentence of condemnation against many millions of poore Christians living in the simplicities of faith and unity of love, whose soules, no doubt, are precious in God's eyes, who is not so lavish of his thunderbolts as some later popes have been of theirs? *Non sunt viae meae sicut viae vestrae*,²⁰ etc.²¹

[64 v] As the first authors and abettors of an erroneous doctrine (if they leave not the unitie of the church, nor refuse to heare her instruction, and doe use all the meanes they can to come to the knowledge of the truth) are neither haeretiques nor shismaticques and so may be saved; whereas the truth being once manifested and determined by the universall church, they who obstinately hold the same error, are by so doing haeretiques, and if they separate themselves shismaticks too; both which, or either of which while they are they cannot be saved; even so *vice versa*, the first authors and abettors, if they leave the unitie of the church and refuse to be instructed by her, are both shismaticques and haeretiques; whereas such of their posteritie as doe not pertenanceously hold their error, but labour to find out the truth, and are ready to yeild unto it being found out, and withal retheyning an internal communion with the whole visible church in the fundamental points of faith, and in Christian charitie, earnestly desire and syncerely endeavour (as their place and calling will permitt) a perfect union and communion with all Christians, are neither schismaticks nor haeretiques in the sight of God, and so may be saved.

First, that both parties may be guilty of the schisme is thus proved. They, who by refusing to reforme the church gave occasion to secular princes and states so to doe it as we see it done, were in one degree or other guilty of the schisme. But the Roman side did so, therefore etc., they prove the minor. They refused for peace' sake to remove some things which they themselves graunt not to be necessarie, and the wisest judge to be unlawfull and scandalous, as the worshipping of images, common prayers in a tongue not common, etc., or to admitt some things which they themselves acknowledge lawfull, and the wisest judge

¹⁷ 'diffusive of itself'.

¹⁸ a measure, a standard dimension.

¹⁹ I Corinthians 4:5, 'Wherefore judge nothing before the time'.

²⁰ Isaiah 55:8, 'neither are your ways my ways'.

²¹ There follows, at the bottom of the page, a diagonal stroke, suggesting the end of a section. Hence I have introduced an extra space into the text.

partly very convenient, partly necessarie, as the use of the chalice to the laity, libertye of marriage to such of the clergy as are not of any monasticall order, etc., therefore, etc.

In the writings of the Fathers, *sedes apostolica*²² (so farr as I can now call to mind[]) is taken three ways. First, for the see of Rome: for which no autoritie needs be brought because it is *in confesso*.²³ Secondly, for the time when the apostles themselves did sit as bishops and pastors of those churches which they founded and governed. Augustine, *The Profit of Believing*.²⁴

When therefore we see so great help of God, so great progress and fruit, shall we doubt to hide ourselves in the bosom of that church, which even unto the confession of the human race from [the] apostolic chair through successions of bishops (heretics in vain lurking around her and being condemned, partly by the judgement of the very people, partly by the weight of councils, partly also by the majesty of miracles), hath held the summit of authority?

Where it is evident that *sedes apostolica* is taken in the sense before mentioned. Whereof if any doubt let him turn but a leaf or two to the same Father's book, *Against the Epistle of Manichaeus*, where it is thus written:²⁵

not to speak of this wisdom, which you do not believe to be in the Catholic [65r] church, there are many other things to keep me in her bosom, for the best reasons. The consent of peoples and nations keeps me in the church; so does her authority, inaugurated by miracles, nourished in hope, enlarged by love, established by age. The succession of priests keeps me, beginning from the very seat of the Apostle Peter, to whom the Lord, after his resurrection, gave it in charge to feed his sheep, down to the present episcopate.

2. That *apostolica sedes* is not taken for the time only of St Peter's sitting at Rome, but generally for the time when the apostles sate; else St Augustine would have said *per successionem episcoporum*, not *per successiones episcoporum*.²⁶ This observation sheweth clearly that in the testimonie last cited out of St Augustine, *Against the Epistle of Manichaeus*, these words *ab ipsa sede Petri apostoli*²⁷ are not to be understood of the sea of Rome alone, or of that time only when St Peter sate there, but of the whole time wherein the apostles, even to the death of St John, the last liver of them, did sit and governe, for in the end of the testimony he doth not say *usque ad praesentem episcopum*, as meaning the bishop of Rome only, but *usque ad praesentem episcopatum*,²⁸ as meaning one bishoprick or episcopall charge which is common to all the successors of the apostles, and whereof everyone of them holdeth a part, as St Cyprian speaketh. 3. *Sedes apostolorum*: taking *sedes* in the plural number (the seas of the apostles, or the apostolical seas), is used to signify

²² 'apostolic see'.

²³ 'generally acknowledged'.

²⁴ ch. 17 [vi, 40]; Augustine, *Seventeen Short Treatises* (Oxford, 1847), 616.

²⁵ bk. 1, ch. 4 [vi, 41]; *Works*, v, 100.

²⁶ 'by the succession of bishops ... by the successions of bishops'.

²⁷ 'from the very see of the Apostle Peter'.

²⁸ 'up to the present bishop ... up to the present episcopacy'.

all the churches whereof the apostles in their owne persons were founders. Augustine, *Reply to Faustus the Manichaeus*:²⁹ 'For all the testimony of the Catholic church is conspicuous, as supported by a succession of bishops from the original seats of the apostles up to the present time, and by the consent of so many nations,' where it is to be noted: 1. That this third acception of *sedes apostolica* is but implied (yet necessarily implied), and the second exprest. 2. That by comparing this place of St Augustine with the two former places, *apostolica sedes* and *sedes Petri apostolicae* are not meant of the church of Rome alone, or only of the time St Peter satt there, but of all the churches founded by the apostles and of the whole time that the apostles themselves governed those churches. This point being well understood not only giveth light to many passages of St Augustine and others of the Fathers, but also sheweth evidently that the places before cited, and many others the like doe no way prove that for which the modern Romanists doe often rehearse them to such as are their converts, either *in fieri* or *facto esse*,³⁰ viz., that under Christ the pope is head and soveraigne judge over all Christians, from whome their lyeth no appeale, and that the Romane is the whole and sole Catholique church.

The more rigid Romane Catholiques, though they professe they would have us beleive the doctrine of the Fathers and church of old, yet they will not have us take it from the Fathers' owne mouthes or penne, or from the written decrees of councells, what their meaninge was when they so wroght, but from the present Church of Rome, because (as they say) we cannot know certainly what it was by [65v] reading the Fathers' owne writings and the decrees of councells now extant, but by the infallible testimony of the present Romane church. Whence it is evident that they attribute as great autoritie (if not more) to a part of the Catholique church as to the whole which we beleive in our creed and which is the society of all Christians from the beginning to this day. 2. That in their doctrine concerning the infallibilitie of their church they proceed very strangely and absurdly. For being asked why they beleive their doctrine to be the sole Catholique faith, their answer is, because it is agreeable to the Word of God and the doctrine of the ancient church. Being againe asked how they know it to be so, they produce testimonies of scriptures, councells, and Fathers, which to their thinking favour their tenets. But in the third place being demanded by what meanes they are assured that those testimonies doe indeed make for them, they have not recourse to the test of scripture or Fathers, to the phrase of speech wherein it was first written, to the author's scope, to the conference with the like places, or any such helps (for this were to admitt that which they call the judgement of a private spirit), but they know it to be so, because the moderne church

²⁹ bk. 11, ch. 2 [vi, 92]; *Works*, v, 193.

³⁰ 'either in becoming or in fact'.

so witnesseth. Therefore from first to last the Church of Rome at this day beleiveth her owne doctrine to be the true and Catholique because she beleeveth and profeseth it to be such, and is not this to prove *idem per idem*?³¹ But now, when the Church of Rome have declared what the church and Fathers of old meant by that they said and wrote, how shall I be sure that I rightly understand what the present church of Rome meaneth by that she saith or writeth? Certainly there is no way left but to trust mine owne private judgement which they would have us to renounce and blindfold.

As for the infallibilitie of the pope, theire doctrine is that he may erre personally in any or in all the points of faith, but not judicially, that is, in the decrees which *ex officio* he giveth out. Put case then that some point touching faith or manners wherein the pope personally erreth, be by him by the church's intreaty to be determined judicially. I demand, what will be his definitive sentence? Whether will it be according to his owne private judgement or according to the truth? If the former be admitted, it is manifest that the pope may erre judicially. If the latter, I aske by what meanes the pope can be induced judicially to pronounce that to be a truth which personally he thinketh to be an error? Their answer is (if I rightly remember) that as Caiaphas the high priest did prophesie,³² though he knew not himselfe what he said, so an heretical pope, being to determine *ex cathedra* any point of faith or manners, is by the instinct of the Holy Ghost caused pronounce that for truth which himself thinketh to be false. But they who so answer doe by so answering make the Holy Ghost author of a lie, and that in matters of greatest moment. For it is a lie in the highest degree when a judge judicially pronounceth that to be true which himself thinketh to be false: which impious absurditie, or absurd impietie, is not to be found in Caiaphas his prophesie or the like. If it be replied that when it cometh to such a pinch God wonderfully and upon the instant³³ so illuminates the pope's understanding that he seeth his owne error and changeth his opinion and so pronounceth which is the truth indeed, it will follow that the pope being an haeretick, ought not by the church to be deposed, as they themselves doe [66r] teach he ought? For it is contrarie to Christian charitie and lenitie to depose him for heresie who by so easy a way may be brought to the knowledge and acknowledgement of the truth, viz., by persuading him to give out his definitive and judiciall sentence concerning that point wherein himself erreth. But that the pope neither is infallible nor ever was held to be so in elder times may sufficiently appeare by these proofes following: 1. None of the Fathers doe so much as mention that infallibilitie. 2. There is a place in St Augustine which to any impartial reader may plainly

³¹ 'something by itself'.

³² John 11:49-52.

³³ in margin.

shew that in his dayes there was no such doctrine taught nor opinion held of the church and bishop of Rome, as is at this day. The place is *On Christian Doctrine*:³⁴

The most skilful interpreter of the sacred writings, then, will be he who in the first place has read them all and retained them in his knowledge, if not yet with full understanding, still with such knowledge as reading gives—those of them, at least, that are called canonical. For he will read the others with greater safety when built up in the belief of the truth, so that they will not take first possession of a weak mind, nor, cheating it with dangerous falsehoods and delusions, fill it with prejudices adverse to a sound understanding. Now, in regard to the canonical scriptures, he must follow the judgment of the greater number of Catholic churches; and among these, of course, a high place must be given to such as have been thought worthy to be the seat of an apostle and to receive epistles ...

If he or the church in his time had held the same opinion of the supreme autoritie and infallibilitie of the Church of Rome and all St Peter's successors that nowadays is maintained, he would never have written so of this matter. For what needed more but to have sent his readers to have askt the judgment of the Romane church, and her bishop? But here is no mention of that church in particular. Or why should he not at least say that, of the apostolicall seas, Rome was to be beleaved and followed first and above all the rest? But here we see he absolutely preferreth the judgement of those churches which are moe in number, to the judgement of those that are fewer. If both sides be of like autoritie; or if the fewer be of the greater, the moe of the lesser autoritie; he would have the judgement of both sides to beare equal poise. So that if (as it was possible) the Church of Rome, with some others adhereing to her, had then received some booke of scripture which other churches being moe in number had not received, the autoritie and judgment of those which were the greater number was to be followed, and consequently it was lawfull to dissent from the Church of Rome, and that in a point of greatest importance, at least not to follow her and the lesser number, though of greater autoritie, more then the greater number though of lesser autoritie. 3. If such an infallibilitie had bene acknowledged by the ancient church, is it credible [66v] that the Fathers thereof would have taken so great paines in laboring to confute heresies, in procureing of counsellors, for the determination of questions that did arise, and for that purpose so often to goe themselves or to send to the emperor's court, sometimes with jeopardie of their lives, etc.? Whereas it had bene a farre readier course to have consulted the bishop of Rome and sent his definitive sentence abroad into all Christendome to be by all received and beleaved as an undoubted oracle of God. But though in some cases the autoritie of the Romane (as of other patriarchal seas) was by the orthodox Fathers used in their writings against heretiques, yet they never attributed infallibilitie of judgment to any pope after St Peter, much lesse to all and every one of them, many of whome were such monsters of men that I may truly say

³⁴ bk. 2, ch. 8 [iii, 11]; *Works*, ix, 41.

whosoever beleeveth their infallibilitie in matters divine, had a monstrous faith. 4. Those Romane Catholiques who from God's tender care of his church labour to prove the necessitie of one supreme, visible, and infallible judge of controversies, should by the same ground be induced to thinke that God would never have so tempted poore weake Christians (who make the farre greater number of that church whereof he hath so tender a care) as to have tied their faith to that chaire wherein himselfe foresaw so many were successively to sitt as had neither faith, nor charitie, nor any other Christian vertue, *ne quid gravius dicam*.³⁵ [67r]

To retaine such in our communion as incline to leave it, and betake themselves to that of Rome, it would be shewed, 1. that the reasons mooving them are not sufficient; 2. that ther be sufficient reasons to moove them to the contrarie.

For the reasons that moove them we will consider such only as seem to be of some weight.

The first and most ordinary way which they use to withdraw good soules from our communion is by making them beleive that *Ecclesia Romana et Ecclesia Catholica* are *termini convertibiles*,³⁶ and that themselves only are the Catholick church.

Concerning this wee say: 1. That herein they doe as did the Donatists of old, as might be shewed by infinite places of St Augustine, whereof I will here sett down but a few. *Reply to Cresconius*:³⁷ 'Your error, or rather your fury, obliges you thus to accuse not only Caecilianus and his consecrators, but also the churches of which we read in the apostolic and canonical scriptures....' Where, if instead of *Caecilianum et ordinatores eius* we read *Lutherum et sectatores eius*, we may truly say that the present Church of Rome (at least her zealots) deals just so, not only with the Protestants, but with all the churches he named, except themselves. *Ibid.*,³⁸ 'I am in the church which has for its members all the churches born and established thanks to the labours of the Apostles and identified in the canonical scriptures. From their communion, in measure as the Lord gives me, I will not depart, neither in Africa or elsewhere.' I would gladly know whether they can say this who hold such only to be of the Catholique church, as are of the Romane obedience and beleve the infallibilitie of the pope. *Epistle 93, To Vincentius*.³⁹

³⁵ 'not to say anything more damning'.

³⁶ 'interchangeable terms'.

³⁷ bk. 2, ch. 37 [vii, 162].

³⁸ bk. 3, ch. 35 [vii, 169].

³⁹ *Epistle 48* [Wedderburn has 49] [ii, 57]; *Works*, vi, 396.

Just as, on the testimony of prophecy in the same scriptures, they believed without hesitation that Christ is exalted above the heavens, though He is not seen by them in His glory. Was it my duty to be displeased at the salvation of these men, and to call back my colleagues from a fatherly diligence of this kind, the result of which has been that we see many blaming their former blindness? For they see that they were blind who believed Christ to have been exalted above the heavens although they saw Him not, and yet denied that His glory is spread over all the earth although they saw it: whereas the prophet has with so great plainness included both in one sentence, 'Be Thou exalted, O God the heavens, and thy glory above all the earth.'

*Epistle 185, To Boniface:*⁴⁰

...not only watching that they should do no injury to the weak, and that they should be delivered from their wicked error, but also praying for them, that God would open their understanding, and that they might comprehend the Scriptures. For in the sacred books, where the Lord Christ is made manifest, there is also His Church declared; but they, with wondrous blindness, whilst they would know nothing of Christ Himself save what is revealed in the Scriptures, yet form their notion of His Church from the vanity of human falsehood, instead of learning what it is on the authority of the sacred books....

They recognise Christ together with us in that which the Lord Himself says in the Gospel, 'thus it behoved Christ to suffer, and to rise from the dead the third day,' and they will not recognise the Church in that which follows: 'And that repentance and remission of sins should be preached in His name among all nations, beginning at Jerusalem.'

*Epistle 144, To the Inhabitants of Cirta:*⁴¹ '... the promises of God to Abraham, "In thy seed shall all the nations of the earth be blessed"—promises believed when brought to their ears as a prophecy, but denied, forsooth, when set before their eyes as an accomplished fact.' *Epistle 52, To Severinus:*⁴² 'But, the sect of Donatus, restricted to Africa alone, is an object of scorn to the rest of the world, and does not perceive that, by its sterility which refuses to bring forth fruits of peace and charity, it has been cut off from the root of the eastern churches from which the Gospel came into Africa....' *Epistle 43, To Glorius, Eleusius, the Felixes, Grammaticus, et al.:*⁴³ 'No one can erase from heaven the divine decree, [67v] no one can efface from earth the church of God. His decree has promised the whole world, and the church has filled it; and it includes both bad and good. On earth it loses none but the bad, and into heaven it admits none but the good....' *Answer to Two Letters of Gaudentius:*⁴⁴ 'This work, so manifestly a work of God, you call a human invention, without observing that you would not be separated from this church that God himself promised to establish throughout the earth if you had not

⁴⁰ *Epistle 50* [ii, 71-2]; *Works*, iii, 480-1.

⁴¹ Wedderburn has this as *Epistle 130, ad Memorium*. The addressee actually pertains to *Epistle 131* in the edition he cites [ii, 219]; *Works*, xiii, 228.

⁴² *Epistle 170* [ii, 262]; Augustine, *Letters*, i (1-82), trans. W. Parsons (Fathers of the Church, xii, Washington, DC, 1951), 243-4.

⁴³ *Epistle 162*, [ii, 251]; *Works*, vi, 161.

⁴⁴ bk. 1, ch. 33 [vii, 237].

followed a man.' *Answer to the Letter of Parmenian*:⁴⁵

Christ, who is above all things, God, forever blessed, and who has said in all truth concerning himself, 'I am the truth', responded to his disciples who asked him if he wanted them to go and gather the tares: 'Leave them both to grow until the harvest'. But Donatus says that the tares have increased, but that the wheat has lessened. Let them choose whom they would believe. Christ, that is to say the Truth, says: 'The field is this world', and Donatus says that the field of the Lord is only Africa. Let them choose whom they would believe. Christ, that is to say the Truth, says: 'At the time of the harvest I shall say to the harvesters, "First collect the tares"', and he explains: 'The harvest is the end of the world'. But Donatus says that by the schism of his group, before the harvest, the separation of the wheat and the tares is accomplished. Let them choose whom they would believe. Christ, that is to say the Truth, says: 'The harvesters are the angels', but Donatus says that his colleagues and himself have made before the harvest what Christ said the angels would do at the time of the harvest. Let them choose whom they would believe. Of course, the Donatists call themselves Christians. Well, then, we place before them Christ and Donatus. If they give their words to Christ and their hearts to Donatus, let them consider.

In the two last places, what is said of Donatus may be truly said of the pope, and what of the Donatists, of the downright papists, who, if they think themselves the only true church, must say as Donatus and his crew sayd, *zizania quidem crevisse, frumenta vero esse diminuta*.⁴⁶ For they whom they hold to be the zizania are the far more in number. *Ibid.*:⁴⁷ 'They believe themselves to be just and scorn others; thus they do not sing the new song, elevated as they are by the pride of the old man. That communion from which they separate themselves, it is that to which it has been said, "Sing to the Lord a new song, sing to the Lord, all the earth."⁴⁸ *Answer to the Letters of Petilian*:⁴⁸

Such men at any rate are likely to say, In thy name have we eaten and drunken, and to hear words, 'I never knew you,' seeing that they eat his body and drink his blood in the sacrament, and doe not recognise in the gospel his members which are spread abroad throughout the earth, and therefore are not themselves counted among them in the judgment.

Ibid.:⁴⁹

for no one who in any way looks truly at the gospel will venture in his heart to say that in all the many nations throughout which is heard the response of 'Amen', and among whom 'Alleluia' is sung almost with one single voice, no Christians are to be found. And yet, that it may not appear that the party of Donatus, which does not communicate with the several nations of the world is involved in error, if any angel from heaven, who could see the whole world, were to declare that outside your communion good and innocent men were nowhere to be found, there is little doubt that you would rejoice over the iniquity of the human race...

Here and in many other passages, he sheweth that ther can be no greater uncharitableness then the confining of the church within narrower bounds

⁴⁵ bk. 2, ch. 2 [vii, 11-12].

⁴⁶ 'the tares have increased but the wheat has diminished'.

⁴⁷ bk. 3, ch. 4 [vii, 27].

⁴⁸ bk. 2, ch. 55 [vii, 99]; *Works*, iii, 329.

⁴⁹ ch. 78 [vii, 102]; *Works*, iii, 347-8.

then Christ her head hath and there is no societie of Christians at this day to which the former places can be more fittly and truely applied, then to the precisians of both sides. For the moderate, both Protestants and Romanists, doe acknowledge the Catholique church to be the societie of all Christians that directly deny not the fundamentals of Christian fayth: which commeth to passe, because they define the church (as they ought) by that which essentially she is; whereas the others define her by that which she is accidentally, viz. by those things wherein they deem their own side to excell all other societies of Christians—which is the very fundamentall error whereupon puritanisme of both sorts is built.

Catholica Ecclesia

If they think that of old before the rent of the Eastern church from the Western, and of the Western within itself, the church was more Catholique and universall then now it is, St Augustine is flat against them. *Epistle 93, To Vincentius*:⁵⁰

... and you quote against me the works of Hilary, in order that you may deny the fact of the church's increase among all nations, even unto the end of the world, according to the promise which God, in order to subdue your unbelief, confirmed with an oath! And although you would by all means be most miserable if you stood against this when it was promised, you even now contradict it when the promise is fulfilled.

Epistle 76, To the Donatists:⁵¹

Of the tares, indeed, it has been said, 'Because iniquity shall abound, the love of many shall wax cold;' but of the wheat it is said, 'He that shall endure unto the end, the same shall be saved.' What grounds have you for believing that the tares have increased and filled the world, and that the wheat has decreased, and is found now in Africa alone? You claim to be Christians, and you disclaim the authority of Christ. He said, 'Let both grow together till the harvest;' He said not, 'Let the wheat decrease, and [68r] let the tares multiply.'

Concerning the Unity of the Church:⁵²

In like manner the beginning of the church at Jerusalem, its progress in Judea and Samaria, and thence throughout the whole earth where the church is still growing until the end where she will possess the rest of the nations where she is not yet....

Ibid.:⁵³

'And yours also, we believe them', they say, 'and we proclaim their fulfilment. It was afterward that the world has apostasised and there remains only the communion of Donatus.' That they should read us that, as they read the texts on Enoch, on Noah, on Abraham, Isaac, and Jacob, on the two tribes which remained after the schism of the ten others and on the twelve apostles who remained despite the general apostasy—that they

⁵⁰ *Epistle 48* [ii, 61]; *Works*, vi, 414.

⁵¹ *Epistle 171* [ii, 263]; *Works*, vi, 302.

⁵² part 1, ch. 12 [vii, 136]; Wedderburn has ch. 11. The document is also known as the *Epistle to Catholics concerning the Sect of the Donatists* (*Epistula ad Catholicos de Secta Donatistarum*).

⁵³ ch. 13 [vii, 136]; Wedderburn has ch. 12.

read it in like manner about us and we do not make any opposition.

Ibid.:⁵⁴

Give us even one such text which proclaims unambiguously that Africa has been left alone among the refuse of the earth or safeguarded alone as the embryo which will renew and invade the world. No, there would not be any such testimonies to recommend this which is going to perish so soon and a silence so deep on that sole institution which should subsist or on the sole principle which ought to renew everything and invade everything.

As for us wee hold that the church of Christ is as Catholique or universall as ever it was, notwithstanding the manifold errors, and shismes that be in it, which being as so many blemishes and wounds are not without, but within that body, and consequently that they who live in error or schisme are notwithstanding within the verge of the Catholique church, so long as they professe the fundamental points of fayth. Wee confesse indeed, it is not *aeque una ecclesia*,⁵⁵ as it was before these divisions; which is to be understood of the unitie of the church within itself, and among its members.

Of what hath been sayd touching the Catholique church, it evidently appeareth, that the places of the Fathers, which they of the Romane side bring for themselves, concerne not the present Church of Rome (as they would have us beleeve), no, nor the Romane, that is the Latine church that then was; but they concerne the church as then it was spread over all the earth, and comprehended both the Easterne and Westerne, which since are divided: and therefore what by the Fathers is said of the whole was never meant by them of either moietie. Secondly, to say that the Romane alone is the Catholique church is a bull,⁵⁶ and includeth a contradiction, haveing (as wee say) *oppositum in appposito*, as much as to say, *ecclesia particularis est ecclesia universalis*.⁵⁷ For I think they shall not find in all antiquity where the Catholique church is called *ecclesia Romana*, though the then Church of Rome might have been and was called *ecclesia catholica*, in that sense that other particulare churches were *a catholique*, not *the Catholique church*: but so there were *multae ecclesiae catholicae*, not the Romane alone, as now they would have it. A Catholique church it was of old, and wee grant it to be so still, but the Catholique church it was never held to be, not in the elder times of the church. They must acknowledge that the church is not restrained now to any one sort of people or nation, as it was of old before Christ's comming; and yet even of that time too they must acknowledge it to be true which Augustine writeth, *The City of God*:⁵⁸

⁵⁴ ch. 19 [vii, 141]; Wedderburn has ch. 16.

⁵⁵ 'equally one church'.

⁵⁶ i.e., a self-contradictory proposition.

⁵⁷ 'opposition in apposition ... a particular church is the universal church'.

⁵⁸ bk. 18, ch. 47 [v, 221]; *Works*, ii, 279–80.

Nor do I think the Jews [68v] themselves dare contend that no one has belonged to God except the Israelites, since the increase of Israel began on the rejection of his elder brother. For in very deed there was no other people who were specially called the people of God; but they cannot deny that there have been certain men even of other nations who belonged, not by earthly but heavenly fellowship, to the true Israelites, the citizens of the country that is above.... And I doubt not it was divinely provided, that from this one case [Job] we might know that among other nations also there might be men pertaining to the spiritual Jerusalem who have lived according to God and have pleased Him.

Heer he saith that the Jews durst not deny this. Would he not then have thought them bould, who under the New Testament acknowledge none to be capable of salvation but such as acknowledge the pope's sovereign power, at least in *spiritualibus*? If the pope himself, St Peter's successor, should have occasion to be among or meet with some of those Christians who are not subject unto him, would he not (if he be led by that Spirit St Peter was) say as he sayd in Cornelius his case? 'Of a truth I perceive that God is no respecter of persons, but in every nation he that feareth him, and worketh righteousness, is accepted of him.'⁵⁹

Their next motive (which must follow upon the former) is by making their proselites beleive that none living and dyeing in our communion can be saved, which peremptory, bold, and uncharitable assertion is grounded upon two propositions, the one whereof is true, the other false. *At conclusio sequitur partem deteriorem*.⁶⁰ It is true that *extra ecclesiam non est salus*:⁶¹ but it is false that all who are without the communion of the Church of Rome are *extra ecclesiam*. For first, *dato non concesso*,⁶² that theirs were the only orthodoxe church in the world, yet will it not follow that it is the only catholique. For all that are baptized and profess the faith of Christ are Christians, as long as they renounce not their baptisme and faith: else haereticks and schismatickes, when they join themselves to the orthodoxe church, should be made Christians by being baptized there, though baptized before elsewhere. Christians therefore they are, and members of the Christian church, which is it wee call the Catholique church, in opposition to the synagogue, or auncient church of the Jews. Now when wee say that *extra ecclesiam non est salus*, wee understand it of the Christian church, the Catholique church, not of any particulare, be it never so orthodoxe: and even heretiques and schismatiques are within the Catholique church. Therefore putting the case the church wee live in were hereticall or schismaticall (*quod Deus avertat*⁶³), yet were wee within the visible Catholique church and so not excluded from all possiblity of being saved by that received axiom, *extra ecclesiam non est salus*. For

⁵⁹ Acts 10:34-5.

⁶⁰ 'and the conclusion follows the weaker premise'.

⁶¹ 'there is no salvation outside the church'.

⁶² 'for the sake of the argument'.

⁶³ 'which God forbid'.

they cannot deny but that the tenne tribes made a schisme, and yet they lived in a schismaticall church, when they worshipped the calves in Dan and Bethel, and went not to Jerusalem to worship there: yet in the days of Ahab, when a higher degree of idolatry [69r] was brought in, viz. the worship of Baal (for that of the calves in Dan and Bethel⁶⁴ was in their meaning and intention performed to the true God, the God of Israel, even as that worship was which their forefathers had yeilded to the golden calf in Horeb⁶⁵), they that had not bowed their knee to Baal were saved, though they lived and died in that shismaticall church and idolatrous. And though (for ought wee know) they or many of them were guiltie of the idolatrie received from Jeroboam and, through long custom received from their Fathers, did not communicate with the orthodoxe church in the solemne service of God at Hierusalem,⁶⁶ the only place appoynted by God at that time for that service, which (by the way, be it said) was a higher privilege then the Church of Rome or any particulare church in the world can claim to. Even so though it were granted that our Reformers made a schisme, as Jereboam, yet there is a possibility of salvation, not only to those among us who approve it not at all, have *votum et desiderium unitatis*,⁶⁷ but to those also who have no such explicite wish, nor can have, as being altogether ignorant of the schisme, or having but a verie generall and obscure knowledge of it. As for St Augustine's opinion, who denyeth not only *martyrii gloriam*,⁶⁸ but even salvation itself to those that willingly suffer death for the profession of the Christian fayth, if they be without the Catholique church, that is (as he must be understood) the orthodoxe church, though herein he followeth his countreyman St Cyprian, yet are they both in this point too rigide, and their opinion had need to have at least that restriction added which St Augustine himself useth in the case of haeresie, *Epistle* 72, which shall be proved anone. It cannot be denied but that he and some others of the Fathers doe often restraine the name of the church, and of the church Catholique to orthodox or right beleivers, and St Augustine sometimes to such only of them as lead a good life and continue therein to the end. But the same Fathers, when they speake exactly, doe not exclude from the visible church Catholique either schismaticks or hereticks, if directly they held the foundation, though denying it indirectly and by consequent. For prooffe whereof a place or two of St Augustine may suffice, he being the man that seemeth oftennest to affirme the contrary. *On Baptism, Against the Donatists*:⁶⁹ 'For in all points in

⁶⁴ 1 Kings 12:29.

⁶⁵ Exodus 32, Psalm 106:19.

⁶⁶ 1 Kings 12:28-33.

⁶⁷ 'the wish and desire of unity'.

⁶⁸ 'the glory of martyrdom'.

⁶⁹ bk. 1, ch. 1 [vii, 30]; *Works*, iii, 3.

which they think with us, they also are in communion with us, and only are severed from us in those points in which they dissent from us....' *Ibid.*:⁷⁰

So too those who, [69v] by separating themselves from the society of their fellows to the overthrow of charity, thus break the bond of unity, if they observe none of the things which they have received in that society, are separated in everything; and so any one whom they have joined to their society, if he afterwards wish to come over to the church, ought to receive everything which he has not already received. But if they observe some of the same things, in respect of these they have not severed themselves....

Ibid.:⁷¹

But they think within themselves that they show very great subtlety in asking whether the baptism of Christ in the party of Donatus makes men sons or not;... But if we say that it does not make them sons, 'Why then', say they, 'do you not cause those who pass from us to you to be born again in baptism, after they have been baptized with us, if they are not thereby born as yet?' ...The generation, then, in each case proceeds from the church, whose sacraments are retained, from which any such birth can alone in any case proceed—although not all who receive its birth belong to its unity, which shall save those who persevere even to the end. Nor is it those only that do not belong to it who are openly guilty of the manifest sacrilege of schism, but also those who, being outwardly joined to its unity, are yet separated by a life of sin.

Epistle 173, To Donatus:⁷² 'You also are sheep belonging to Christ, you bear the Lord's mark in the sacrament which you have received, but you are wandering and perishing.' But say that St Augustine held the other opinion for the truth, then it will follow that St Cyprian and he divided between them both the truth and error: truth in that the one held that baptism can not be given without the church; the other, that it can be but once given. Error, in that the one held the church to consist of right beleevvers only, and therefore that haeretiques and shismatiques being without the church can not give baptisme; the other, that the church consisteth only of such right beleevvers as lead a good life constantly to the end. Hence it is that in St Augustine's answers to St Cyprian, unto heretiques and shismatiques, who (as St Cyprian thought) were without, he still opposeth wicked livers, who (as he sayth) seem to be within and of the church, but are not. It could not therefore be otherwise, but that the one must hold baptisme to be given only by the orthodoxe church, and the other, that it may be given by any not only within, but without the church.

Their 3. motive (much in use with them at this day) is this: though it were doubtfull whether they or wee are the true church, yet it is the safer way for our soules to come to their communion, because they deny that wee can be saved in ours, whereas wee acknowledge, they may be in theirs. Just so for all the world

⁷⁰ ch. 8 [vii, 32]; *Works*, iii, 12-13.

⁷¹ ch. 10 [vii, 33]; *Works*, iii, 15-16.

⁷² *Epistle 204* [ii, 282]; *Works*, xiii, 347.

did the Donatists conclude against the Catholics, Augustine, *Answer to the Letters of Petilian*.⁷³

Their 4. engine is to make people beleieve that we are haeretiques—whose doctrine is condemned by a generall councill, viz. that of Trent—and shismatickes by separating ourselves from the communion of the Catholique church, and withdrawing ourselves from the obedience of Christ's vicar generall. We answer, 1. That was no generall councill, for of it cannot be said what by St Augustine is said of the first Nicen[e], *Answer to the Letter of Parmenian*:⁷⁴ 'This has already been discussed, examined attentively, clearly recognized and confirmed in the unity which embraces the whole world.' Was theirs of Trent *totius orbis* [70r] *unitas*? 2. Though it had been such a one, yet will it not follow that all things therein decreed are unalterable. Augustine, *On Baptism, against the Donatists*:⁷⁵ 'and further, that the councils themselves, which are held in the several districts and provinces, must yield, beyond all possibility of doubt, to the authority of universal councils which are formed for the whole Christian world; and that even of the universal councils, the earlier are often corrected by those which follow them...' *To the Donatists, after the Conference*:⁷⁶ 'They summoned us also to demonstrate in the holy scriptures an indication of the date and of the consuls; as if one had ever compared councils of bishops to the canonical scriptures, and if they were able—themselves—to cite a council where the apostles had sat as judges and condemned or absolved an accused.' 3. Many things there decreed as necessary to be beleaved of all Christians were but matters of opinion, and before that councill disputed of *pro et con*, and even at the councill, held otherwise by sundrie of the greatest divines there present and by some of the prelates themselves. Of things of this nature, wee say with St Augustine, *Enchiridion*:⁷⁷ 'For what is the necessity for affirming, or denying, or defining with accuracy on these subjects, and others like them, when we may without blame be entirely ignorant of them?' If they say that being once determined by that councill, they became to be *de fide*, they are in no small error. For (as Vincent of Lerins declareth) none, either Catholique doctor or generall councill, can make that to be *de fide* which before was not. The fayth of Christ is that which (as St Jude in his Epistle, v.3) was once delivered to the saints, delivered once, to be held the same unchangeably for ever. To which purpose Irenaeus, *Against Heresies*:⁷⁸ 'Thus, while

⁷³ bk. 2, ch. 108 [vii, 113]; *Works*, iii, 402–4. This passage repeats what has already been discussed.

⁷⁴ bk. 2., ch. 13 [vii, 18].

⁷⁵ bk. 2, ch. 3 [vii, 37]; *Works*, iii, 35.

⁷⁶ ch. 15 [vii, 213].

⁷⁷ ch. 59 [iii, 66]; *Works*, ix, 217.

⁷⁸ bk. 1, ch. 10/2. Wedderburn gives ch. 3. *Five Books of S. Irenaeus, Bishop of Lyons, Against Heresies*, trans. J. Keble (Oxford, 1872), 33–4.

the languages of the world differ, the tenor of the tradition is one and the same.' And again in the same chapter: 'Yea, the faith being one and the same, neither he that is able to speak much of it hath any thing over, nor hath he that speaks but little, any lack.' And Vincent of Lerins: 'She [the church] cuts not off what is necessary, adds not what is superfluous.'⁷⁹ Nicolaus Faber, one who had exactly studied the auncient records of the church especially such as any way concerned counsellors, and (when he lived) tutor to this French king, in his *Opuscula*, delivereth his judgment in these words:

For they are deceived by error, who attempt to persuade us that the church in stormy times is in need of councils in order to establish what it ought chiefly to follow.... [Faber accepts that councils might help to restore good ecclesiastical discipline.] Although we need councils to recover and restore these things, that we should hold anything than what hitherto has been believed and observed in the church, I believe cannot be established by a council.⁸⁰

And Petrus Pythaeus,⁸¹ a man of the like learning, in his *Opuscula* hath sett down a collection, which he calleth [70v] *Regulam Fidei*, conteyning the ancient creeds and diverse testimonies of the Fathers, *de fidei unitate, perpetuitate, incommutabilitate*.⁸² Therefore in things not necessary to salvation, it became them not to pronounce anathema against all that hold otherwise then they decreed, but rather to have said as St Cyprian and his colleagues in their synode at Carthage: *neminem judicantes, aut si aliter senserint, a jure communionis removens*.⁸³ 4. Did they take that course which (as Vincent of Lerins, penultimate chapter, noteth⁸⁴) the Ephesine and other ancient generall counsellors did take, to find out the truth, that is, did they searche the scriptures, and diligently enquire what was held by the church of old and the doctors thereof? The historie and review of that counsell, both bookes written by their own Catholiques, doe shew us that their schoolemen were almost their only directorie in the deliberations of their divines; and that for the decrees made by their prelates, the *primum mobile* was the pope's packett sent from Rome to his legates, as often as any canons were to be framed. It is evident out of St Augustine, *Epistle 139, To Marcellinus*,⁸⁵ that the decrees of particulare synods, and their *Gesta* (as he calleth them) were not only publicly

⁷⁹ ch. 32; Vincent, *Commonitory*, 93.

⁸⁰ Nicolas Le Fèvre (1544-1612), *Opuscula* (Paris, 1618), 53-4. The printed catalogue of the British Library identifies him as Louis XIII's preceptor.

⁸¹ Pierre Pithou, French lawyer, Calvinist who converted to Catholicism in 1573, wrote in favour of Gallican liberties. *Opera, sacra, juridica, historica, miscellanea* (Paris, 1609), 41-4.

⁸² 'concerning the unity, perpetuity, and immutability of the faith'.

⁸³ Augustine cites the phrase frequently in *On Baptism*. See *Works*, iii, 160, 178, 198, 200: 'Judging no man, nor depriving any of the right of communion if he differ from us'.

⁸⁴ Vincent, *Commonitory*, 114 ff.

⁸⁵ *Epistle 158* [ii, 244-5]; *Works*, xiii, 212.

read in the churches, but also published and authorized by the civill power. Now whole nationall churches and states of the Romane side refuse to receive, publish or authorize the Tridentine canons, and till that be done, they are not of so publick and universall authoritie, as to bind all Christians, which they doe if that was a lawfull generall council and sufficiently intimated to all Christendome to be such a one. 6. But though wee should yeeld that it was (for other things) lawfull and right, yet they did against right when they excommunicated the Protestants because it is not lawfull to condemne men absent, who neither did submitt themselves to their censure, as St Augustine sheweth, *Epistle 43, To Glorius, Eleusius, the Felixes, Grammaticus, et al.*:⁸⁶

For it was not a matter concerning presbyters or deacons or clergy of inferior order, but concerning colleagues who might refer their case wholly to the judgment of other bishops, especially of apostolical churches, in which the sentence passed against them in their absence would have no weight, since they had not deserted their tribunal after having compared before it, but had always declined compearance because of the suspicions which they entertained.

Ibid.:⁸⁷

Even if I were to admit this, the fact of their absence ought to have protected them from such a sentence. For they were not chargeable with deserting a tribunal before which they had never stood; nor was the church so exclusively represented in these African bishops, that in refusing to appear before them they could be supposed to decline all ecclesiastical jurisdiction. For there remained thousands of bishops in countries beyond the sea before whom it was manifest that those who seemed to distrust their peers in Africa and Numidia could be tried. Have you forgotten what Scripture commands: 'Blame no one before you have examined him; and when you have examined him, let your correction be just'? If, then, the Holy Spirit has forbidden us to blame or correct any one before we have questioned him, how much greater is the crime of not merely blaming or correcting, but actually condemning men who, being absent, could not be examined as to the charges brought against them!

For the imputation of haeresie: The Church of England, receiving the holy scriptures, the three first and most famous creeds,⁸⁸ and the [71r] four first generall counsell,⁸⁹ I demand, 1. Whether the orthodoxe Fathers who lived before or about the time of those counsell would have condemned it for hereticall, or denied it to be a part of the Catholique church? 2. Whether they think not in their conscience that in the church of England there may be many who are cleared of the imputation of heresy by St Augustine's rule before mentioned, and heer expressed in the words following, as by him they are sett down, *Epistle 43, To Glorius, Eleusius, the Felixes, Grammaticus, et al.*:⁹⁰

⁸⁶ *Epistle 162* [ii, 248]; *Works*, vi, 144.

⁸⁷ *Epistle 162* [ii, 248]; *Works*, vi, 147.

⁸⁸ Apostles', Nicene and Athanasian Creeds.

⁸⁹ Nicaea (325), Constantinople (381), Ephesus (431), Chalcedon (451).

⁹⁰ *Epistle 162* [ii, 248]; *Works*, vi, 139.

But though the doctrine which men hold be false and perverse, if they do not maintain it with passionate obstinacy, especially when they have not devised it by the rashness of their own presumption, but have accepted it from parents who had been misguided and had fallen into error, and if they are with anxiety seeking the truth, and are prepared to be set right when they have found it, such men are not to be counted heretics. Were it not that I believe you to be such, perhaps I would not write to you.

And ought not they of the Church of Rome to have as charitable an opinion of some of us at least, as the good Father had of the bishops of Donatus, his crue? As for the imputation of shisme, not every one that refuseth to communicate with them (though acknowledged for a part of the Catholick church) in all the points of their doctrine, and parts of their worship, or that refuseth to obey the pope in all things that they doe, is therfore a shismatick—else the prophets who lived among the 10 tribes, (which with the tribe of Benjamin and Judah made up one visible church) were shismaticks for not communicating with them in their superstition and idolatrie. If it be asked, who then at this day are to be reputed shismaticks? I answer: They are: 1. who leave the communion of the Catholique church in *rebus licitis*,⁹¹ let it otherwise have never so foule blemishes, even grosse Idolatrie, such as by publick autoritie was erected among the 10 tribes. The reason is for that schisme is a worse evill then idolatrie, and that so it is St Augustine thus proveth *Epistle 43, To Glorius, Eleusius, the Felixes, Grammaticus, et al.*⁹² 'The men who made an idol perished by a common death, being slain with the sword; but when men endeavoured to make a schism in Israel, the leaders were swallowed up by the opening earth, and the crowd of their accomplices was consumed by fire. In the difference between the punishments, the different degrees of demerit may be discerned.' 2. They are that exclude all but themselves, and those that be on their side, from hope or possibility of salvation. So then, though all be within the church, good and bad, yet they only are truly of the church that have Christ's cognizance, viz: charitie: ('By this shall men know you to be my disciples, if yee love one another'⁹³) and they have it not who either being among us, quite exclude them, or being among them, quite exclude us from the Catholique church, and so from salvation. Hence it will follow that the moderate, peaceable, and charitable, are the only [71v] true Christians, and only *revera*⁹⁴ of Christ's sheepfold: the other, though they be in it, yet are they not of it, being (as St Augustine speaketh) *praecisi a radice unitatis*⁹⁵ by heresie or schisme, or a lewd life and impenitencie. Thus did St Augustine proove Petilian to be a shismatick, *Answer to the Letters of Petilian*: 'for, as a matter of fact, you do not

⁹¹ 'things lawful'.

⁹² *Epistle 162* [ii, 251]; *Works*, vi, 158-9.

⁹³ John 13:35.

⁹⁴ *re vera*, 'in truth'. The thrust concerns who are the true sheep of Christ's flock.

⁹⁵ 'cut off from the root of unity'.

communicate with all the nations of the earth, nor with those churches which were founded by the labour of the apostles.⁹⁶ And, on the contrary, [he] sheweth who is the true Catholique, *Answer to the Letter of Parmenian*.⁹⁷ 'To correct opinions as he can, or what he cannot correct, to exclude without breaking the bond of peace, or what he cannot exclude without breaking the bond of peace, to disapprove of it in a spirit of fairness, to bear it valiantly—that is the act of the man of peace....' Which place no lesse cleareth all that are moderate among us of the imputation of shisme, then the place cited out of his *43 Epistle* and before sett down, doth clear them of the imputation of haeresie. And as for the pope, if all Christians who refuse him obedience were shismaticks, then *pars praecisa* were bigger then the body whence it was cutt off, which St Augustine in all his writings against the Donatists holds to be absurd.

Their fift argument, whereby they praevaile with many, is the enumeration of sundry excellencies, which (as they say) they have and wee want—such as are a perpetuall and uninterrupted succession of bishops, great learning, rare sanctitie of life, miracles, monasticall vowes and orders, many and great good workes, etc. But none of these, nor all these put together, doe proove that the societie where they are is the only Catholique church, and (whereas they say the scriptures must be known by the church in the testimonie, etc., autoritie whereof they place *ultimam fidei resolutionem*)⁹⁸ wee say that the church must be known by the scriptures, and wee say it with St Augustine, *On the Unity of the Church*.⁹⁹ ... etc..¹⁰⁰

... not in the conversations and hearsay of the Africans, not in the councils of their bishops ... but in the precepts of the law, in the predictions of the prophets, in the hymns of the Psalms, in the utterances of the one Pastor himself, in the sermons and labours of the evangelists, that is, in all the canonical authorities of the holy scriptures.

Ibid....¹⁰¹ *Answer to the Letters of Petilian*.¹⁰²

Here therefore we must inquire who it is that has charity: you will find that it is no one else but those who are lovers of unity. For as to the driving out of devils, and as to the working of miracles, seeing that very many do not do such things who yet belong to the kingdom of God, and very many do them who do not belong to it, neither our party nor your party have any cause for boasting if any of them chance to have this power, since the Lord did not think it right that even the apostles, who could truly do such things both to

⁹⁶ bk. 2, ch. 16 [vii, 89]; *Works*, iii, 273–4.

⁹⁷ bk. 2, ch. 1 [vii, 11]. Wedderburn has bk. 1.

⁹⁸ 'the final determination of the faith'.

⁹⁹ ch. 19; Wedderburn gives ch. 16 [vii, 141]: 'Sed utrum ipsi Ecclesiam teneant....' Omitted here owing to its repetitive nature.

¹⁰⁰ The citation then moves back to ch. 18 [vii, 140].

¹⁰¹ Ibid., ch. 19 [vii, 140], 'Omissis ergo ...' Omitted here owing to its repetitive nature. Augustine demands greater proof than *ad hominem* arguments or stories about miraculous cures and visions.

¹⁰² bk. 2, ch. 55 [vii, 99]; *Works*, iii, 328–9.

profit and salvation should boast in things like this, when he says to them, 'In this rejoice not, that the spirits are subject unto you; but rather rejoice, because your names are written in heaven'.... and, putting aside all quibbles, since we are inquiring where the church of Christ is to be found, let us listen to the words of Christ himself, who redeemed it with his own blood: 'Ye shall be witnesses unto me both in Jerusalem, and in all Judea, and in Samaria, and unto the uttermost part of the earth.' You see then who it is with whom a man refuses to communicate who will not communicate with this church, which is spread throughout all the world, if at least you hear whose words these are.

The Literal Meaning of Genesis.¹⁰³ 'The discernment of these experiences is certainly a most difficult task when the evil spirit acts in a seemingly peaceful manner and, without tormenting the body, possesses a man's spirit and says what he is able, sometimes even speaking the truth and disclosing useful knowledge of the future....' *The City of God*.¹⁰⁴ '...And the Indian gymnosophists, who are said to philosophise in the solitudes of India in a state of nudity, are its citizens; and they abstain from marriage. For continence is not a good thing, except when it is practised in the faith of the highest good, that is, God.'

That which they most stand upon in their [72r] enumeration is the perpetual and uninterrupted succession of popes from St Peter to him that now sitteth in his chair. Butt to let pass that which may be objected to them of two or 3 popes at one time, wee answer that their succession will never proove what they intend. For in some of the Greek and orientall churches which they think to have made a shisme from the Catholique, there hath been a perpetuall and uninterrupted succession of bishops from the time of the apostles to this day; or if it hath not continued there without interruption till now, at least it continued so then, when (as they think) those churches made defection. This they know, and therefore to ~~they~~ keep the succession on their side, the pope createth titulare patriarks and bishops of those churches. Their sixth inducement (which they know to be powerfull with the simpler sort of people) is by telling them of the exorbitancies of Luther and other Reformers, and professors of Reformed religion. But put case that all or much of that they say were true, yet were it but a weake reason, and such a one as of old the Donatists used against the Catholiques; and wee may answer them in the same words that St Augustine did the others, *Answer to the Letters of Petilian*.¹⁰⁵

For if those who take into consideration what you have written have any feelings whatsoever, how did it serve you in the cause which is at issue between us respecting the Catholic communion and the party of Donatus, that, leaving a matter which was in a

¹⁰³ bk. 12, ch. 13 [iii, 265]; *The Literal Meaning of Genesis*, trans. J.H. Taylor, 2 vols. (New York, 1982), ii, 196.

¹⁰⁴ bk. 15, ch. 20 [v, 168-9]; Wedderburn has bk. 5; *Works*, ii, 85. It is not clear what Wedderburn's intentions were for this passage. The reference is bracketed on the left hand side; indeed it is rather extraneous, though it illustrates his point about doing a good thing (continence) for the wrong reason.

¹⁰⁵ bk. 3, ch. 1 [vii, 113-4]; *Works*, iii, 406-7.

certain sense of public interest, you should have been led by private animosity to attack the life of an individual with malicious revilings, just as though that individual were the question in debate? Did you think so badly, I do not say of Christians, but of the whole human race, as not to suppose that your writings might come into the hands of some prudent men, who would lay aside all thoughts of individuals like us, and inquire rather into the question which was at issue between us, and pay heed, not to who and what we were, but to what we might be able to advance in defence of the truth or against error?...

Ibid.:¹⁰⁶ 'If I hold in a good conscience what is said "for righteousness' sake", and "for my sake", whosoever wilfully detracts from my reputation is against his will contributing to my reward.' Ibid.:¹⁰⁷ 'Let no man make his boast even in a good man: let no man shun the good gifts of God even in a bad man.' And as it doth not appertine to us and our cause, what some men among us have been, or some still be, so doe wee not, on the contrary, commend those who fill their bookes with the narrations of the wicked lives of some popes and their followers, thereby to proove the pope to be Antichrist, and the church of Rome Antichristian. But wee say with St Augustine, *Epistle 78, To the Clergy and People of the Church of Hippo*:¹⁰⁸ '... ye ought to bring no reproach against haeretiques but this, that they are not Catholics. Be not like these heretics, who, because they have nothing to plead in defence of their schism, attempt nothing beyond heaping up charges against the men from whom they are separated ...' *Answer to the Letters of Petilian*:¹⁰⁹ 'Wherefore the wicked, being bodily intermingled with the good, but spiritually separated from them in the Catholic church, both when they are undetected through the infirmity of human nature, and when they are condemned from considerations of discipline, in every case bear their own burden.' *Epistle 248, To Sebastian*:¹¹⁰ 'until a man passes over the deluge where the ark shelters the raven and the dove'—*donec messis revexit continet ager frumentum et zizania*.¹¹¹

For the reasons I said in the beginning may moove men to the contrarie, that is, to stay where they are: wee are first of all to consider that their case who now live in those parts of the church that are reformed is not alike with theirs who were the first Reformers. The one myght [72v] have kept themselves still where they were, misliking, and (if their place and calling so required) publickely reprooving abuses, and confuting grosse errors, though they should have suffered

¹⁰⁶ ch. 7 [vii, 115]; *Works*, iii, 415.

¹⁰⁷ ch. 9 [vii, 116]; *Works*, iii, 417.

¹⁰⁸ *Epistle 137* [ii, 224]; *Works*, vi, 313.

¹⁰⁹ bk. 3, ch. 38 [vii, 128]; *Works*, iii, 448.

¹¹⁰ *Epistle 145* [ii, 230]; Augustine, *Letters*, v (204–70), trans. W. Parsons (Fathers of the Church, lxxxi, Washington, DC, 1956), 237.

¹¹¹ 'Until he has brought in the harvest, the field contains wheat and tares.' This phrase is not in Augustine's letter; it is Wedderburn's gloss on the text, an apparent afterthought as it is written in rather smaller script. Cf. Matthew 13:24–30, 13:36–43.

for it, even to the losse of their lives. The others being borne and bred in contreys and churches which have long agoe left the communion and obedience of Rome, can not returne to it, nor returning will be received by them, unlesse they approve and imbrace all the parts of their doctrine and worship, even such as in their conscience they condemne, and whereof reformation was called for earnestly long before any was intended by the Protestants. 2. That our forefathers with less danger of their soules' health might have tolerated the errors and abuses then wee may receive them againe or returne to them where they are, now that wee are rid of them by others, without any act of our own. If it be objected that our Reformers did not well in doing as they did, I answer, Let it be so, yet that will not bind us who had no hand with them in that Reformation, to imbrace such abuses as were by them removed, it being a poynt of folly, either to part with any thing that good is, being in our possession, because the authors thereof tooke not the best course to effectuate it, or to readmit the thing that is evill, because by others it hath been remooved by an unorderly and unlawfull manner.

The case thus standing and praesupposing that he who inclineth to leave us and goe to them, doth not yet explicetly approve all that is there beleived and practised, it can not be, but in going to them he doth blindfold the eye of his soule, his understanding, which must needs displease him that made that eye. For such an one, good it were to consider: 1. That (as hath been shewed in another discourse) the authors of a shisme may be damned, and yet many of them that (especially in after ages) are involved in it be saved, if they retain charity to them from whom the shisme was made, and if, as Augustine says concerning Cyprian, *hunc naevum pectoris ubere charitatis contegant*.¹¹² 2. That the case standeth thus between us and the moderne Church of Rome; our forefathers purged out some errors and abuses, and (as in all manner purgations it often falleth out) some good things went with the bad, wee who were their posteritie are pressed to receive the same things againe, but all in grosse, good and bad, els that wee belong not to the Catholique church, the absurdity of which dealing [73r] may appeare by this simile. I imagine there were a common belonging to sundry villages having all one landlord: in processe of time there grow up in it sundry weeds noysome to the cattell, which, the inhabitants of some of these villages perceaving, deale a long time with the rest for weeding of the whole common, and that being refused, they weed so much of it as may serve their own cattell

¹¹² 'and if ... they hide this blemish on the breast by the abundance (nipple) of charity'; I have translated the introductory words. I have not found an exact match for this citation, but the following is close: *Nam illum naevum in candore sanctae animae charitatis ubera contegebant* [1616 edn., vii, 36]. Trans. in *On Baptism*, in *Works*, iii, 30, thus: 'For the former is a speck on the brightness of a holy soul which abundance of charity would fain have covered.' Also *Epistle 93*, in *Works*, vi, 429, 'or covered this blemish ... upon his otherwise spotless mind by the abundance of his love' [*quasi naevum sui candidissimi pectoris cooperuit ubere charitatis*, ii, 64].

(not permitting them any longer to feed among the rest), and not sufficiently discerning the good from the bad, doe withall pull up some wholesome grasse too, whereupon the others discommon not only them, but their posteritie also, and deny that part which they had weeded to be any part of the common, till they let grow in it againe not only the good but also the bad. 3. That he may live heer and not approove the schisme, by whomsoever it was made; but can not live there without an outward approbation (at least) of the abuses which were the occasions of the schisme. 4. That he may live, and hold (at least) an internall communion (and an externall too *in omnibus licitis*¹¹³) both with them in Rome, and all other Christians: but there (holding that none are Christians or capable of salvation, but such as professedly are Romane Catholiques) he can not keep any such communion either with us or with any other Christians that are not subject to the pope, who are the greater part of Christendome, no nor with such Romane Catholicks, as being charitable and moderate, doe reteine an inward communion with all Christians holding the foundation.

5. That if he will aske counsell of the most learned and moderate Romane Catholiques, (such as the Gallicane church especially hath many both of the clergy and laitie) they will advise him to keep himself where he is, especially if he be a member of the Church of England. I can alleadge one example upon mine own certain knowledge; which is that when Casaubon¹¹⁴ the father was earnestly dealt with to goe over to them, Jacobus Augustus Thuanus,¹¹⁵ then president of the court of parliament in Paris and a professed Romane Catholique till the day of his death, dissuaded him from so doing, though the king himself Henry IV was very desirous to have him doe so. This much Casaubon himself told me in his lifetime. 6. That their divinitie (setting aside that which is common to them and us both) is of many sorts, as that of the old heathens was, which St Augustine, *The City of God*, out of Varro sheweth to have been divided in *theologiam fabulosam, naturalem, civilem*.¹¹⁶ [73v] 7. That their doctrine, (as by their skilfullest clerkes it hath of late bene refined) is in some points as far different from their practise, especially the practise of [the] vulgar, as the doctrine of the soundest philosophers was from the publick exercise of their religion, of one

¹¹³ 'in all things lawfull'.

¹¹⁴ Isaac Casaubon (1559–1614), Geneva-born classical scholar. In 1596 he moved to Montpellier and then to Paris, partly due to de Thou's efforts, and those of others who wanted him to turn Roman Catholic. He did not, but one of his sons did. He went to England after the death of Henri IV and died there.

¹¹⁵ Jean-Jacques de Thou was royal librarian under Henri IV and wrote *Historia sui Temporis* about the latter part of the sixteenth century. He played a role in bringing about the Edict of Nantes. See Patterson, *King James VI and I and the Reunion of Christendom*, 1–4. Pithou dedicated his book to de Thou.

¹¹⁶ bk. 6, ch. 5, i.e., 'theology fabulous, natural, and civil'.

of which St Augustine sayth, *The City of God*:¹¹⁷ 'Whence, with respect to these sacred rites of the civil theology, Seneca preferred, as the best course to be followed by a wise man, to feign respect for them in act, but to have no real regard for them at heart. 'All which things,' he says, 'a wise man will observe as being commanded by the laws, but not as being pleasing to the gods....'

8. That though their doctrine be of late much refined, and their strangest tenets gott a new lustre by new-coyned distinctions never before heard of, yet it conteyneth some so palpable absurdities that wee may say of their late learned as St Augustine said of the Manicheans, *On the True Religion*,¹¹⁸ 'If I forced them to judge whether they know that that is true, probably they would not dare.'

9. That they have too too many things, which are verie scandalous, as worshipping of images; the great stumbling block of the Jewes, barring them from the faith and society of Christians as idolaters; and (to name no more at this time) the exposing of the eucharist, the highest and most reserved mysterie of Christian religion, to the publick view of Jewes, Turks, and other infidels directly against the doctrine and practise of the auncient church, by carrying it in procession on Corpus Christi Day (a feast but lately instituted for that purpose¹¹⁹); and all this done to uphold their doctrine of transubstantiation in the minds of the people by making them fall down and worship the host as it passeth by.

10. That these and the like scandals and abuses, wee have not, and withall have all things that are necessary to salvation, whether they be *credenda* or *agenda*,¹²⁰ matters of doctrine, or acts of divine worship. And that, so it is, was acknowledged of late years by that pope who offered to allow and ratifie the form of religion as now in England it is established, upon condicion it were held of him by dispensation. Whence it may appeare that our Reformation was not unlawfull, no not in the pope's opinion, but only so far forth as it was made *autoritate regia non pontificia*.¹²¹ As for things expedient, wee acknowledge with grief that some wee want; and so must they too acknowledge of themselves, if they have any ingenuitie in them, and be not altogether ignorant of what was received and practised by the ancient church. They must acknowlege it, I say, els in this one thing more they must be like the Donatists in thinking their church to be perfect [74r] and to lack nothing.

If, notwithstanding all that hath been said, any shall persist in doubting or denying us to be a part of the Catholique church, wee thus proove that we are:

¹¹⁷ bk. 6, ch. 10; *Works*, i, 255.

¹¹⁸ ch. 49 [i, 283].

¹¹⁹ In 1247.

¹²⁰ 'things to be believed ... things to be done'.

¹²¹ 'by royal rather than papal authority'.

1. They that by us are baptized, if they die before they come *ad aetatem adultam*,¹²² are undoubtedly saved both in their and our opinion. *Atqui extra ecclesiam non est salus*: which is to be understood of the visible Catholique church. Ours therefore is a part of that church; otherwise they who, having been baptized by us, goe from us to them, are first members of the church, viz: from their baptisme till the time they doe wittingly and willingly embrace and professe our doctrine, whereby (in their opinion) they cease to be members of the church, and no way left them to be made such againe but by leaving our communion, and joyning themselves to theirs: whereas the truth is, there is no way whereby one *ex non membro ecclesiae* can be made *ecclesiae membrum*,¹²³ but baptisme. So that upon their opinion of us it will follow, that they ought to rebaptize such as come to them from us. 2. I aske whether a moderate Protestant, such a one as hath *votum et desiderium unitatis*, but dare not for his conscience' sake joyne with the present church of Rome in all poynts of her doctrine and parts of her worship, if he lay down his lyfe for the common fayth, for which the ancient martyrs laid down theirs, whether such a one could be saved? If they say he could not, they are too rigide and uncharitable, to say no worse; if they say he could, then say I that he is a member of the Catholique church, *extra quam non est salus*. Wee therefore conclude that our church is a part of the Catholique, even of that church which St Ambrose (alluding to the name of Mesopotamia, so called because it lyeth between two rivers) elegantly thus describeth: 'Where is the church found but in Mesopotamia? There it is sought, thence it is derived, where it is enclosed by two rivers, by the washing of grace and by the weeping of repentance.'¹²⁴

[75r] Further, if disobedience to the pope doth *ipso facto* make one a schismaticque, it must needs follow that he hath and ever had a spiritual sovereignty over all churches in the world; which to be most false is most clear out of the ancient records of the church. And yet how much moderate men would yeeld to for peace sake, may be knowne by these words of one of them: Melanchthon in *Consilio ad Gallos*.¹²⁵

Our people admit that the ecclesiastical polity is something permissible, namely that there be some bishops who preside over many churches, and also the Roman pontiff may

¹²² 'to maturity'.

¹²³ 'from not being a member of the church ... a member of the church'.

¹²⁴ Ambrose, *De Abraham*, bk. 1, ch. 9/87. See Ambrose, *Opera*, pars prima, ed. C. Schenkl (Prague, Vienna, Leipzig, 1896), 558. This material is concluded by a mark, probably a stylized W. Then follows a blank page, 74v.

¹²⁵ The reference to Melanchthon by name, and the title of the relevant tract, is in the margin. See Philip Melanchthon, *Opera, quae supersunt omnia*, 28 vols. in 14, ed. C.G. Bretschneider (Halis Saxonium, 1834-60), ii, 744-6. The first part of Wedderburn's citation, in comparison with this text, appears to be a bit loose.

preside over many bishops. As I reckon, no prudent man disapproves this canonical polity, nor ought he to disapprove, if it remains within its own bounds.... In my judgement that monarchy of the Roman pontiff would benefit to this end, in order that a consensus of doctrine may be retained in many nations.

But the truth is that the popes themselves gave just occasion of revolt from their obedience, by abusing their power in their rash and unjust proceedings especially against Christian princes, and the emperours themselves their gracious lords, using their excommunication rather as civil punishments than ecclesiastical censure or spirituall medicines, the most of them tending to destruction, not (as the apostle would have them) to edification or salvation. They have likewise excommunicated and interdicted whole kingdomes and Christian states, contrarie to the doctrine, wisdom, and discreet proceeding of the ancient church, as may appear by the places following quoted out of St Augustine, *Epistle 185, To Boniface*.¹²⁶

For experience in many diseases necessarily brings in the invention of many remedies. But in cases of this kind, when, owing to the serious ruptures of dissensions in the church, it is no longer a question of danger to this or that particular individual, but whole nations are lying in ruin, it is right to yield a little from our severity, that true charity may give her aid in healing the more serious evils.... So it has been her wont to come to the aid of multitudes who were perishing through schisms and heresies.

And *Epistle 22, To Bishop Aurelius*.¹²⁷ 'These offences are taken out of the way, at least in my judgment, by other methods than harshness, severity, and an imperious mode of dealing—namely, rather by teaching than by commanding, rather by advice than by denunciation. Thus at least we must deal with the multitude; in regard to the sins of a few, exemplary severity must be used.' And *Epistle 250, To Auxilius*.¹²⁸

... if you have thoroughly examined your judgment in this matter, and have proved it by irrefragable reasoning or scripture testimonies, you will have the kindness to teach me also the grounds on which it is just that a son should be anathematized for the sin of his father, of a wife for the sin of her husband, or a servant for the sin of his master, or how it is just that even the child as yet unborn should lie under an anathema, and be debarred, even though death were imminent, from the deliverance provided in the laver of regeneration, if he happen to be born in a family at the time when the whole household is under the ban of excommunication.... What of so many souls in the entire household?—of which if even one, in consequence of the severity which included the whole household in the excommunication, should perish through departing from the body without baptism, the loss thus occasioned would be an incomparably greater calamity than the bodily death of an innumerable multitude, even though they were innocent men, dragged from the courts of the sanctuary and murdered.

Yet thus have they dealt with whole nations and commonwealthes, and that for

¹²⁶ *Epistle 50* [ii, 78, 79]; *Works*, iii, 515.

¹²⁷ Wedderburn has *Epistle 63*, but in the edition he used it is given as *Epistle 64* [ii, 108]; *Works*, vi, 53.

¹²⁸ *Epistle 75* [ii, 117]; *Works*, xiii, 455–6.

the most part in the heat of their rage and indignation in all which proceedings of they did rather imitate or at least resemble the preists of the heathen, than their own wise and holy predecessors. For of old among the Romans, he that was *diris devotus*¹²⁹ might be by their law be [sic] killed by any man that would undertake it, as Dionysius Helicarnassaeus relateth in his 2 booke. And Caesar, in his 6 booke of his *Commentaries*, telleth how among the auncient Gaules, they who did not obey their preists the Druides were not only debarred from all communion in their sacrifices, but also as men devoted to destruction were excluded from all benefit of the law, and deprived of their dignities and honors. Vincent of Lerins doth shew, heresy is the mother of how many and how great evils, even in the public realm, and he sets out by the example of the Arrian heresy to prove it suitably to that age when he lived. But it can be proved no less suitably for this age by the example of a dogma, that concerning the monarchy of the Roman pontiff to be not only of spiritual [matters], but also temporal, whence have arisen wars, tumults, murders, etc. [75v] Certainly there is as much dogma today as there ever was in the church of Christ to which the doctrine of Vincent passed on in that chapter can be applied and fitted.¹³⁰ But though it were graunted that the first Reformers made a schisme, yet out of the historie of those times it will appeare, that they were not the least cause of it who compelled them so to doe, by persecuting them even unto death, contrarie to the current of the doctrine of the ancients, especially of St Augustine whereof he sheweth withall that the Donatists did soe, *Answer to the Letters of Petillian*:¹³¹ 'Do not therefore say, "Far be it, far be it from our conscience, to force any one to embrace our faith." For you do it when you can; and when you do not do it, it is because you are unable, either from fear of the laws or the odium which would accompany it, or because of the numbers of those who would resist.' *Epistle 100, To Donatus (proconsul)*:¹³²

... For we do not seek to revenge ourselves in this world ... If, therefore, your opinion be that death must be the punishment of men convicted of these crimes, you will deter us from endeavouring to bring anything of this kind before your tribunal; and this being discovered they will proceed with more unrestrained boldness to accomplish speedily our destruction, when upon us is imposed and enjoined the necessity of choosing rather to suffer death at their hands, than to bring them to death by accusing them at your bar.

Epistle 139, To Marcellinus:¹³³

As to the punishment of these men, I beseech you to make it something less severe than sentence of death, although they have, by their own confession, been guilty of such griev-

¹²⁹ 'devoted to fearful things', i.e. to destruction.

¹³⁰ Wedderburn refers to ch. 6, but this is his own statement, trans. here from Latin.

¹³¹ bk. 2, ch. 83 [vii, 104]; *Works*, iii, 354.

¹³² *Epistle 127* [ii, 217-18]; *Works*, xiii, 26-8.

¹³³ *Epistle 158* [ii, 244]; *Works*, xiii, 213-14.

ous crimes. I ask this out of a regard both for our own consciences and for the testimony thereby given to Catholic clemency.... If, however, notwithstanding these letters from me, he [the proconsul] refuse to grant this request, let him at least allow that the men be remanded for a time; and we will endeavour to obtain this concession from the clemency of the emperors, so that the sufferings of the martyrs, which ought to shed bright glory on the church, may not be tarnished by the blood of their enemies....

*Epistle 133, To Marcellinus:*¹³⁴ ...

He [Augustine] and other bishops of old were most earnest intercessors for the Donatists that they might not be putt to death, and even for the most furious of them, the Circumcelliones, who had committed the strangest outrages against the Catholiques that ever were heard or read of; whereas the Roman zelotes persecute all sorts of men unto death if they but deny some of their tenets: wherein they resemble the Donatists rather than the ancient Catholiques. But in one thing they surpasse, and dare doe that which they never durst, in seeking the lives not only of private men dissenting from them, but of some of the greatest princes in Christendome. And I dare say, that in regard of some of their cruelties, it may be as truly said to them as St Augustine saide it to the Donatists, *Answer to the Letters of Petilian*:¹³⁵ 'The more accursed share of persecution was reserved for you when the persecution of the heathen was exhausted. Those who persecuted the name of Christ believed in Christ; now those who are honoured for the name of Christ are found to speak against his truth.'

As for their rebellious and treacherous martyrs, to them no lesse may be said then by the same Father it was said to such of the Donatists as affected to be held for martyrs. *Ibid.*, ch. 83:¹³⁶ 'and while you live as robbers, you boast that you die as martyrs.' Of all such, whether of old among the Donatists or of any other age of the church or society of Christians, it is most true which he hath left written, *On the Trinity*:¹³⁷ 'Whereas he, on the other hand, who is tormented without any such hope, without any such reward, let him use as much endurance as he pleases, is not truly blessed, but bravely miserable.'

Notwithstanding of all this, it had been better (in my poore opinion, *salvo meliore iudicio*¹³⁸), if our Reformers had not so left the Church of Rome, and their obedience to the pope, as they did, but had still communicated with that church in all things, except those which in their conscience they held to be altogether unlawfull, and still yeilded canonicall obedience to the pope, *salvo*

¹³⁴ *Epistle 159* [ii, 245]; *Works*, xiii, 168-9. This passage repeats the same sentiments as in the preceding.

¹³⁵ bk. 2, ch. 87 [vii, 105]; *Works*, iii, 359.

¹³⁶ [vii, 103]; *Works*, iii, 352.

¹³⁷ bk. 13, ch. 7 [iii, 140]; Wedderburn has bk. 3, ch. 17; *Works*, vii, 320.

¹³⁸ 'save a better judgment'.

iure principum suorum,¹³⁹ and prayed for him, as their highest pastor and patriarch, yet professing withall their dislike of such things as were amisse, reprooving them, as their calling and place would have permitted, and using all moderate, peaceable courses to have obtained reformation thereof. But you may say: So it might have cost them their lives. I answer: So did it the prophets of God whom Jezabell slew, who notwithstanding the idols sett up by Jeroboam and the grosser idolatrie erected by Ahab, [76r] left not the church of Israel, but reprooved their idolatry, and in things lawfull communicated with them. Their fifth argument, etc.

7. In the seventh place they object and impute unto us as ours the schismaticall doctrine and new opinions of some either printed or preached by them among us. But 1. They are no parts of the doctrine heer authorized. 2. Wee say to them of such among us as the same Father said of old, *Answer to the Letter of Parmenian*:¹⁴⁰ 'Wherefore let them accuse copiously with us the tares or rather the chaff of the Catholic harvest, but let them not at all refuse to suffer them, with us, in all patience.'

8. Their last argument (of these that now come to my mind) is taken from our paucity. But they forget that they deale no otherwise with all other Christian churches then they doe with us, and I hope they will acknowledge themselves to be fewer in number then all whom they exclude from their communion. And put case they were the greater number, yet would not that proove them to be the only orthodoxe Catholiques, no more then the once far greater number of the Arrians¹⁴¹ being compared with the right beleieving Christians, did argue them to be so, of which time St Augustine, thus *Epistle 93, To Vincent*:¹⁴²

For read what Paul has recorded concerning Peter, and what Cyprian has expressed as his view on the ground of that statement, and do not blame the compassion of the church, which does not scatter the members of Christ when they are gathered together, but labours to gather His scattered members into one. It is true that those who then stood most resolute, and were able to understand the treacherous phrases used by the heretics, were few in number when compared with the rest; but some of them it is to be remembered were then bravely enduring sentence of banishment, and others were hiding themselves for safety in all parts of the world. And thus the church, which is increasing throughout all nations, has been preserved as the Lord's wheat, and shall be preserved unto the end, yea, until all nations, even the barbarous tribes, are within its embrace.

For the reasons foresaid etc.¹⁴³

¹³⁹ 'save the right of their principles'.

¹⁴⁰ bk. 1, ch. 14; Wedderburn has ch. 7 [vii, 10].

¹⁴¹ Corrected, presumably by Wedderburn, from 'Africans'.

¹⁴² *Epistle 48* [iii, 62]; *Works*, vi, 423.

¹⁴³ A brief stroke appears beneath 'For' as if to conclude the treatise, suggesting that the subsequent text (Latin) is indeed an addition, as is suggested also by its smaller script. That paragraph consists of comment on ceremonies which does not contribute to the themes addressed above.

**Samuel Rutherford and Thomas Sydserrff, bishop of
Galloway, 'Ane discussing of some arguments against
cannons and ceremonies in God's worships', 1636**

[322]

Opponent [Rutherford]

The practice of things most indifferent which scandalizes weak ones is unlawfull. But the practice of our ceremonies scandalizes weak ones. *Ergo* the proposition is Romans 14:14-16, 1 Corinthians 10:29. The assumption is clear: by our ceremonies the weak are stayed and blinded in their zeal against [323] poperie. Weak papists and strong, both are hardned, they both write and teach [that] we doubt of our religion when we must borrow their traditions.

Answer [Sydserrff]

The places ye alleadge prove the weak ones must not be scandalized by the use of things indifferent. All scandalized by our ceremonies are willfull and may be informed by church cannons of the indifferencie of the ceremonies.

Opponent

I have two things to oppon to that. The former I will not stifly urge. The latter for the progress of our conference shall be my reply. First, I think that the scandal of wilfull and malicious men is to be observed in the use of things indifferent. For they were false apostles who maliciouslie opposed Paul, 1 Corinthians 9, who would have bein scandalized if Paul had taken stipend at Corinth, and Paul, least he should offend them, did forbear his libertie and would not take stipend.

Answer

Ye wrong the text. He did it to eschew the scandall of the weak, 1 Corinthians 9:22, 'to the weak I became as weak'. I deny he did it to eschew scandalizing of false and malicious bretheren.

Opponent

The text must be larger then to eschew the offending of the weak because he saith, v. 19, 'I have made myself servant [324] to all that I may gain the more,' and v. 20, 'to the Jews became I a Jew (who were malicious to Paul? the Jews) that I might gaine the Jews, etc.'¹ Also that his plea was with false apostles is more then evident through this epistle, and the beginning of this chapter seemeth to me to speak it: v. 1, 'Am I not an Apostle? Am I not free? Have I not seen Jesus Christ our Lord? Are ye not my work in the Lord?' Who but false apostles put Paul to prove his apostleshipolick calling? But I will not contend because this is off our way. Let me add these who were like to be scandalized at Christ's not paying tribute were malicious pharisees, whose course was to set Christ and Caesar by the ears together and accused Christ as one who forbad to obey Caesar. Christ payeth tribute when he was not obliged, 'leist', saith he to Peter, 'we scandalize', Matthew 17:27, *me skandalisomenon*.² Ergo in things indifferent the scandal of malicious men is to be eschewed.

Answer

The text ye alleadge is obscure; interpreters doth not accord what is meant by 'children that is free'.

Opponent

I to[o] shall [expone] on³ what is meant by those words. It proveth [325] that Christ, in a thing indifferent, would not scandalize the malicious, but my reply which I may press is that to Christ's second comeing, there shall ever be in all churches, and so in ours, weak ones, 'new borne babes', 1 Peter 2:[2]; 1 John 2:[12-]13, fathers, young men, and litle children; babes that have need of milk, Hebrews 5:13.

Answer

I deny not that there are still weak ones in the church, but a law must free weak ones in the poynt of scandall taken at church law in things indifferent, how at Rome, Romans 14, and at Corinth there was no church canon, no law about these meats and dayes that scandalized, and therfor Paul did well to forbear their practise before weak ones. But ye know there is a law in our church now that may take away scandal, and so your arguments from Rome without a church law to Scotland with such an established law is a most weak one.

¹ closer to AV.

² The second word is transliterated from Greek. The first is obscure in the document; I have added 'me', the Greek negative particle, from the Greek text of the New Testament.

³ 'I shall on ...' written at first; 'to[o]' added later; 'expone' required by sense.

Opponent

I hope: 1. ye will not say there was no law then at Rome, for there was the unalterable law of nature alleadged by the apostle (scandalize not, murder not, his soule for whom Christ died). This law is stronger then all the church canons on earth, and from this argument which is the apostle's (if it be a weak on[e]) I reason against our ceremonies. 2. No church law⁴ can make scandalizing litle, [326] which is spirituall homicide, to be no scandalizing.

Answer

But if the appostles have made a law at Rome about meats and dayes, you will not say but the Romans should have obeyed, and could not alleadge the argument of scandall against these lawes, as you doe; for to eat things strangled was indifferent, yet to eat it after the appostles forbad it by canon, Acts 15[:29], was not indifferent but sinfull, and what made that change but ane kirk canon.

Opponent

First, to eat things strangled at that time before weak ones, namely Jews, even before the constitution, Acts 15, was not indifferent but scandalous, and so against the law of nature, and Junius, Calvin, and our divines observe well the apostles grounded the canon upon the law of nature. Second, howbeit apostolick authoritie (which I take to be divine authority) should change the nature of scandall, yet this from our poynt for ecclesiastick authority, can never make that which is scandal to be none scandall. My reason is: to scandalize is a breach of the sixth comand, and against the law of nature, and therfor no authoritie but God's can comand to scandalize ~~xxx~~; no ~~xxx~~ father may lawfullie comand to give a babe a rasour in his hand,⁵ no authoritie can comand to rune a horse in a street amongst bairns.

Answer

I grant humane authoritie cannot invert the nature of things, yet they can by a law [327] put the mindes of people in such a chainge as they are no more scandalized, for a scandal is *ens rectionis*,⁶ and the nature of it is in the apprehension of the scandalized, and humane laws giving light and shewing the expedience of things indifferent may change people's mindes, that they need not now be scandalized.

⁴ the phrase is repeated.

⁵ 'in its hand' is inserted above the line. Probably 'in his hand' was intended to be deleted.

⁶ 'a matter of directing'.

Opponent

Ane passive scandall is not *ens rationis*,⁷ neither is my argument drawn from a passive scandall, but an active, where there is an aptitude in the object to scandalize, beside the weaknes of the apprehension in the scandalized. For to practise a thing indifferent which may occasion the ruine of weake ones, suppose they do not actually fall, is active scandall and so the practise⁸ of our ceremonies is spirituall homicide. Peter's word to Christ ('Master, pitie thy self'⁹) was ane active scandal, howbeit it was not possible Christ should be scandalized, yet no thanks to Peter.

Answer

But ye can shew no aptitude in our ceremonies to scandalize more then in your circumstances of order. For a woman in our citie of late hath killed her child begotten in adultery, for fear she should have been shamed and brought to the place of repentaunce. But will ye say the church hath no power to enact a canon anent so many dayes' standing in the place of repentaunce because many be scandalized at that?

Opponent

Sir, I know your learning long or I could forme a sillogisme, could have differences betwixt a [328] scandalizing object and a not scandalizing, but with correction I shall say what I conceive of it. He who layeth a calsay—suppose an [one] fal upon the cawsay stones or slyde—doth not offend the traveller because the calsay stones have their owne necessarie use or circumstance of time and place. As a pillar of repentance, from whence a penitent may be comodiously heard confessing his publick sine, are cawssey stones, and so necessar as (*tolle circumstantias et tolles omnes actus humanes*¹⁰) without them, there can be no humane actions. Therefore if any be scandalized at canons of circumstances, the cannon makers doth not culpablie scandalize. But if one shall lay a heap of stones above the cawsey stones in the way of travellers, the man who laid the stones in that place doth culpablie and actively scandalize. Now, our ceremonies (seing the worships of God may well want them) are to laye stones or blocks in the way of travelers to scandalize thereat.

Answer

But I hear nothing of ane aptitude in them to scandalize which ye must

⁷ 'a matter of knowledge'.

⁸ the four words are repeated.

⁹ Matthew 16:22 GB, where Peter remonstrated with Jesus when he began to speak of his death; Jesus rebuked Peter: 'Get thee behind me, Satan.'

¹⁰ 'Remove occasions, remove all human actions.'

shew to make them faultie objects of scandall.

Opponent

In a word, the aptitude to scandalize is their morall none-expedience, the none-necessity of their existence in the way where a traveller weak of sight is to goe, causey stones have no aptitude to take the foot from a dim-sighted travellour, but great blocks and loose stones in the way of such a travellour, because they should not be there at all, hes no other [329] use in the existence in such a time and place but to hurt the foot of the blinde.

Answer

But thinke ye not the will of a holy prince and lawfull authority that is to be obeyed giveth ane necessity to our ceremonies?

Opponent

Sir, offend not, but take me right, woe is my heart at that necessity, for ye know it is necessity not intrinsicall nor adherent, nor inherent to things themselves, not borne with ceremonies ~~but~~ but extrinsicall and made necessity this way. Sir offend not, ye may make it necessary for us to cast stones in the water every Lord's day, and this way it should be necessary¹¹ all the land should wear hoods and bells on their heads, but the necessity and expedience that frieth things indifferent from being faultie objects of scandall must not come from man's will, for that is but a borrowed necessity; but it must be natively inherent or adherent in the things themselves, and they must have some aptitude in the[m]selves or about themselves to edifie, and some native decencie and comelines, by reason wherof humane authoritie doth not make them necessary, but judge[s], determine[s], and enact[s] the praeexistent necessity.

Answer

But this way authority hath no power at all to make lawes anent things indifferent for till the world's end some will be scandalized. [330]

Opponent

Give me leave to deny that though indifferent, that is, as neither good nor evil, as the mater of any directorie canon (for lawes properly so called, except of Christ or few law-givers' making, I see none except we would make the word of God imperfect) I deny not, but things indifferent, as the removing matter of kirks' canons, but the newest matters of canons is indifferent, things contrasted,

¹¹ 'and this way it should be necessary' is repeated.

spiritualized, and considered as good, and conducing to edification; and so, if good, not indifferent, that is neither good nor ill, and my reason is, rulers ruleth for our good, Romans 13:4. Therfor, the means leading to this end must be good, and the matter of the commandement good, as look natively to this end, and so not indifferent.

Answer

But is it not enough for us, that the scandal comeing from our ceremonies, is ignorantly taken.

Opponent

Then ye shall make no scandall in the world, for all scandall, where men are actually scandalized, is ignorantlie taken. Were we all angels on earth, or glorified in heaven, there should be no scandall taken at all, and if that were enough, then Rome and Corinth might have used things indifferent before the weak. For their weaknes scandal was taken of ignorance; Paul taught sufficiently reasons, that it was lawfull in itself to eat all things. He said first, every creature is clean, 2) the earth is the Lord's, etc., yet he saith, he that eateth before a weak brother, destroyeth him for whom Christ died, and this sayeth all the reasons ye can sett downe in your canons, howbeit ye could by scripture prove the lawfulness, will not frie your indifferent things from the lash of the sixt comaund, 'thou shalt not murder'. [331]

Answer

If I comand my servant to goe to London, it is in my power to send him either by sea or land. If he refuse to goe by sea, because his friends offendeth at him that I send him by sea, he is dissobedient.

Opponent

But if your servant can bring a reason from God's word that it is sinfull to goe by sea, as we can doe in the matter of your ceremonies, then neither can you comand, nor he lawfully obey, and the case is so here.

Answer

But I would know faine, how ye answer that argument yourself, for ye scandalize the king and counsell and lawfull authoritie, the Reformed churches, and the papists by your denial of obedience in things indifferent to lawfull authoritie.

Opponent

I perswad myself, if these ceremonies practised scandalize culpably, then, not

practised, they cannot scandalize culpable. For that were a great wrong laid upon God and providence if such a case could be where men now under an inevitable necessity, by way of contradiction, to scandalize and so to murder some, whither they practise things indifferent, or practise them not. 2) Therefore seeing our rulers are persuaded of the indifference, they can no more be scandalized by us then Paul can be scandalized. It is certain, ignorance is the nearest cause of scandal, and therefore, where there is perfect knowledge of our liberty there is no danger of scandal. 3) Howbeit ceremonies be indifferent, yet to practise them by your grounds is obedience to the fifth command, and not to practise them as a sinful ~~disobedience~~ disobedience to God. Now, to obey or not to obey God is not indifferent. The former is necessary, the latter is evil, and therefore we scandalize not in things indifferent. [332] 4. We possibly displease authority, but we do not scandalize but edify authority. For the non-practice of ceremonies to us is non-scandalizing and non-murdering, and so obedience to the sixth commandment, and therefore in not practising we obey God, and so cannot scandalize man, howbeit our obedience to God displease man, and therefore we do not culpable scandalize, either papists or the Reformed churches.

Answer

I would know what intrinsically evil ye think to be in our ceremonies, and so in kneeling in the act of receiving the Lord's supper.

Opponent

This argument troubleth me much. Whatever worshiper wanteth scripture's light and nature's light is will worshiper; but kneeling in the instant of receiving and sacramentally eating wanteth warrant from scripture's light, and nature's light. Ergo etc.

Answer

I deny your assumption, for kneeling hath a warrant in nature's light, it being most convenient and natural to worship God kneeling.

Opponent

If ye mean kneeling that is natural to this worship sacramentally, you do simply deny what is in question without giving a reason. If ye mean kneeling is natural to all worship in general, then hear what I oppose: what is natural to worship in general, is alike natural to all the species of worship, as logic will say undeniably. For attributes natural will agree naturally to the general and to all the particulars; but kneeling agrees not in the alike [333] naturally to all the spaces of worship. Ergo kneeling agrees not alike naturally to all the spaces of

worship. I prove the minor. It is not alyke naturall to kneil at praying and to kneill at hearing of the Word, the light of nature teaching to kneil when we pray, but no light of nature teacheth us to kneil when we hear the Word, when we read, when we meditat, when we conferre, etc. For God hath made kneeling by nature's light so kyndlie to praying, that the Word [re]placeth kneeling by a figure for praying: Ephesians 3:14, 'for this cause I bow my knee to the father of our Lord Jesus Christ'. I pray, tell me how oft kneeling and pray[ing] are conjoynd and where read ye kneeling and hearing, reading or any other acts of God's worship conjoynd? And therfor to take kneeling from praying, which is its seat which God and nature hath placed it in, and to place it unnaturallie and violentlie with sacramentall eating and drinking, must be a device of man's will contrare to God and nature's light.

Answer

But we kneil with praying in the act of receaving, for I cannot be better exercised in receaving then to pray to God to give Christ himself with bread and wine, howbeit I grant the prayer here is but a short ejaculation.

Opponent

If ye kneill because ejaculatorie ~~xx xxx xxx~~ and short prayers, ye have as good reason to comand kneeling when ye hear the Word as when ye receive the elements, for ther are ejaculatorie prayers in hearing the Word, in reading, conferring, and all the acts of God's worship, but this ye will not say, and because ejaculations in receiving are not universall to all, and a warrant ye have not that ejaculations will continow the whole time that [334] a table is in serving, so as sometime kneeling shall be will-worshipe not comanded of God, but commanded of you as will-worship, an unnaturall and violent service to God.

Answer

But I never heard an argument from any of your side to impd praying in the act of receaving.

Opponent

I will then shew yow an argument that troubleth me. If our wise lawgiver and teacher Christ, who hath wisely seated and placed the wholl acts of God's worship in this supper in their owne place, hath willed that blissing by prayer should be before takeing and eating and singing and praising after eating, then it is not his will that their should be either praying and praising in the verie instant of taking and eating, but the former is clear by the justification as used by Christ and his disciples and repeated by Paul. *Ergo* there should be neither praying nor

praising in the verie instant of receaving and sacramentall eating and drinking.

Answer

I altogether deny your major proposition.

Opponent

I prove it from these two. If praying go before and praising follow after, and it be Christ's wil thee be praying all the time betwixt also, then the whole *actum* shall be a continoued praise, and so your ejaculatorie prayer hath no place, but the latter is against your self, *ergo* so is the former. The reason of the major is, there is no place for ejaculations in a continoued prayer. 2) If Christ's will had bein that there should be prayer betwixt the first consecrating and blissing of the bread and the last praising, then when Christ said he took bread and blessed and gave it to the disciples the meaning should be after he had blessed the [335] bread, he blissed the bread, after he had prayed, he still prayed. But the latter is absurd, for the order clearly saith, blissing was first and then destribution and taking and eating nixt, and not praying, except we say, praying was after praying, and blissing after blissing and eating after eating and taking after taking which should unanswerably invert Christ's whole order, and when Paul, 1 Corinthians 11:24, 'when he had given thanks—or prayed—he brak it, he saith ...' When breaking came, prayer ceased.¹² As scripture speakeath, he went home and set his house in order, *ergo* when he got his house in order, his act of goeing hom ceased.

Answer

Believe me, these are quick but not solide.

Opponent

Yet to me they are so weightie, that my conscience thinketh it saffer to rest upon Christ's practice of sitting, who could not err, then to follow kneeling instituted by man, who can err; and conscience, taking the safest side, should not be blamed.

Answer

It is nothing to me what was Christ's practice in a matter of gesture. I look not to that. If I find no ill in kneeling and it be comanded by lawfull authority, yet I should both obey.

¹² probable reading with 'seased' overwriting 'seaseth'.

Opponent

Yea, both Christ's practice should in this solemn supper so punctually set downe by himself be of great weight in our conscience, neither is it enough that ye see no ill in kneiling, for ye must see goud in all that ye comand by church canons, else your institutions leadeth not to edification, and so are unlawfull. For not to see good in God's matters is to see evill, and to doe unwarrantable, and without faith []¹³ is sinfull also. I think I see idolatrie in kneiling, which is sufficient to scare me from it.

* [336] *Answer*

It were a strange thing to prove that. I pray you, let me hear your reason.

Opponent

If he that kneileth before creatures, that standeth in rowme of Christ, for reverence to these creatures, be as gross an idolater as the people of Athens re-proved of idolatrie by Paul, Acts 17[:22-3], then the kneiler in the act of sacramentall receaving is an idolater, but the former is true; *ergo* so is the latter.

Answer

The people of Athens worshipped an idol, the unknowne God, and intended to worships an image of gold. We intend no worships to bread, but only reverence and adoration.

Opponent

It's true, what the Athenians worshiped was an idol in respect of the maner of worship, and so is bread that way to the kneiler an idoll for he boweth religiously to bread, for reverence, as your act of Perth Assemblie saith,¹⁴ but the thing the Athenians worshipped was God in respect of the object worshipped or of their intention to worship. For Paul saith they in heart and intention worshipped, howbeit after a wrong maner, *agnostos*, ignorantly, the God that Paul preached, and the God that made the heaven and the earth, v. 24,¹⁵ but the God that Paul preached was the true God and not an idol. *Ergo* the Athenians in intention worshipped the true God when they sett by altars ignorantlie to that true God,

¹³ A word above the line is illegible; it might be 'faithfully', but this does not improve the sense.

¹⁴ BUK, iii, 1165: "Therefor, notwithstanding that our Kirk hath used, since the Reformation of Religion, to celebrate the holy Communion to the people sitting, by reason of the great abuse of kneeling used in the idolatrous worship of the Sacrament by the Papists: yet now seeing all memory of by past superstition is past; in reverence of God, and in due regard of so divine a mystery, and in remembrance of so mystical an union as we are made partakers of, the Assembly thinketh good, that that blessed Sacrament be celebrat hereafter meekly and reverently upon their knees."

¹⁵ MS reads either 23 or 33; I have likewise corrected the subsequent reference to the same verse.

as ye bow religiously to Christ directing your worship to him. And I desire you shew me a difference when they bowed religiously for reverence of the image and worshiped in their heart when Paul preached, v. 23, and your religious bowing to bread for reverence as you grant to bread, intending worship to Christ.

[337] *Answer*

Sure I am the Athenians gave divine adoration to the verie image. We give it not to the bread.

Opponent

Sure I am Paul saith they gave worship to the God that made heaven and earth, v. 24, and the text saith not they gave adoration to the image, but this way in that they set up an altar to the image, as the knieler kneileth to bread for reverence of it, and I think they gave more reverence to God then to the image, as Israell gave higher worships to Jehovah who brought them out of the land of Egipt then to the golden calf, and so did the people, Isaiah 40 ~~whom to will ye liken me?~~ [336 A¹⁶] and Isaiah 46 who worshipped the image of God which they believed to be God, onlie by similitude and representation as God chydeth with them, Isaiah 40:25, 'whom to will ye liken me'.

Answer

We allow to the elements adoration.

Opponent

So doe we also, but ye allow that that veneration be expressed to the elements by religious kneeling which is by God and nature's instamping an signe of divine adoration. For in the second comandement, 'thou shalt not bow downe to them', is after exponed, that is, 'thou shalt not worships them'.

Answer

Yea, but kneeling signifieth either veneration or adoration, as the kneeler intendeth.

Opponent

But God, not man. No kneeler hath in his power to enstamp kneeling with another signification then which God hath put upon it, which is ever in al

¹⁶ This page fragment actually appears before the current page, 337; it is marked 336 A. It seems that the material should be introduced here given that there is a symbol above the line, and some material stricken out which then reappears on the fragment. It is not well edited; probably the material stricken out should have been left in place, and the final line of the fragment deleted.

religious worship adoration and divine honour.

Answer

That I deny.

Opponent

I prove by these two arguments. If it wer in our power to put any signification we please upon kneeling then we might kneel to God in signe of lifting [338] up the heart to God, whereas God hath made naturally kneeling a signe of depressing and submitting of the heart and affections. Yea, we might put on God's signes and on bread and wine any signification we pleased and so make sacraments of our owne, but the latter is false; *ergo* also the former. 2. If we may kneel for veneration only of the elements, and not adore the elements, then we might kneel religiously before the golden calf and not comit idolatrie, but so the 3 children might have bowed for reverence before the Babilonish image and not have comitted idolatrie.¹⁷

Answer

Certainly it's oppinion of worship and holines that doth essentiallie¹⁸ constitute worship, and if we have no oppinion of adoring elements, we may kneel before elements and reverence them, and yet not adore them.

Opponent

Then your ground is that oppinion of sanctitie and religious worship is of the nature of false worships, and if it want this oppinion, and be holden as indifferent and not necessary, not holy or¹⁹ religious, it's right enough.

Answer

So I doe hold indeed.

Opponent

I think it easie to prove by the Word of God and sound reason, that false worship is and may be without any opinion either of necessity or sanctitie. Therfor such a necessity is not of the essence of false worship. I prove the antecedent. Aaron in saying, Exodus 32:5, 'tomorrow shall be feast to Jehovah',²⁰ he meaned

¹⁷ Daniel 3:12.

¹⁸ The ending is conjectural.

¹⁹ probable reading.

²⁰ probably Rutherford's own translation.

a feast to the golden calfe, comitted an act of false worship and idolatrous. But Aaron had no oppinion of necessity and sanctitie in speaking so of the golden calf. *Ergo* some false and idolatrous worship may be without such an oppinion. I prove the assumption because it is clear out of the text: Aaron feared the people should stone him to death if he satisfie not their madd humour [339] in that for it is said, Exodus 32:1, 'the people gathered themselves together (tumultuously) against Aaron'.²¹ He himself said truth to Moses (howbeit not treulie, but to excuse himself), 'thou knowest the people are set on mischiefe', and therfor Aaron's idolatry was upon sole fear. And therfor upon no oppinion of necessity or sanctitie did Aaron comit idolatrie.

Answer

Aaron did comitt no idolatrie at all. Only he made an idoll to the people, and furthered their idolatrie, which I grant is forbidden in the second comand, but we read not that Aaron bowed to the golden calf, and therfor that place proveth not false worships may be without an oppinion of necessity and sanctitie.

Opponent

Ye know there are moe acts of idolatrie then bowing before an idoll. For to say with the mouth to a stock ('thou art my father, and to a stone, thou hath begotten me', Jeremiah 2:27²²) is an idolatrous act, suppose people bow not religiously to a stock or a stone? Now Aaron said as much when he called the golden calf Jehovah and ascribed a religious feast to Jehovah which must be an idolatrous exterical act. But think ye not that Jeroboam bowed religiously to the golden calf?

Answer

I think Jeroboam went further on then Aaron and that Jeroboam for good example fell downe and worshipped the golden calf.

Opponent

I seek no more of you but Jeroboam's first erecting of the calfe and ascribing of divinity to the calfe, as though it had brought Israel out of Egypt, was upon no oppinion of necessity and sanctitie in the calf.

Answer

I would see that proven.

²¹ GB, based on use of 'against'.

²² GB, based on use of 'begotten'.

Opponent

The text speaketh clearly for it. For all Jeroboam's [340] necessity was plain policie, no zeal to idoll nor religion. 1 Kings 12:27: 'If this people,' saith he, 'goe up to doe sacrifice in the house of the Lord at Jerusalem, then shal the heart of this people turne again unto their lord, even to Rehoboam king of Judah'; v. 28, 'whereupon the king took counsell, and made two calves of gold, and said... "Behold thy gods, O Israell, which brought the[e] up out of the land of Egypt."'”²³ I doubt not but if the old religion had sorted²⁴ with Jereboam's kingdome, he would never [have] sought new calves to hold up his new kingdome.

Answer

I think certainly Jeroboam had some opinion of a religion in worshipping of those calves, for who can worship but they place some religious opinion in their worships? That is against sense and reason.

Opponent

Some fained opinion of religion. I grant opinion concurrith to all religious acts *in fieri* but not *in esse*.²⁵ Opinion may be an efficient or moving cause, but it is no internall or essentiall cause. For I come to reason—if opinion of necessity and sanctitie be of the nature of all false worship, yea, it were impossible to committ an externall act of idolatrie, as to bow religiously before an image out of sole fear to be killed, or out of sole hope of gaine and honour. But this latter is against experience, *ergo* so is the former.

Answer

In such a case when one boweth before an image only for fear or hope of gaine or glorie, he playeth indeed the hypocrite, but he doth not properlie commit idolatrie.

Opponent

Then you shall deny all externall idolatrie and all the externall acts of false worship in the world, for the opinion of necessity maketh the act of false worship, false worship internally and externallie. But [341] I am sure [to] remove this opinion. It is externall false worship, else I desire to be informed of you, what is externall false worship? But I know this ye hold: to maintaine festivall dayes, so long as ye doe it for meer order, and for no religious mark ye can put upon the day.

²³ AV.

²⁴ to agree, harmonise.

²⁵ 'in doing ... in being'.

Answer

And I think ye can hardlie say anything against that.

Opponent

This I would say against it, that then ye may bring into the church religious circum[ci]sion, the feast of Tabernacles, the Passover, the whole Jewish dayes, and esteemed as arbitrarie and indifferent and no wayes necessary.

Answer

What fault were that if our church should apoynt a feast after the hervest for thanksgiving to God for the frutes of the ground, answerable to the Jewish feast?

Opponent

This fault, in my weak judgment, it were Judaism and we might have an new tempell, an new ark, new sacrifices and shedding of blood, after Christ by his death hath removed all bloudie sacrifices. If this be added, they are indifferent and not necessary. I pray you, would this distinction keep the Galatians from being intangled with the old yोक of Jewish bondage, if they brought in circumcision, and holy dayes, with an new opinion and layd asside all typicall and Jewish opinion?

Answer

Take away an Jewish opinion from circumcision and let the prince comand it for a civill respect, it were no Jewish sacrament.

Opponent

I know not if the prince hath power over the bloud and health of his²⁶ subjects for any civill respect except in caice of ware, which is a necessity of God's making and not of our making, or our prince's making. But Peter had no opinion when he Judaized. Galatians 2, he knew Christ was come; he knew, Acts 10, the Jewish ceremonies²⁷ is²⁸ concerning ~~xxxxxxx~~²⁹ typical respects were all [342] removed. Yet Paul nippeth him verie sharplie because he Judaized as building againe and setting up Judaisme which once he had destroyed and preached against, Acts 10, as ye shall see, Galatians 2:18, 'If I build againe the thing which I destroyed

²⁶ 'of his' repeated.

²⁷ the syllable 'mo' is repeated where the word is broken at the end of a line.

²⁸ perhaps 'as'.

²⁹ it may be 'special' which has been scored out.

I make myself a transgessour.³⁰ The Gallatians knew circumcision could not adumbrat Christ to come for they knew he was already come, Galatians 1:19,³¹ and so their circumcision could not have an Jewish respect, [e]very way. Yet he saith, if they were circumcised, they should againe intangle themselves with the yoke of bondage, Galatians 5:1. *Ergo* there is a Jewish yoke of ceremonies and dayes, howbeit they want a Jewish opinion. And ye knew the dispute betwixt Augustine and Jerome in this same poynt, and how the Jesuit Vazquez³² and others learned papists of note, as I could prove, holdeth with Augustine who blamed Jerome for mentaining men might use Jewish rites, laying asside Jewish oppinion, to gaine the Jews to Christ.³³ Yea, saith Augustine, use also the rites of Turks and paganis without the heathenish oppinion to gaine Turks and pagans. I think your distinction of arbitrarie and necessarie might licence our church to bring in all the rites of Jews and Turks and papists, all the fables of Nicodemus his evangell³⁴ not contrair expresslie to scripture, but as yet writters doe say, beside scripture, for these all might be tryed as indifferent.

Answer

I grant rulers should be wise in what they command in a church, and I wish our ceremonies had ~~xx~~ never come in our church, but now they are in and have no ill in them, and are not to be urged as worship commanded of God, it's our part to obey authoritie, and practise them, and ye know no kirk out of heaven can be perfyte, and we must tolerait some things in a church, else we should be members of no church at all. As one of your side D. G. who can walk with no church, and could not live with the Church of [343] England, France, as it is knowne, because all those kirks agreed not to his minde.

Opponent

We are no Brownists, to think a church can be perfyte in this life and must be deserted for faults, but it is sine to be coagents with the errours of a church. Howbeit we ly in one bed with our mother kirk and touch her wholl skinne, yet it is a sinfull societie to lay our skine to her boyles and scabs. 2. It is not enough that our ceremonies be not commanded as parts of God's worshippe. Pharisees urged their traditions as the traditions of elders and not as God's comandements. Yea, they differenced those two, yet their traditions are condemned of Christ by

³⁰ AV.

³¹ Actually Galatians 3:19.

³² Gabriel Vázquez (1549–1604), Spanish Jesuit theologian. See article by J.M. Dalmau in *New Catholic Encyclopedia*, 18 vols. (New York, 1967–88), xiv, 581–2.

³³ Augustine, *Epistle xl*, in *Works*, vi, 132.

³⁴ An apocryphal gospel about the passion, known also as the Acts of Pilate.

this argument, they were not plants of his heavenly Father's setting, *ergo* unlawfull.

Answer

But no worship is properlie worship except it be comanded of God.

Opponent

No worship is lawfull except it be comanded of God. But idolatrie is worship and hath no comandement of God.

Answer

Idolatrie is not worships, but falsly and improperly.

Opponent

Isaiah 29,³⁵ 'In vaine they worship me.' John 4[:22], 'Ye worship ye know not what of.'³⁶ These and many other places saith, false worship hath the nature of worship. But because it hath the nature of worships, but because it hath not God's comand to warrant it, it is not lawfull.

Answer

How define ye worship?

[344] *Opponent*

Ane act of man wherby God is immediatlie honoured.

Answer

Say also according to God's comand.

Opponent

I will not say, when I defyne worship in generall. If I should defyne lawfull worship I would add this—that it be according to God's command. I remit to your learning to think: if one thing can give nature both to genus and to species, you know good logick speaketh against this, God's comand cannot ~~xxxxx~~ but give being to worship and to this particular worship, to wit, to lawfull worships, and this way I might say, idolatrie, sacrificeing to Sathan as Indians doe, slaying of children to Moloch,³⁷ etc., shall not be false worship except they be urged as comanded of God.

³⁵ an allusion to v. 13?

³⁶ AV.

³⁷ Ammonite god to whom child sacrifice was made. See 1 Kings 11:7.

Answer

These in themselves are godless and impious, and so forbidden of God. So are not our ceremonies.

Opponent

But by your distinction, shew me a scripture quher they are forbidden as arbitrarie and indifferent worship. If they want that quhilk is essentiall to false worship, whilk ye say is that false worship be urged as necessary and comanded of God, how can they be false worship? If a thing want that which is essentiall to it, it does not at all remove the essence of a thing, and ye remove the thing itself.

This disput past betwixt Mr Samuel Rutherford and Mr Thomas Sydserf, praetended bishop of Galloway.

Anno 1636.

Finis.

[Robert Baillie,] 'The Unreasonableness of the
Service Book which is made for the Church of
Scotland: An Answer unto the Preface of the
Service Booke', c.1638

[1.] The church of Christ had not in all ages a prescript forme of common prayer or divine service—or prove it, and begin at the times of the apostles.¹

2. These which are called the auncient liturgies of the Greek churches are fained, for that which is called Basil's varieth so farre from itselfe in sindrie editions that Possevinus the Jesuit in *Apparatu*² at the title *Basilius*, and Mornay, *De Missa*,³ bk. 1, ch. 6, doe acknowledge that it is not his. That which is called Chrysostome's maketh mention of the Emperour Alexius and the Bishop Nicolaus who both lived about 700 yeeres after the death of Chrysostome.

3. The Latine church had not a liturgie before Ambrosius, bishop of Millaine, that is, for the space of 400 yeeres. And the Roman liturgie began about 600 yeere of Christ.

4. There was never an uniformitie in the church of Christ—no, not in the dayes of the apostles nor ever within the empire. Rome had some customes and rites which Millan had not, and Constantinople differeth from them both. And neverthesse they agreed in the faith without anie diversitie of affections for diversitie of ceremonies, neither did any of the good emperours think it an expedient work to bring all into a conformitie, and Michael Palaeologus, emperour of Constantinople, was advysed by the astronomer and historian Nicephorus to amend the kalendar because it was not conforme unto the course

¹ This is a direct contradiction of the opening words of the preface to *The Booke of Common Prayer, and Administration of the Sacraments* (Edinburgh, 1637), a3r: 'The Church of Christ hath in all ages had a prescript forme of Common prayer, or Divine service, as appeareth by the ancient Liturgies of the Greeke and Latine Churches;' also in *MSPB*, 101. This latter source is used hereafter.

² Antonio Possevino, *Apparatus Sacer ad Scriptores Veteris et Novi Testamenti*, 2 vols. (Cologne, 1608), i, 178–97. I have consulted the copy in the University of Glasgow Library, in which the name of Charles Lumsden has been crossed out and that of Robert Baillie, 'R.o. Bayllie', inscribed in both volumes.

³ Philippe du Plessis Mornay, *De Sacra Eucharistia, in quatuor libros distinctum opus* (Hanover, 1606), 82; *Fourre Bookes, of the Institution, Use and Doctrine of the Holy Sacrament of the Eucharist in the Old Church* (London, 1600), 47.

of the sunne. The emperour was perswaded by him of the errour, but he could not be moved to change the receaved kalendar, seeing the matter was not necessarie and the change would breed a great sturre among the subjects, which wer more perrelous then the other were profitable. [p.2]

5. It is a vaine wish, uniformitie in mouth, seeing God hath ordained diversitie of languages; and uniformitie in ceremonies is less needfull. When Anselme, bishop of Canterburie, was upon such a purpose, Waltrane, bishop of Naumberg in Germanie, wrote unto him in plaine termes: 'It is not expedient because the ceremonies that were receaved would be thought necessarie, and the church whose paterne others were made to follow would presume upon her sisters.'⁴

6. Neither can this book effectuat a conformitie of Scotland to England, seeing it is so farre from the service of England. And where they differ, this draweth neerer to poperie (except the word presbyter and some chapters) for this book speaketh of wafer bread, of patine, and chalice. The English biddeth carie the relicts of the elements to the curat's house, but this forbiddeth to carie them out of the church, as if it were too holie to be caried abroad. At the distribution of the bread this booke omitts these words: 'Take, and eat this in remembrance that Christ dyed for thee, and feed on him in thy heart by faith with thanksgiving,'⁵ which words are in the English. It would seeme they would not have the people to eat but swallie the wafer, and they have not will that mention of faith be made, least it seeme against corporall presence. They have omitted also these words: 'Drink this in remembrance that Christ's blood was shed for thee and be thankfull,'⁶ for they mind at the next change to rob the people of the cup, and in the meantime put them out of use of these words. Other differences follow.

⁴ Walram became bishop of Naumberg in 1091; he died in 1111. Baillie gives no hints as to the source of his information, but whatever the reason, he has misrepresented the exchange. See Anselm, *Opera Omnia*, ed. F.S. Schmitt, 6 vols. (Edinburgh, 1946-1961), ii, 233-42. Walram wrote to Anselm expressing concern over diversity in worship: 'God is an indivisible Trinity, and however many are in God, they are one in himself. Diversity in the church is completely contrary to unity' (234). Anselm replied: 'It is lamented by your reverence concerning the sacraments of the church, [that] whereas they are everywhere, they are handled not in just one manner only, but in diverse ways in diverse localities. Assuredly, if they might be by one means only and harmoniously celebrated throughout the whole church, that would be good and praiseworthy. Seeing, however, that there are numerous differences which disagree neither in the main point of the sacrament nor in its goodness or promise, and it is not possible that they should all be gathered in one usage: I reckon that they are to be tolerated agreeably in peace, rather than discordantly to be damned with scandal' (240). Problems with the citation notwithstanding, Baillie's point about the historical acceptance of diversity of sacramental celebrations remains intact.

⁵ The service book has: 'The body of our Lord Jesus Christ, which was given for thee, preserve thy body and soul unto everlasting life'; *MSPB*, 200.

⁶ The service book has: 'The blood of our Lord Jesus Christ, which was shed for thee, preserve thy body and soul unto everlasting life'; *MSPB*, 201.

7. It was not the mind of King James that Scotland should have beene burdened with such a service unlesse they will say that his mind was contrarie unto his writt, as may be seene (to passe the confessions which he did subscribe and caused his subjects to subscribe) in the preface to the reader before his *Basilikon Doron*, where he, clearing what he had spoken in the book anent puritans, sayeth, 'I protest [p. 3] upon mine honour, I meane it not generally of all preachers, or others, that likes better of the single forme of policie in our churche, then of the manie ceremonies in the churche of England; that are perswaded, that their Bishops smels of a Papall supremacie, that the Surplise, the cornerd cap, and suche like, are the outward badges of Popishe errors.'⁷ And in the next page, 'praising God there, that there is presentlie a sufficient number of good men of them in this kingdome: and yet are they all knowne to be against the forme of the Englishe churche. Yea, so farre I am in that place from admitting corruption in Religion, as I wishe him in promooving them, to use suche caution, as may preserve their estate from creeping into corruption ...'⁸ And in the first booke, p. 6, he sayeth: 'If my conscience had not resolved me, that all my Religion presently professed by me and my kingdome, was grounded upon the plaine wordes of the Scripture, without the whiche all points of Religion are superfluous, as any thing contrary to the same is abomination, I had never outwardly avowed it, for pleasure or awe of any fleshe.' And in the 2 book, the closure of his advyse anent churchmen is: 'Being ever alike ware'⁹ with both the extremities; as well as ye repress the vaine Puritane, so not to suffer proude Papall Bishops: bot ... so chaine them with suche bonds as may preserve that estate from creeping to corruption.'¹⁰ These words show that King James of blessed memorie did not account them all rebels who wer in mind against the rites of England. Neither would hie that proud papall bishops sould play the tyrran of the consciences of men.¹¹ Neither would he any corruptions creep into this church which have not a warrant from the plaine words of scriptures, and farre lesse that be contrarie unto the scriptures. And all they who were familiar with him know that he was wont oft to say,

⁷ James VI and I, *Basilikon Doron. Or his Majesties Instructions to his dearest Sonne, Henry the Prince* (Edinburgh, 1603), b2r. The 1603 edition attempted to cover up some of the less discreet statements made in the 1599 edition, which had not been intended for public consumption. Mullan, *Episcopacy in Scotland*, 89-90. I have corrected Baillie's citations from the original; these are all of a minor, and generally orthographical, nature.

⁸ Baillie has made a couple of sensible alterations for clarity, beginning with 'I praise God that', and identifying 'him' as 'my son'.

⁹ wary.

¹⁰ *Basilikon Doron*, 44. This sentence is written in the margin of the MS. The omission is Baillie's.

¹¹ The phrase beginning 'that proud ...' has been introduced from the margin, and there is some editorial question about the structure of the ensuing sentence. There may be another phrase now obscured by tight binding, as there is in the text a note '2' which does not appear in the margin.

'The English service is an ill-mumbled masse.'¹² We wish this booke were examined according to that rule prescribed in these words. And who is ignorant that hee would have five dayes kept in remembrance of Christ's nativitie, passion, resurrection, and of his gifts bestowed on the church? But this booke hath discharged three of these. Even before the catalogue of holy dayes, it sayeth: 'These to be observed holy daies and none other,' and in the catalogue there is no mention of the day of the passion, resurrection, nor pentecost.

8. This book is not for the good of God's people, neither for [p. 4] increase of true pietie and sincere devotion, seeing it is rather to drive them from the knowledge of God into superstition and practice of manie things contrarie unto scriptures as is manifest by the paterne theirow, the missale, whence it flows originally.

9. Exceptions may be justlie taken against it, but that is none that it is conforme unto the English as it is English, seeing (blessed by God) we are not as before at hostilitie, but neighbours under one king and embracing others as brethren in Christ. But where England hes their owne dregs remaining, any among them who love the trueth will give thanks to be informed. Yea, and this book gives a new occasion unto the adversaries to say that we dislike many parts of their service, as in sume we will not deny, to wit, the reading of Apocrypha whereof many chapters are holden out heere and the observation of manie holy dayes, etc. And in some things a blame is put upon us undeservedlie, as of filthie covetousness, for England gives all the almes into the poore man's boxe, but this book maketh first an oblation of the almes in a bason unto God, and then parteth it betwixt the presbyter and pious uses generallie—a blame of ingratitude, for it hath not the words of thankfulnes at the communion which the English hath; the blame of presumption, where the English prayeth on Good Fryday that they may serve God truelie and godlie. This directeth to pray that we may serve God truelie and worthielie as if we were more inclining to merit than England is.

10. It may seeme a wonder how it can be alleaged that our first reformers were of the same mind with the authors of this service, seeing our first reformers in the *First Book of Discipline*, written by direction of the secret councell and allowed by the same anno 1560, say expresslie in explication of the first head: 'By contrarie doctrine we understand whatsoever men be lawes, counsels, or constitutions hes imposd upon the consciences of men without expresse commaundement of [p. 5] God's word such as binding of men and women ... to severall and disguised apparell, to the superstitious observation of fasting dayes ... keeping of holy dayes of certaine saints commaunded by man such as all these that the papists invented as the feasts (as they call them) of the apostles, martyrs, virgins, of Christmasse, Circumcision, Epiphanie, Purification, and other fond

¹² BUK, ii, 771.

feasts of our Ladie,¹³ whereas it is said heere: 'It is knowne that for diverse yeeres we had no other order for commoun prayer then that of England.' It is said in the second head of that book: 'The order of Geneva is now used in some of our churches and is sufficient to instruct the diligent reader how both the sacraments may be administred, yet we thought good to adde this as superabundant.... Whosoever presumeth in baptisme to use crossing accuseth the perfect institution of Christ of imperfection.... We judge sitting at the table as most convenient for that holy action ... that thanks ought to be given [instead of consecration], etc.'¹⁴ And in the third head they say: 'We cannot cease to require all idolatrie with all places and monuments of the same ... as chanteries, cathedrall churches, channonries, colledges, others ther are presentlie, parish churches and schooles to be utterlie suppressed.... By idolatrie we understand masse ... adoration of images and the keeping or retaining of the same, and finallie all honouring of God not contained in his written Word.'¹⁵ Could they [who] wrote so have allowed this book of service?

11. As for that ordinance which is heere alleaged, it is to be found in the Book of Nemo,¹⁶ seeing it is not shewed when nor where it was made. The words which they do cite out of the historie, as they name not whose nor what particular historie it is, so they make nothing to their purpose, for our reformers and our church today doe aggrie on them: 'We think not that religion is placed in rites and gestures, nor are we taken with the fancie of extemporarie prayers', but these authors would have [p. 6] religion to stand in rites and gestures which they do urge so vehementlie, and they are loath to studie either preachings or prayers according to sindrie occasions because they are taken up with other things and fane would have the exercise of religion easie and readie.

12. The publick worship of God ought not be formed by a set liturgie, neither by the various and suddaine fancies of men. The one is childish and breadeth an uncouth coldnes in men towards God, as King James speaks, *Basilikon Doron*, p. 12.¹⁷ And I may adde, it smels of sweare unwillingnesse to devotion, and the other smells of anabaptisticall enthusiasmes. A midde course is better as God dealeth diverslie with us; or as our daylie conversation looketh unto God, so sindrie occasions forbids set collects but require heartie and ~~sundrie~~ sincere devotion and earnest in a sundrie maner of words.

¹³ *The First Book of Discipline*, ed. J.K. Cameron (Edinburgh, 1972), 88; *The first and second Booke of Discipline* (n.p., 1621), 24. The ellipses indicate material left out of the original treatise.

¹⁴ *First Book of Discipline*, 91-2. Phrase in square brackets is Baillie's gloss.

¹⁵ *Ibid.*, 94-5.

¹⁶ An ironic name, meaning Book of No One, or The Anonymous Book.

¹⁷ 'The former way will breede an uncouth coldnes in you towards him, the other will breede in you a contempt of him.'

13. It is wished in the end of the preface 'that God would keep us alyke from superstition and profainesse', but in the first words immediatlie following the authours have rushed into superstition for there they command all presbyters and deacons to be bound to say daylie service in the parish church publikelie, and if none be with them, privatelie, and to that end to toll a bell before. And whereas before they did pretend conformitie to England, this is besyd the custome of England, whose church doore in manie tounes or many of all their churches in townes and all their churches in the countrie are shut from Sunday to Sunday unlesse upon some other occasion; and it wer more like the Romish church and their *opus operatum*.¹⁸

*An answer to the reasons why some ceremonies are abolished, etc.*¹⁹

As the entrance of ceremonies is certainlie knowne to have been upon sindrie occasions and by sindrie wayes,²⁰ so we wish that this book wer examined by that rule which is sett down in the first section, [p. 7] that is, ceremonies that are devysed by men ought to be referred to a decent order in the church and pertaine to edification.²¹ We wish that all ceremonies have these two cautions jointlie, but such as belong not to order in determining the generalities of worship and are devysed onelie as new rites of signification though they carie a shew of edification, come directlie under the name of superstition. Of this rank are crossings in baptisme or out of baptisme, the turning of the presbyter's face then to the people and now from the people, feasts, sett fasts, a ring in matrimonie, imposition of the bishop's hands in confirmation, etc.

2. Such things may seeme but small things, as it may be thought a small thing that Uzzah touched the ark,²² especially if his intention be considdered, but God strake him dead for it, and others may feare the like reward, not in that, but the like case.

3. All things should be done in a due and seemlie order and not be mixed with superstitions. It is no lesse true that the appoyntment of that order pertaines not to any privat man, and, I say, nor to moe privat men—neither to publick men. Neither should they presume to appoint, and farre lesse to change, any common and received order. That belongs onelie unto the generall assemblies

¹⁸ 'the work done', i.e. grace conferred as the result, not of the work of the priest for the recipient, but of the rite properly performed.

¹⁹ MSPB, 104: 'Of Ceremonies why some be abolished, and some retained'. This has been lifted straight from the *English Book of Common Prayer*, 1559 edn. (STC 16292).

²⁰ This phrase is inserted above the line.

²¹ Baillie borrows language from the book.

²² 1 Chronicles 13:9-10.

of the church. And therefore they have presumed too much who have devysed this book, seeing they are but privat men—yea, so privat that they dar not avow their names—and certaine it is that no generall assemblie ever yet hes seene it. And although they could alleage that direction was given by a generall assemblie for such ane thing, yet were they named to be the men or this an assemblie examined [sic] the book?²³

4. It is better to be addicted to good old customes than to innovat all things, for the old customes should not be changed upon [p. 8] privat motion, as it is said in the preceeding section. But the authors of this book have innovate all things. They have not retained any prayer that was used in Scotland before; they have changed the forme of baptisme, of the communioun, of mariage. And what have they retained? They have discharged the reading of the Revelation and other passages of canonicall scripture as less availeable to the church then the chapters of Apocrypha. Why then hath God made that book and the Song of Solomon and other chapters to be canonicall, and would not rather to have the Apocrypha to be canonicall?

5. They say they studied to please neither one partie nor other. In the contrair they have studied to offend all lovers of the Scottish church and to please the papists in verie many things, as in leape yeere they will not read the lessons and collects of Februarie 28 upon the 29 day but according to the Roman bissexus they read the service of the 23 day twice. They have the termes of matines and evensong, Magnificat, and Benedictus, patine and chalice, collects, and epistles when they are to read chapters of the Old Testament, as on Moonday and Tuesday before Easter, they name the psalmes from the words of the Latine sometimes onely, and sometimes they subjoine the number of the psalme and because of the variance of the Latine from the Hebrew and English, they advertise the papists how farre the variance continues. Yea they have so framed all the work that a papist will readilie subscribe it, many things in it being borrowed from the papists and nothing contrarie unto them as afterwards will be more clear. And who can doubt but they must be papists not onlie in their hearts but in their profession too, in no small measure, who send their sonnes to be brought up among the Jesuits, as Whytfoord, bishop of Brechin, hes done, contrair unto the acts of parliament.²⁴ Heare their reasons. They say:

6. Some ceremonies are put away because of the excesse, multitude, and intolerable [p. 9] burthen of them, which cause moved Augustine to complaine sometime and would have said if he had seene the ceremonies of late dayes used amongst us, whereunto the multitude in his time wes not to be compared. So

²³ substitute 'to examine'.

²⁴ 'Act anent chusing of Pedagoges to children passing forth of Scotland to Schooles' [1609], *Acts 16-20 Parliaments*, 30r-v; *APS*, iv, 406.

farre they answer, whom heare I either not a Scot or a lyar for never any church had fewer ceremonies then we had of late dayes and still have except those that are thurst upon us without law and order. Neither can they take one ceremonie from us but instead therof we shall be burthened with a worse and as by this reason—where be multitude of ceremonies, they ought to be put away, so by the same reason we are loath to receive a multitude of ceremonies as are enjoined in this book, whereof many pages are spent upon directions besyds these that are mingled thorowout it and so much the rather are we loath to receive them for.

7. The second reason, seeing Christ's gospell is not a ceremonial law but is a religion to serve God, not in bondage of figures and shadowes, but in freedome of the Spirit. *Answer.* Therefore we have no lyking of signifying ceremonies (except such as are commaunded in the Word) and we would faine be content with these ceremonies onelie which serve to the decent order and godlie discipline and no other. As for the stirring up of the dull minde of man be the remembrance of his duetie to God and their edification, that should not be done by rites devised be man, but by the directions, exhortations, and informations out of the holy scripture, which is the onlie meanes appointed by God and is a great d[e]ale easier, for it is done with a single travell²⁵ wheras the other requires a double travell, to wit, to learne first the rites and order of them, then the meaning of each rite, and thirdlie that the meaning be according to scripture. Put the case, then, these rites were lawfull and expedient, these three being conjoined experience of all ages shoves that many men content themselves with the *opus operatum*, and many turne them to another use; neither can more necessar principles be dung into the eares, far lesse in the affections of the unlearned. [p. 10]

8. Against this booke the third reason is most weightie, because the things in that booke have beene abused partlie by the superstitious blindnesse of the rude and unlearned, and partlie by the insatiable avarice of such as sought their own lucre more then the glorie of God; neither can the abuses of them be taken away, these things being retained (say they and I say) or received againe, and I adde partlie because the papists are readie to be confirmed in the rest of the differences and cast up in our teeth that we turne daylie to them whereas they nor their church have yeelded nor will yeeld one jote unto us.

9. The reasons for keeping (say they, but they should have said receaving) some of these ceremonies are naught. 1. They bid consider that without some ceremonies it is not possible to keep any order, and therefore just cause to reforme. But we had good order and good discipline too without such trash.

10. Next they say, if they think much that any of the old doe remaine and would rather have all devysed anew, then such men granting some ceremonies

²⁵ travail.

convenient to be had, surelie where the old be well usd there they cannot reasonable reprove the old only for their age without bewraying their owne folie and presumption, too.

11. And the more that under the name of ceremonies for order they slielie convoy rit[e]s of superstition, what thogh some of those be not enjoined which the papists still doe use, yet some of these which they would injoine be neither for order nor discipline but for superstition or lucre. And therefore we are so farre from esteeming rit[e]s equall with God's law, that for God's law we dar not receive those.

12. Fourthly, they alleage that these rites are not dark nor dumb, but every man may understand what they doe meane and to what use they do serve. *Answer*: It is true everie man may perceave, unlesse he be spirituallie deaf and blind, that they are crying 'returne to poperie and blindnes' for what other thing meane these [p. 11] set fasts that wer wont [to] be called Evens or Vigiliae, the feasts of our Ladie, of the saints and (I may say too) of the Lord, besyd the Lord's day. What meane the Sundayes of Advent, Circumcision, Epiphanie, be Ember weeks, Wednesday and Thursday before Easter, Munday and Tuesday in Easter week and Whitsonweek, the feast of Innocents (who ever wer innocents?), the sitting of the people at the reading of the epistle and their standing at the reading of the gossell? What meaneth that note on the margine of the prayer at the communion for the whole state of Christ's church: 'when there is no communion these words ... are to be left out',²⁶ that is, a prayer of the communioun, and they say when there is no communion? What meanes the frequent turnings and bowings at the communioun, the ring layd on the book, what meane these words: 'With my body I thee worship, and with all my worldly goods I thee endow'?²⁷ These have need of a rationale to come next. I have touched only a few for example; but this and many others, as they have beene abused, so we think they cannot be without abuse.

13. Their first reason is [that] in these our doings we condemne no other nation nor prescribe thing but to our owne people, for we think it convenient that everie countrey should use such ceremonies as they think best for the setting furth of God's glory and to the reducing of the people to a most perfect and godly living without errour and superstitioun. *Answer*: It is strange that they allow all nations to use their own rites, and will not suffer their owne nation to continue with the order and discipline which as yet not any nation hes improved and which (as a meanes) by experience hes brought forth so many devout people and learned teachers as have beene in this nation lately.

²⁶ MSPB, 190.

²⁷ MSPB, 225. Baillie omits 'worldly'.

14. Would God these novellers (as they should, so they) would put away all thing that from time to time hes beene perceaved to be most abused, as in men's ordinances not onely chanceth in diverse countries but ought to be.

15. But their whole admonition seemeth to be directed unto the Romish church to render them a reason why all the rits and ceremonies of the breviarium, missale, and rituale are not retained [p. 12], and there is good appearance that his Holinesse will accept the excuse for the tyme and this work a goodly beginning.

A Censure of the Work

In the work are some good things, it cannot be denied, especiallie direction for reading a great part of the Bible and some good prayers (which are called collects, and these short enough too[]). It is also true that enchantments begin with *In Dei nomine, Amen*, and the magick of Cornelius Agrippa²⁸ hes many excellent names of the Almighty God. So I say that this book is so cunningly contrived that if it expressly containe not all the points of poperie yet it maketh way for them all; I meane not of errorrs in superstition and rite only, but of all the heresies that are mantained in poperie, at least of the greatest part of them, for this is certaine that if one go thorow all the controversies that are handled by Bellarmine in his foure tomes²⁹ he shall find that in all the maine poynts this *Book of Service* consents and makes way that at the next change they may be received, and shall be found not contrarie unto that which is received. If this book be received, in proof whereof, confer these positions of Bellarmine with the words of this book and if in any place they will say that a glosse or stop is made beside the way or text, the glosse or step [sic] shalbe found conforme to the publick preachings and practise of that faction. Behold the particulars.

1. The first maine question of Bellarmine is *De Verbo Dei* where he alleages that the written Word is not sufficient without the books of Apocrypha and traditions, so doeth this book enjoin the reading of the Apocrypha and that instead of divine scripture, whereas many chapters and some whole bookes of

²⁸ Heinrich Cornelius Agrippa von Nettesheim (1486-1535), *De Occulta Philosophia Lib. III* (Lugdunum [Lyon; spurious imprint?], n.d. [1600?]), e.g., 577: 'Conjuratio diei Mercurii. Conjuro et confirmo vos angeli fortes, sancti et potentes, in nomine fortis, metuendissimi et benedicti Ja, Adonay, Eloim, Saday, Saday, Saday, Eie, Eie, Eie, Asamie, Asaraie: et in nomine Adonay Dei Israel, qui creavit luminaria magna, ad distinguendum diem a nocte ...' This comes from a section of the book entitled 'Elementa Magica Heptameron, seu Elementa Magica Petri de Abano philosophi.'

²⁹ Robert Bellarmine, Italian theologian and cardinal (1542-1621), an outstanding post-Reformation apologist for the Roman position. Most significant was his *Disputationes de Controversiis Christianae Fidei adversus huius Temporis Haereticos*, first published 1586-93. See *Opera Omnia*, 12 vols. (Frankfurt, 1965; repr. of Fèvre edn., Paris, 1870-4). Baillie moves in an orderly fashion through Bellarmine's treatise, beginning with vol. i of this edition.

the canonicall scripture are omitted as lesse needfull and which may be better spared. Thus they make the scripture at once both deficient and superfluous. Why then hes God made the Revelation and the Song of Solomon with other omitted chapters to be a part of the canonicall scripture, and would not rather insert the Apocrypha in the place theirow? And now we have gotten *Altare Christianum* written by Poklintoun³⁰ and grounded on the old traditions and constitutions of Clemens, Euaristus, Hyginus [p. 13] and other old Fathers whose wrote [sic] are nowhere extant but in Gratian's decrees and popish Decretals.

2. And Gratian himselfe, Distinction 20, cassiereth them all in the words of Pope Leo.³¹ There Bellarmine sayeth also that the scripture is obscure and only the teachers or the cleargie may be exponents of it and the people must follow the doctrine of the pastours. Thomas Sydserfe, bishop of Galloway, had in Januarie 1633 three sermons to one purpose, all aiming to prove that many things in religion be obscure and people should not meddle with controversies but follow the teaching of the pastours and there he inveighed particularlie against lawyers and physicians who will not content themselves with their owne callings but presume (as he spake) to talk of religion, to wit, Doctor Sibbald³² and many others had taken exception against Mr D[avid] Mitchell for preaching of universall grace and universall redemption.

3. Bellarmine[s] nixt maine controversie is *De Christo* where especiallie he laboureth to prove that Christ went downe locally into hell, howbeit he acknowledges that these words were not in the creed neither in the Easterne nor Western Church in the dayes of Irenaeus, Origen, Tertullian, Augustine, Rufinus, etc. This book at the communioun hes an auncient creed wherein is no mention of Christ's going to hell, but in reciting the creed at baptisme it divideth the creed in so many articles or commata, and whereas two or three articles are sometimes couched into one comma it maketh a comma by itselfe of these words, 'that he went downe into hell'. And it is known that it was the publick doctrine of [John]

³⁰ John Pocklington, *Altare Christianum: or, The dead Vicar's Plea* (2nd edn., London, 1637), 6: 'For the Primitive Church, Damasus sayes that Euaristus died a blessed Martyr; this man lived within eighty yeares after Christ, Anno 112, who (if we believe the Decretall) maketh mention of Altars.' On Pocklington, see also Robert Baillie, *Ladensium*, 84, 91, 93, and *Parallel*, 1, 2, 6.

³¹ 'It is not suitable that anyone pass judgment using the books or commentaries of others while ignoring the canons of the holy councils and the norms of the decretals, which have been received among us along with the canons.... For this reason, I am not afraid to declare clearly and with a loud voice that anyone (be he bishop, cleric, or lay) convicted of not accepting in their entirety what we have called the statutes of the holy fathers, which among us are entitled the canons, has shown that he does not keep and believe profitably and effectively to their purpose the Catholic and apostolic faith and the four holy Gospels.' Gratian, *The Treatise on Laws (Decretum DD. 1-20)*, trans. A. Thompson (Washington, DC, 1993), 85-6. Gratian was a twelfth-century canon lawyer and monk at Bologna. He codified ecclesiastical law.

³² Mullan, *Scottish Puritanism*, 222-3.

Maxwell, now bishop of Rosse, while he was minister of Edinburgh.

4. Bellarmine, his third controversie is *De Pontifice Romani*.³³ Thogh there be no mention of the pope in this book, yet it is certaine that Mr David Mitchell hes publickly preached the pope is not the Antichrist. So did [William] Forbes, bishop of Edinburgh, and now Maxwell, bishop of Rosse.

5. There Bellarmine sayeth the pope hes supream power in spirituall things and the onlie judge of all controversies. The bishops [p. 14] have made this booke all their owne hands without advyse of the church. Yea, they call themselves the church, as if whatsoever done by them wer done by the church. In their synods they permit neither suffrage nor reasoning, but *ex autoritate* they commaund.

6. Thirdly, Bellarmine sayeth the pope hath also highest authoritie in temporall things. George Gladstones, sometimes bishop of St Andrews, did call his vassalls once together and there he mustered and vauntingly said [that] King James held of him and was his vassell, but he held nothing of King James. And seeing he was not the worst nor proudest of that sort, the like may be thought, at least feared, of the rest, and now also they have *potestatem utriusque gladii*,³⁴ and while they attend diligently to exerce the one they forgett the other, except the benefice and lordship.

7. The second tome of Bellarmine's *Controversies* beginneth *De Conciliis* where he distinguisheth councells into lawfull and unlawfull and makes them both to depend upon the pope's will only, and it is certaine that now the pope will permit no councell because now he cannot lead them as he would; so doe our bishops with the generall assemblies.

8. There Bellarmine holds, the pope of his legats ought onlie to be moderator of generall counells and cannot be subject unto them because (forsooth) he judgeth all and ought to be iudged by none: what differeth that from the tenets of bishops anent generall assemblies?

9. His second controversie in his second tome is *De Ecclesia eiusque Notis*³⁵ where his chief purpose is to prove that the Romane church is the onlie true church, and the authors of this book show little lesse while they have made it so conforme unto the Romane missalle and rituale, and it is their common preaching that the Church of Rome hes not erred so farre as they are said; yea if prejudices were layd asyde the differences are small or none. And so these authors will certainlie yeeld to many branches of that head which Bellarmine hath there and have beene oppos[e]d by our church, and with one dash they destroy all our confessions that have beene received and authorized by assemblies and parliaments. [p. 15]

³³ properly *De Summo Pontifice*.

³⁴ 'power of both swords', i.e., spiritual and temporal.

³⁵ 'Concerning the church and its notes (or marks)'.

10. Then he speaks *De Clericis* and holds that only bishops and churchmen should be called *clerus Dei* or cleargie. So in this booke are the same called the holy cleargie and they bid pray for the holy cleargie as if either all bishops or churchmen were holy or then they would not have men to pray a blessing unto them who are not holie.

11. Bellarmine sayes the power of calling and chusing presbyters belongeth only unto bishops and no way of the flocks, of whome they are to be pastours and any entres³⁶ that the people were wont to have wes by connivence of bishops. This is the practise now.

12. Then he hath *De Monachis*, where the speciall controversie is that vow of blind obedience, which Bellarmine maintaineth. The practise of bishops is now they will not admitt an entrant without subscribing obedience to his ordinarie and under that word they think that all ministers are bound to accept whatsoever the ordinarie injoyneth.

13. *De Magistratu*. I mark one opposition twixt Bellarmine and these authours, but which maketh the more to their shame. He sayeth Catholicks and hereticks (that is papists and Protestants as he meaneth)³⁷ can no way be reconciled, and therefore pacification should no wayes be procured by magistrats, where he gives us to understand that the papists will in no termes yeeld one iote to meet with us unlesse we will altogether meit unto them. But the authors of this service think it an easie thing to reconceale³⁸ all and so they have begun to turne them and yeeld in so many things and in the first page of the commination against sinners they wish that more were brought in.³⁹

14. Then Bellarmine goes to purgatorie. Thogh the authors of this service have in it no mention of purgatorie, yet they go as neere as they can with honestie, when in the prayer at the communion for the whole estate of Christ's church they have a generall remembrance of the saints departed, and a thanksgiving for the gifts bestowed upon them in their severall generations, and a [p. 16] prayer for them that they may be sett on Christ's right hand in the day of judgement. None of which three hath any example or warrant from scripture to be done at such time especiallie, but it pleaseth them to come so neere to the cannon of the masse.

15. From purgatorie he mounteth to the canonized saints and their worship, of which worship the observing of thir holy dayes is a part and these are established heere.

³⁶ interest.

³⁷ I have moved the) from after 'Protestants' to its present position.

³⁸ i.e., reconcile.

³⁹ MSPB, 242.

16. The next question is of relicts and images. Mr D. Mitchell, preaching in Edinburgh on these words 1 John 5 [:21], 'keep you from idols', said idols are to abhorred but not images which may serve for good in the church. And Whitfoord bishop of Brechen, when he was taking up the inventar of things left in the abbey of Arbroath, found in the hall an old image of Christ which he commended above all the peeces there and said it is to be respected not as a civill ornament only but as a religious monument.

17. There Bellarmine commendeth crossing or the signe of the crosse, and it is commaunded in this book to be used in baptisme.

18. Thereafter he speaketh of churches and holy dayes, wherein I need not to insist, seeing hee and they agree that churches must be consecrat and they are holy things in themselves and not in use only, and holy feasts are commaunded.

19. His third tome beginneth *De Sacramentis in Genere* which he holdeth to be seven, whereof two onlie are to be generallie received and five by particular men or upon particular occasions. So sayes the catechisme in this book—how many sacraments be they? 'Answer: two onely to be generallie received',⁴⁰ which words make way to the other five which is the more to be thought upon because in the end of the communion the last direction sayeth, 'every parishoner shall communicate and receive the sacraments'.⁴¹ This last word being spoken in the plurall number and distinguisht from the communion, imports that each parishoner should receive other sacraments. It may be they meane pennance, and I [know] not what others.

20. Bellarmine sayeth the received [p. 17] ceremonies that are wont to be used in the sacraments (whereof some consist in apparell, some in action and gesture) should be not omitted *sine gravi peccato*.⁴² To the same purpose is that commaund in the first page of the order where and how morning prayer shall be said.

21. Bellarmine sayeth the sacraments consists of the outward elements as the matter and of certaine and determinat words of consecration (distinct from the Word preached) as the forme. This booke prescribes certaine and determinat words both of consecration and at the giving of the elements, albeit all such consecrations be abhominable for they are not only words dedicating an earthlie thing unto a religious use, but praying for sanctification and a blessing unto the

⁴⁰ Baillie has falsified the text: 'Q. How many sacraments hath Christ ordained in his Church? A. Two only, as generally necessary to salvation: that is to say, Baptism, and the Supper of the Lord.' *MSPB*, 219. 'Generally' might be taken to deny the absolutely essential nature of the sacraments.

⁴¹ 'And note, that every Parishoner shall communicate at the least three times in the year, of which Pasch or Easter shall be one; and shall also receive the Sacraments and observe other rites according to the order in this book appointed.' *MSPB*, 204.

⁴² 'without grave sin'.

elements: 'Belle and sanctifie these thy creatures, sanctifie this fount,' say they. This was not the practise of Christ nor of his apostles unlesse they will say Paul hes not expressed the whole institution. Paul sayeth he gave thanks and no more, and no evangelist mentioneth the sanctifying of a font or water.

22. Of baptisme, Bellarmine holds that the outward washing with water is absolutelie necessarie unto salvation, so that the children dieing without baptisme must perish eternally. This book hath this inscription before privat baptisme of them that are to be baptized in privat houses in time of necessitie, and in the second direction it is said, they shall warne them that without great cause and necessitie they procure not their children to be baptized at home. This necessitie is no other but perrell of death⁴³ as is evident by the hastie dispatch of baptisme which is supposd in the third and fourt direction.

23. Bellarmine sayeth, infants who are offered unto baptisme beleeeve actually by the faith of their godfathers; he speaks not of the faith of their parents. This book directs to ask the child, 'Beleevest thou in God the Almighty, etc.', and the godfathers must answer [for] the child as if the child were speaking, 'I stedfastlie beleeeve.' The presbyter demaunds: 'Doest thou forsake the divell and all his works and the vaine pomp and glory of the world?' Answer: 'I forsake them [p. 18] all.' It is farre better when the parent is asked of his faith and promisseth to bring up his child in the⁴⁴ faith and so the child is the seed of the faithfull. But the papists will have other parents of the spirit then of the flesh, wherupon also they ground the degrees of spirituall affinitie like unto these of consanguinitie.

24. Bellarmine's second sacrament is confirmation which is called a sacrament properlie and the effect of it is a copious bestowing of the Spirit against the tentations of the divell. This book calleth it not expressly a sacrament but gives it a signe, the imposition the bishop's hands, and for the effect of it the book sayth confirmation is ministred in that they may receive strength and defence against all tentations to sin and the assaults of the world and the divell.

25. Bellarmine sayeth only the bishop or his suffragan or vicar is the minister of confirmation; this book sayeth the bishop or such as he shall appoint.

26. Then he goes to the masse, and whether the word 'masse' be taken for the service and administration of the sacrament or for the sacrifice, nothing is liker to a masse then that which in this book is called the communion. The masse his⁴⁵ collects, responses, offertories, prefaces proper and commoun, patines, chalices, consecration, oblation, standings heere and standings there, sometime bowings sometime kneeling, turnings of the presbyter's face to the people and

⁴³ Mullan, *Scottish Puritanism*, 66-70.

⁴⁴ 'the' is in the margin. In the actual text, 'the' was there originally, then crossed out with 'his' placed above the line, which was then crossed out, leaving the marginal note to return to 'the'.

⁴⁵ its.

from the people, corporals, carpets—all these are heere.

27. Bellarmine will have the bodie and blood of Christ substantially and bodilie present in the elements, and by vertue of the words of consecration the bread and wyne are transchanged, sayeth he. This book hes the same words in the consecration, 'that the bread and the wyne may be unto us the body and blood of Christ,' howsoever these words be near the words of Christ, 'This is my body'; yet seeing the words of Christ are misinterpreted, should not they once be exponed and some dislyke shewed of tran[p. 19]substantiation? But this dislyke dislykes them, for it is their commoun preaching that the bread and wine are verilie the body and blood of Christ, for no man could speak more properlie than he did. Neither ought we to enquire the maner how they be the same. But if we will speak anything of that unioun of the elements with the body of Christ, it may be called *extensio incarnationis*,⁴⁶ say they. In the incarnation Christ took an individuall nature of man unto the unitie of his person, and in the mysticall union he assumeth moe, but he assumeth not the elements of bread and wine neither is he united with them any other way but by relation.

28. Bellarmine sayeth unleavened bread is required for the proper matter of this sacrament. This book sayeth in a parenthesis, which the English hes not, thogh it be lawfull to have wafer bread.⁴⁷

29. Bellarmine sayeth the *species extra usum*⁴⁸ remaine the verie sacrament and therefore should be kepted, etc. This book sayeth, 'if any of the bread and wine remaine which is consecrated, it shall be reverently eaten and drunk by such of the communicants only, as the presbyter which celebrates shall take unto him; but it shall not be carried out of the church', as if it wer too holie to be carried to the curat's house as the English commaundeth, or a pairt be given to the needie, as the custome of some is.

30. Bellarmine sayeth [that] in the masse is a verie and properlie so-called sacrifice that is externall and reall. This book sayeth in the direction after the contribution of the almes, 'when all [the people] have offered, [the deacon] shall reverentlie bring the said bason with oblations therein, and deliver it to the presbyter, who shall humbly present it before the Lord, and set it upon the holy Table. And the presbyter shall then offer up and place the bread and wine ...' and say, 'We humbly beseech thee ... to accept our almes and to receave these our prayers, which we offer unto thy Divine Majesty ...'⁴⁹ The English hath no such presenting of devotions or oblations before the Lord but commaundeth to put the same immediatelie into the poore man's boxe. Afterwards also is a prayer of

⁴⁶ 'an extension of the Incarnation'.

⁴⁷ MSPB, 204.

⁴⁸ 'unused materials'.

⁴⁹ MSPB, 189. Square brackets indicate Baillie's addition of words, for understanding.

oblation [p. 20] after the consecration which imports a sacrifice. And thogh there they make remembrance of Christ's death, passion, sacrifice, resurrection and ascension, the same is also done in the canon of the masse, and therefore as these words of the canon will not prove in judgement of the papists that it is not properly a sacrifice, so these words of this service make way as is said before to receive that sacrifice, especially seeing there is nothing heere into the contrarie. Gregory his masse called the almes of the people a sacrifice, and the papists have turned these words since unto the elements. But this service applyeth the word to both and maketh a twofold oblation.

31. Bellarmine sayeth the pascall lamb and other sacrifices of the Old Testament wer types of sacraments, whereas all sacraments signifie one thing rather typ[e]s or figures of the masse. This book in the first prayer of baptisme maketh the deluge of Noah and the passing of the Israelits thorow the Red Sea to be signes of baptism, as if sacraments and other signifying things wer types of sacraments; wheras all sacraments signifie one thing, to wit, Christ and his benefits.

32. Bellarmine sayeth the sacrament of the masse hath many effects, partly for the soule and partly for the bodie. This book commaundeth persons when they be married, and women when they are kirked, to take their communion. And why so particularly then but for some particular effect and blessing to the present busines?

33. Bellarmine sayeth the masse availeth both to the living and to the dead, especiaillie if it be offered for them by name. This book in the prayer for the church maks mention in generall of the souls departed and gives thanks for them and maks petition for them, that they may be set on Christ's right hand.

[34.]⁵⁰ To be short, all the collects, proper prefaces, confessions, absolutions, consecrations, and prayers of oblation are taken out of the missale, and to convey them the more sleelie this keeps [p. 21] not the same order and maketh a little change heere and there. What thogh all the rites and superstitions of the missale be not heere, yet I dar boldly say, there entred not so many of them together into the Romane church.

35. Bellarmine[s] 4[th] sacrament is pennance. Of it the book before commination against sinners sayth: 'Brethren, in the primitive church there was a godly discipline, that at the beginning of Lent such persons as were notorious sinners, were put to open penance, and did humbly submit themselves to undergo punishment in this world, that their souls might be saved in the day of the Lord.... In the stead whereof, until the said discipline may be restored again (which thing is much to be wished), it is thought good ...'⁵¹ In the primitive

⁵⁰ There is no 34 in the paragraph numbering. Either it should be here, or else this belongs with 33, and the number 34 has simply been inadvertently missed.

⁵¹ MSPB, 242.

church it was not such a custome, neither wer it a godly custome to delay sinners into their particular time. But this is a goodly foundation for pennance and conformitie to Rome, which heere is called the primitive church, and with this conjunction conjoine the practice going before. When the Lord Curriehill⁵² was on deathbed he was exhorted by Mr David Mitchell to confesse his sins if any did grieve his conscience, and according to the power given unto him he would minister comfort, wherupon the ladie put out the minister as if he had beene a priest confessor. This was almost conforme to the order now prescribed in the visitation to the siek where it is said 'the siek person shall make a speciall confession [, if he feel his conscience troubled with any weighty matter. After which confession] and⁵³ the presbyter shall absolve him [after this sort]'.⁵⁴ Neither is it required there that the partie confessing shall shew a sorrow for sinne.

36. Bellarmine maks the essentiall parts of pennance two—the actions of the penitent as the matter, and the absolution of the priest as the forme. Besyds that which is said of the visitation of the sicke, this book in the beginning of the daylie morning prayer hes a confession of the people and an absolution to be pronounced by the presbyter alone, he standing and turning himself unto the people and they still remaining on their knees.⁵⁵ When both mater and forme of the sacrament are present, what hindreth it to be a sacrament? And that ab[p. 22]solution is so contrived that scarcely can they tell whether it be a prayer, as the first and last words may seeme, or a judicall sentence, as the middle part seems to be, and the words are some in name of the people, 'that we may receive from him absolution from⁵⁶ all our sins', and some in name of the presbyter. The same Almighty God pardons all and absolves all them that truly repent. It is so confused that I keep not the order of it, and the authors have not knowne how to continue it to please all parties.

37. The fift sacrament besyd Bellarmine is extreme unction. Insteed thereof this book enjoyneth the communion of the siek, and in some cases to communicat alone with the presbyter.

⁵² Sir James Skene, lord president of the College of Justice, d. 1633. He may have had presbyterian sympathies, or, in Calderwood's account, 'Some ascribed his not conforming [kneeling at Easter communion 1619], not to conscience, but to the dissuasions of his mother-in-law, and her daughter, a religious gentlewoman [Janet Johnston]', *DCH*, vii, 383; *DNB*.

⁵³ Baillie's omission is in square brackets; he added 'and' for continuity. I have made minor emendations on the basis of *MSPB*, 233.

⁵⁴ The rite continues: 'Our Lord Jesus Christ, who hath left power to his Church to absolve all sinners which truly repent and believe in him, of his great mercy forgive thee thine offences: and by his authority committed to me, I absolve thee from all thy sins, In the Name of the Father, and of the Son, and of the Holy Ghost. Amen.'

⁵⁵ A close rendition of the instructions: *MSPB*, 131.

⁵⁶ Baillie has 'for'.

38. The sixt sacrament is ordination, whereby is given, sayeth Bellarmine, justifieing or sanctifieing grace to exerce the power of the keyes—that is, to remitt sinnes, which power belongs only unto the ministers of the New Testament. This book calls not orders a sacrament, yet it appoints sett dayes (as the ember weeks) and collects for it, as if it were a sacrament and in the visitation of the siek the presbyter is directed to say, 'By this authoritie committed unto me, I absolve thee from all thy sinnes in the name of the Father, of the Sonne, and of the Holy Ghost.'

39. Bellarmine maks ~~so many~~ seven orders in the church and everie order hath their own ordination distinguished. This book speaks of bishops⁵⁷ ~~presbyters and deacons~~ to be actours, and the practice is that bishops are not ordained after the same manner that presbyters are, and so these are two severall orders, and the one may not be couched under the name of the other.

40. The sevent sacrament is matrimonie. This book calls it not a sacrament but maks it more like a sacrament than Bellarmine does, for he maks the words of consent to be both matter and forme of it. But this book is to the imitation of the missale of Sarum gives a ring sanctified (there, by holy water, and heere) by touch, the book for the signe and matter, and for the forme of it, it gives words such as they can not give any reasonable exposition [p. 23] of them as these that the man should say: 'With this ring I thee wed, with my body I thee worship, with all my worldlie goods I thee endow: In the Name of the Father, and of the Son, and of the Holy Ghost.'⁵⁸ What man of estate will endue his wife with all his worldly goods? Thus such men as shall be married after this maner shall be made false and abuse that holy name of the Father, Sonne, and Holy Ghost. And in the prayer following it is said, 'We blesse these in thy name that they may surelie keep and performe the vow and covenant betwixt them made wherof this ring given and received is a token and pledge'.⁵⁹ Is not a religious token and pledge of grace a sacrament, at least all that the papists require to an sacrament?

41. Bellarmine, among the causes hindring the contracting of mariage, ~~reput~~ cite[s] *cognatio legalis* and *spiritualis*.⁶⁰ This book maks way for that *cognatio spiritualis* when it ordaines godfathers and godmothers (that is, spirituall parents held to such obligation) as to see that the children be brought up in the faith till they be

⁵⁷ marginal note: 'or ordinaries, presbyters, curates, ministers, deacons, clerks, and church wardens'.

⁵⁸ MSPB, 225.

⁵⁹ The book reads: 'Send thy blessing upon these thy servants, this man and this woman, whom we bless in thy Name; that as Isaac and Rebecca lived faithfully together, so these persons may surely perform and keep the vow and covenant betwixt them made, (whereof this ring given and received is a token and pledge); and may ever remain in perfect love and peace together, and live according to thy laws, through Jesus Christ our Lord. Amen.' MSPB, 226.

⁶⁰ 'legal and spiritual relationship'.

confirmed and by consequence spirituall children, whereof the like is not in scripture.

42.⁶¹ The fourth tome of Bellarmine handleth the questions of the estate of man before the fall, of the estate of man under sinne, and of sinne generally, and of originall sinne, of the grace of God and predestination, of mans free-will, of justification by faith, merite of good works, and perseverance. In all which it is manifest how farre these authors have departed from the orthodoxe faith and confession of Scotland, as is knowne by their preaching of the Arminian errors. And these errors are sleelie mixed here too, for in the antheime of Easter it is said: 'For as by Adam all men do die, so by Christ all men shall be restored [to life].'⁶² And in the catechisme, at the question of the summe of the creed it is said, '[Secondly, in God] the Son, [who] has redeemed me and all mankind,'⁶³ and in the second collect of Good Fryday where the English hath 'that every member of thy congregation may truely and godly serve thee,' this book sayeth, 'may truelie and worthielie serve thee.' Is not this an ap[p. 24]proaching unto merit? Thogh these phrases be like some words of scripture, yet they ought to be cleared especiallie in these dayes when they are misinterpreted to be the ground of so many pernicious errors, unlesse we professe to erre with them who are unstable and abuse scripture to their damnation.

50. Then Bellarmine handleth good works, more specialie where of prayer he sayeth these words, 'for thine is the kingdome and the power and the glorie for ever', are superstitious and not found in the text. This book omitts these words (and forbids to adde them) for after then it hes them.⁶⁴ He sayeth, the canonicall houres are advysedlie prescribed and should not be omitted by the cleargie, howbeit none of the people be present. It is so enjoined heere for evening and morning, as I touched before. And heere, by the way, it may be asked what these prayers doe meane? The collect of the Septuagesima, where they say, 'O Lord, we beseech thee favourably to hear the prayers of thy people, that we which are justly punished for our offences, may be [mercifully] delivered [by thy goodness, for the glory of thy Name] ...'⁶⁵—heere they suppose that the people shall ever be punished on that day, and nevertheless it may happen on some of these dayes the people be under no punishment. And on the 12 Sunday after Trinitie it is said: 'Pour down upon us the abundance of thy mercy, forgiving us those things whereof our conscience is afraid, and giving unto us that our prayer dare

⁶¹ The numbers are just set off into the margin. Closely below 42, the numbers 43 to 49 are inscribed in smaller characters.

⁶² Baillie had slightly abbreviated this text, most notably the final two words. *MSPB*, 162.

⁶³ *MSPB*, 217.

⁶⁴ *MSPB*, 183, 200. There is no formal prohibition.

⁶⁵ *MSPB*, 157; square brackets restore Baillie's omissions.

not presume to ask⁶⁶—what great thing may this be? We dar ask the favour and face of God, and is there anything greater, or is it some obscene and unlawfull thing? But they regard not what they write or say so that they be conforme unto the missale, as these collects be translated out of *oremus*⁶⁷ of these dayes. And what meanes it that on the feast dayes they direct to read the proper collects not only on the feast day but on all the dayes of the weeke following, or till the next feast? And so on Yule day they say, 'This day Christ was borne', and on the morrow they say the same, and on the third day the same, and so furth till the circumcision—wes the Virgin [p. 25] Marie travelling seven dayes in birth? So on Whitsonday they make mention of the descending of the Holy Ghost and on Monday and on Tuesday and so furth till the next Sunday—did the Holy Ghost descend on each one of these seven dayes? and so furth of the rest of [the] feasts.

52. Of fasting, Bellarmine sayeth the church of the New Testament ought to have sett dayes of fasting and all men ought to keep them. This book prescribes set fasts and many of them⁶⁸ without any exercise of religion, to wit, one day before the great feasts as Hallow-even, Yule-even, Candlemes-even, etc., Ash Wednesday, ember weeks, etc. Thus have we followed Bellarmine's footsteps.⁶⁹

Now seeing this book and the authours thereof with their followers are so much conformed alreadie unto the papists, how great need hes Scotland to fear that they intend no other thing but a returning unto the puddle of superstitions and heresies. And seeing with one assault they have presumed upon so great progresse, what will they not doe at the next onset⁷⁰ if now they be not repeld? We have not beene so wise as to have resisted the beginnings of these evils in such measure as ought to have beene, yet it is better to resist the second blow then to repent too late, when evils shall be so multiplied that they can not be shaken off.

⁶⁶ MSPB, 171.

⁶⁷ He complains that the collects are simply English renditions of prayers found in the missal (*oremus*, 'let us pray').

⁶⁸ page damaged; probable reading.

⁶⁹ a figure is crossed out.

⁷⁰ a figure is crossed out.

William Spang to Henry Rollock, 1638

[112r] Reverend and most loving brother, Though by your long silenc I was almost resolved very seldom to importune you, yet now I am constrained to brak my resolutione be ressoune I am enformed by sundries of many calumnies flying against me and boldlie vented from hand to hand, as if I wer a favourer of the unhappie novatiouns obtruded upon our church, yea, and inclinable to poperie in gross. Such injurious and unjust dealing, so long as it walked in privat, I did patientlie suffer, hoping that by my modest cariadg and silenc it wald hav groune out of dait; but being informed that impudentlie such untreuhts ar vented and beleeved by too many, quhos good opinioune of me I did rejoyce in befor, and that men are becom so uncharitably shamles as to informe and persuad thes noblemen, gentlemen, and ministers (who are comissionars) of such thinges, if now matters coming to this hight I sould not shaw my innocence, I wer *fama prodigus*,¹ and so a half-murthrer of myself. And because I know quhat power ye hav with our people and am persuadet of your affectione towards me, quherof I hav had singular proofes befor quhen I did stand in neid of your assistance, therfor I am the mor bold with you to shaw my innocency, and if ye receiv any satisfactioun by it, I hope ye will tak pains to vindicat me at the hande of uthers quho hav been too credulous.

First, ye your self can best witnes how little I was affected to any innovatioun either in doctrine or discipline befor my comming hither: how I was blamed and what I suffred at the hande of Mr Thomas Sydserf and Mr John Maxwell, being censured by them publictly in the presbitery because I was bold to refuit Mr Menteith's Arminian expositioun, to whom I then addet the text [being]² Hebrews 6:4-5, how violentlie they spake because I mainteined that *jure divino* episcopacie differt *a presbitero*. Whereof pains they tooke to hinder my setling heir, and quhen I was com heir how unchristianlie they did endeavour to creat me truble, and mak my minstery disgraicful. As my opinioune was then; so is it now, neither hav I ever had any ressoune to alter my judgement, which my ordinary hearers can witnes.

¹ 'a prodigal, by public opinion'.

² conjectural reading; right-hand edge of page missing. On this episode, see Mullan, *Scottish Puritanism*, 221-2.

Secondlie, sinc all thes troubles hes risen at home, the Lord is my witnes, with quhat greif [my]³ heart hes bein woundet, how earnestlie I hav recommendet the state of our church [and] contry to God, being alwayes sparing to tuich that wound because I was not fullie enformed of all particulars. The maine intentione I lyked weill, and spared not in privat or publict to advance it as much as any at hom did. As for privat passadges, quhat hes fallen out by the rashe heedines of the commouns and such uther actis of open violence, these I could not approve, ~~but~~ and that the rather, because these quho use to com hither, being y[oung]⁴ men for the most part did glory and brag in such actions, and spared not to vaunt of t[hem] to strangers. Such doings I did reprove in some and so I think ye and all upright good men do also. Yet even that hath bein the caus why men hav slandered me, thinking all to be enemies to the caus quho doth not approve each actione and word that is [written] or spoken either lawfully or unlawfully, for its advancement.

3dly, as before, so now, though I do not approve the English liturgie, yet I will be loath to go so far as to call that church guilty of idolatry, heresy, and that because of her liturgy. Errours to be in it I confess, but heresie and idolatry as yet I hav fond non. I know some new English popish divins hav given just occasioun to the imputations, but it were unjust to chaarge the church for the errors of privat men, though mantained [and] printed by authority. Who can say, that the apostacy of the saints is a thing mantained by the Church of Scotland, though Mr Mitchell most boldlie wold ~~has~~ [have] maid the world beleeve that that tenet is foundet in the forme of administratioun of baptisme. Particularlie I can not as yet find that the mass is materially contained in that new liturgie obtrudet. What our bishops aimed at, God and themselves know, but in the words, let them be examined *ad rigorem*, ye will not find: 1. transubstantiation; 2. intercession of saints and angels; 3. prayers for the dead in purgatory; 4. a unknowen tong; 5. sacrilegious withholding of the cup from the people, and such lyke. The ressource why I think we sould be warrie to impute idolatrie to the Church of England is that we may not strengthen the Brunists in ther unchristian separationes who doe alreddy make grit advantadge to their caus by it, as they think. Lykewyse I cannot think it to be a branch of will-worship to read prayers publictlie upon a booke, as I sie it is mantained by publict ventings now, and it may be, practised. This I do avow to be a chainge brought into our church. Therfor I wishe ye quho ar not of that mynd, may timouslie look too: *crede mihi, serpit gangrana ista latius quam putatur*.⁵ As I hait all superstitiouns of papists, practised by any, so I pray God to keip me from the uther extremitie.

³ The right-hand edge of the page is damaged.

⁴ conjectural reading; edge of page damaged.

⁵ 'Believe me, that gangrene creeps along more widely than is thought.'

[112v] 4th. The *Book of Canons* I can not but dislyke both for ther matter and the manner of bringing them in (so also I hav said of the liturgie). The matter, 1. because they dischaig quhat hes bein mantained, practised uniformlie and comfortably in our churches sinc the Reformatione, viz. sessions, presbyteries, slandering them with the name of conventicles, bringing the censure of faults and all church disciplin from the church to which it belongeth to the bishops' officials, discharging also all privat conferences about the scripture; and a number the others. 2. Because I find contradictions in it—in on[e] plaic discharging summar excommunication from most reasonable grounds, and in another plaic, ordaining men to be excommunicat *ipso facto*: and that not for the transgression of any of God's commands, but for calling in questioune any rubrik of the liturgie, canons, book of ordinatione; also ministers may appeal from the bishop's sentence to the king, and yet, in another canon, ministers must not go to court without the licence of ther ordinary. Is it probable that the ordinary of quhoes unjustic they complaine will grant him that licenc? This is to bid a man goe, and then cut his feat, and stop his way. 3. Because ther is ane canon quhich openeth the door to all novations in doctrine and maks the world belev that we hav as yet not bein fully and rightlie reformed; quhen it sayeth that reformatione asweil in doctrine as discipline is not yet come to perfectioun, heir lurketh a deep mystery quhilk aught to be scanned, the rather because in all thes canons, they never mentioune our confessioun of faith, but tyeth us to subscrib books quhilk as yet hav no being. 4. Sacramentall confessioun is injoynd, and that in capital letters. Quhat mean they to call it sacramentall, except that heerby they wald mak penance a sacrament? The rather, because in ther cathecisme [sic], they say ther ar two sacraments generallie necessarie to salvatione, implying that ther ar more, though of another nature, amongst which penanc most be one, quhilk is part of⁶ confessioun, therefore called sacramentall. 5. Contraire to God's word and the judgement of all Reformed divins, they do declare that the innocent party after lawfull divorce is to abstaine from mariadge, else quhy sould the commissar be injoynd to tak a band for that purpose, *sub gravi poena*?⁷ This I fear is to mak a sacrament of matrimonie, for the papists do think it is impossible to dissolve the bond of matrimony, because it is a sacrament, and by divine institution signifies the insoluble union of Christ and the church.⁸ Ad to this that former article of the catechisme that ther are but two sacraments generally necessary, and if the book of ordinatione had com forth, I think we sould have had

⁶ 'part' is conjectural—the text appears to be abbreviated—while 'of' is inserted here in place of 'is'.

⁷ 'under grave penalty'.

⁸ 'it is' trans. from Latin.

sacramentum ordinis,⁹ too. 6. They do injoin a uniforme observanc of the feasts of the saints, and of the Lord's day, the one (at the best) being but a traditione, the uthar having ground in scripture (as thes quho speake most contemptibly of it can not deny): is not this to commend that traditions of men sould be embraced *pari prelati assertu cum verbo dei*?¹⁰ 7. They do injoin ministers to preach workes to be necessary and yet explaineth not after quhat manner of necessity, and so giv popishlie affected ministers liberty to vent *necessitatem efficientia pro predicta idque sensu pontificio*.¹¹ Shelfoord's book manteining justificatione by charity¹² by most ridiculous paralegisme may be a commentary to that. 8. They hav passed the bounds of ecclesiastique authority, quhiles in on[e] of ther canons they ordaine ministers how to dispose of ther goods, *idquae sub poena nullitatis testamenti*.¹³ Never wer any frie borne citizens of any kingdom discharged to dispose of ther goods except thei were knowen to be idiots or spendthrifts, and that too belongs not *ad forum ecclesiae*. Thes are but few of the many absurd things I marked long sinc in that book of canons, and hav preached and spoken against them quhen my text affoordet, as much as any uthers of my gifts. But as for the manner of bringing them in, I could never approv it, let them be never so good, yet 'it is not permitted to the political ruler to thrust in upon the subjects new ecclesiastical ceremonies in place of the previous honourable and becoming ceremonies of antiquity, and that violently', and this, as I found it groundet on ressource from scripture, so to be manteined not onlie by these quho odiouslie ar called puritans, but by Lutheran divines living under the authority of kinges, as D.

⁹ 'the sacrament of holy orders'.

¹⁰ 'by assertion of a prelate, equal with the Word of God'.

¹¹ 'the necessity by effectual power possessed beforehand, and that according to the popish sense'.

¹² Robert Shelford, *Five Pious and Learned Discourses* (Cambridge, 1635). On the title page Shelford, minister of Ringsfield, Suffolk, is called 'priest'. In one of the discourses, 'The Ten Preachers, or A Sermon Preferring Holy Charitie before Faith, Hope, & Knowledge', Shelford wrote: 'But, saith the Puritane, We have no sermons, we are without a preacher, we shall perish for want of knowledge. I answer, It is not knowledge that shall save: because then all they that know the will of God, and the mysteries of life, must needs be saved. But so they shall not, because our Saviour saith, "He that knows his masters will, and doth it not, shall be beaten with many stripes ..." Then knowledge without charitie saveth not, but increaseth punishment, and puffeth up,' 60.

¹³ 'and that under pain of the nullification of testament'. See *Canons and Constitutions*, 36. Spang has misrepresented the canon. The Latin phrase does not appear in the book; indeed, there are very few Latin words at all. The most significant of the relevant canons is xvii/7: 'For the greater encowragement of people, to the workes of Pietie, and Charitie, If anie Bishop, or Church-man, shall depart this lyfe, leaving no Children, nor Successour of himselfe, hee shall leave his Goods, or a great part of them, to the Church, and holie Uses. Or if hee have Children, for whom hee must provide; yet according to his abilitie, hee shall leave some Testimonie of his love to the Church, and advancement of Religion.'

Brochman¹⁴ in Denmark, now professor at Copenhagen, or Hafnia;¹⁵ Whitaker¹⁶ quho both are knowen to be earnest manteiners of prince's prerogativs; and Junius¹⁷ quhile he was professor at Heidelberg, beside thes who ar cited in that learned discourse of *English-Popish Ceremonies*.¹⁸ I have been too prolix heirin, not as if I were doubting that ye had not looket in all these things befor, but onlie to shaw you my opinioun of them and sinc this is my judgement in the presenc of God, how can any with any gro[u]nd repute me as a favourer of such novations? I have been more sparing about the service book, because I acquiesce to the cheif of the challenges maid against it by the ministers at Lincolnshire¹⁹ or rather²⁰ Londoune, in so far as they charg it not with heresie or idolatrie. [113r]

Now I com in the nixt roome to answer thes challenges maid against me. 1. That I did preach at Christmas last, and for the honour of that feast, ordained a new song, viz. that of Simeon's to be sung,²¹ I answer: 1. I never preached at Christmas because Perth assembly did ordaine it, but because I fand it to be the custome of this church befor my entrie in Mr Alexander McDuff's²² tyme, long befor Perth assembly was thought upon. 2. Because I fand it to be practised by all the Reformed Dutch and French churches in this land, upon which day also the civil magistrat dischargeth all manner of working. I therefor must hav suffered our people to hav bein idle or else brought them to the church. 3. The first two years that I com heir, I did abstaine from preaching upon that day, fearing that our too precise people sould hav been offendet with it, and did not not preach till the merchants and the church sessione did earnestlie require it. And sinc they

¹⁴ Jesper Rasmussen Brochmand, *Universae Theologiae Systema*, 2 vols. (Copenhagen, 1633). The preceding quotation about ceremonies follows Brochmand rather closely; see ii, 5051: 'jure negatur'.

¹⁵ Hafnia is the Latin form of Copenhagen.

¹⁶ William Whitaker, Elizabethan Calvinist divine of great reputation, taught at Cambridge. His works were collected as *Opera Theologica, duobus tomis* (Geneva, 1610). *DNB* notes a manuscript treatise at St John's College, Cambridge, on ecclesiastical polity which has an Erastian tone to it.

¹⁷ Franciscus Junius the elder (1545–1602) was born in France and grew up under the darkening cloud of religious civil war. He became a pastor in Antwerp, and later taught at Neustadt and Leiden. He was a Calvinist, but was moderate in his theology and wrote a work for Henry IV entitled *Eirenicum de Pace Ecclesiae Catholicae*. See the article on Junius by D. Visser in *OER*, ii, 360.

¹⁸ [George Gillespie,] *A Dispute against the English-Popish Ceremonies* ([Leiden,] 1637), pt. 3, ch. 8.

¹⁹ *An Abridgement of that Book which the Ministers of Lincoln Diocess delivered to his Majesty upon the first of December last* (n.p., 1605). It criticises the *Book of Common Prayer* for its handling of the Bible in the service, including the use of the Apocrypha, and also for ceremonial considerations such as the surplice, the cross in baptism, and kneeling at communion.

²⁰ 'or rather' inserted above the line.

²¹ *Nunc dimittis*; Luke 2:29–32.

²² Minister of Campvere from 14 July 1613 until his death in Sept. 1625. He was formerly minister of Newburgh, Fife. *FES*, vii, 541; v, 170–1.

hav not desyred me to abstaine, with what conscience could I? For yow at home to hav abstained, ther was som ressounes with which if we heir had been maid acquaint, I assure you we sould have conformed ourselves. As for singing of Simeon's song, I will not deny but it was sunge, neither can I know any evill in the doing of it: for it is ordinarlie at these tymes sung in the Dutch and French churches, lykwyse in the French churches always after the communioune. It is canonical scriptures asweill as any of David's Psalms and mor fitting for the birth of our Savior. I have heard it sung in our churches in Scotland somtymes; neither ever knew I any understanding Christian mislyke it. It is put amongst these Psalmes which ar apointed for the use of the Church of Scotland. And because I sie so many to speak against it, I have therefore taken mor pains in searching Reformed writers, wherein I find so far from disavowing it, that they ad that it wer most expedient for the glory of God and edification of the church, if the sacred Psalms wer maid by godlie learned men. ~~qres matter sould be~~²³ I will set downe the formal worde of a most eminent light of our church, Mr Robert Boyd, in that most worthie work of his upon the Ephesians, 5:19-20, after that he has answered punctually all the arguments on the contraire and brought in argments for his conclusioun, thus he inferreth:²⁴

Wherefore it is possible from the foregoing that we should thus determine the first question, that it is not only lawful but signally advantageous to the edification of the Christian church, and that according to the sense and scope of the teachings of this apostle, to propone and permit other hymns and spiritual songs which besides these are contained in holy scripture, composed by men of worthy piety and faith, approved by common vote of the churches of at least one kingdom and language, for varied occasions, to be sung by the faithful in a solemn assembly of the church; indeed, from time to time to add, as opportunity offers, new songs to earlier ones, first approved by ecclesiastical authority, which answer to the truth of Christian doctrine, the gravity of Christian profession, the purity of divine worship, the sanctity of the Spirit of Christ; which conduce to the elucidation of the glory of God, to the increase of faith and trust in God, to the encouragement and kindling of pious feeling in us; and which, thirdly, approach as closely as possible to the sense and intention of scripture, and of its norm and form, whether in wording or content.

Thus far he. Neither said he any mor then quhat is practised in uther Reformed churches, and if it had been the judgement of our Church of Scotland to hav discharged that which sould be sung [but] what is of the 150 Psalmes or that was maid by men immediatlie and extraordinarie assisted by the Holie Ghost, why hav we without any contradictione used always that doxologie, 'Glory to the Father and the Son etc.', after the singing of all our Psalmes? The treuth is this—with a simple heart, not having any suspitioune that any sould have been offendet, such Psalmes were sung, and that but twyce or thryce at the most. And now,

²³ The first word, or abbreviation, is obscure.

²⁴ Robert Boyd, *In Epistolam Pauli Apostoli ad Ephesios Praelectiones* (London, 1653), 728. Spang's citation is not precise, and I have corrected it from the original.

searching more narrowlie in the matter, I can find nothing quherby I sould repent of so doing, except that som has sought occasioun to malign me for it, which if I had forsein, I promise you I sould have omitted, and, God willing, am purposed to omit that quherby non may disgrace my ministry or persone in tymes coming.

Secondlie, I hear it is confidentlie related that the bishop of St Andrews sould have sent unto me two of the service books, with order that I sould caus them be red and receaved in our church, and that I have dealt with our session for that purpose telling them that if they will not willinglie embrace them, that I will enforce them upon them: yea, to mak the way mor easie for them in the church, that I use to read the morning and evening prayer out of them in my familie daylie, that the thing which moveth me to be so earnest, is the pensioune which I do yearlie receav from the bishop of St Andrews, all which is as shamles a lie as ever was invented. I tell ye that God quho is judge of the secreits of hearts, [knows] that not²⁵ on[e] word of all that challeng is trew for 1. never did I receav any of the books from St Andrews, nor by his order, far less any charg to use them in our church. Never did I open my mouth to our session about them, except in demonstrating the errors of them, far less to have used any such threats, for I bear no dominione over the flok of C[ampvere], and wald chuse rather to dimit my functione then to burdein them with any such thing against their wills. Never did I use them for morning and evening prayer in my familie, for I think a commoun and ordinary Christian quho is com to any ressonable growth of graic sould be able to mak use of the gift of prayer without books, how shamfull then wer it for a minister to pray by book ordinarlie; and last, for the pension which St Andrews sould have given me, I think ye will laugh at it. I mervell that they could not forge their lyes and calumnies a little mor cunninglie. I sie my evilwillers hes the malic of the devil but not his polity. My estait by the blessing of God is not such that I stand in neid of pensions from any. The liberality of my bountifull patrons the burroughes of Scotland, is such as satisfieth me and God grant that uther lusts in me wer asweill mortified as is that of beastlie avarice.

Thirdlie, som begin now to say that I do plot with the conservatour²⁶ for the hindering of our merchants to bring from henc ammunditioun of warr, and in a word, quhatsoever is laid to this chaig that I hav a hand in it: Reverend brother, I promise to you that if thes people wer privie to the many cross words which

²⁵ corrected from 'non'.

²⁶ Sir Patrick Drummond was conservator from 1625 to 1640. He was 'a faithful royal servant and promoter of prelacy'. K.L. Sprunger, *Dutch Puritanism: A History of English and Scottish Churches of the Netherlands in the Sixteenth and Seventeenth Centuries* (Leiden, 1982), 208-11, 389; see also *The Journal of Thomas Cunningham of Campvere, 1640-1654*, ed. E.J. Courthope (Scottish History Society, 1928), p. xiv.

are betwixt the conservator and me about our Scottish effairs, thei wald not blaim me so. Think they that I hav so unnaturally forgotten the lov to my dear contrey that I sould be a plotter or concealer of anything quherby it or any in it may be damanaged? My wish is, it may go [113v] weill with it. Neither desire I to live after its overthrow. The Lord who is privy to my inward thoughts knows that I am so far from being accessory to hinder the bringing hom of munitiouns, that I do helpe the secreit convoyance of it myself in the night; and teacheth men so to convoye it that it surlie doth escaip. Trew it is that now and then I do converse with the conservatour, but ye may trust me in the word of a faithfull Christian, that I never fand by his speeches that he had any intentione to hinder our men. He hes bein most innocentlie blamed befor as if he had arreisted the ship of Robert Langland's. Event has proven that a lye, and therfor I dar not trust any such relations. Whatsoever his aime in his heart is, I know not but he hes never disclosed any inkling of such things to me. For I hav oft said, that if I knew him or any uthers guiltie of such things, that I sould reveal it to all. Therfor for my part be assured that I am as innocent of that challeng, as you quho remaineth at Edinburgh, and if any will be so shamles as to vent any such rotten lye, I entreat you by that band of brotherlie love and that affectione which long sinc ye caried to me, to enquire mor deeplie into such relations. Ye may be assured they sall all be groundles, that on[e] argument may close all my calumniators' mouths, *cui bono*. Sould I, living hear in peac, seek to bring truble to my awine head? In the weal and peace of Scotland my outward weelbeing doth stand and its domadge bringeth ruine to me also.

The thrid thing that I am to acquaint you with is that I hear, and from good grounds, that the conventioun of burrowes hav resolved to send over the Covenant heir to be subscribed and observed by us. What benefite can this bring to the cause? Are they affrayed that this church heir is so weel affected to the service book, book of canons, etc.? They need not. My former ressoning in the first head of my letter may give you assurance utherways. Can the subscriptione of ten persons (for our number of those quho reside heir is not gritter) helpe you in anything. And what domadge doth the caus suffer by our not subscribing? All our hearts, so far as I know, ar for the peac and wealfair of the kingdom. But consider the danger ye will bring us unto: for 1. It is questionable whither ther will not be fand in this smal number, som quho will doubt of som points of it, and bring such ressons of ther doubts which I can not answer. For I can not sie how any can swear to the perpetual observance of indifferent rites without leaving power to the church, quho hath first establisht them, at convenient occasions to omit or chaing the sam. Ye know our great *Confessioun* doth speak as much.²⁷

²⁷ *Scots Confession of 1560*, ch. 20, 'Of general Councils, etc.': 'Not that we thinke anie policie, and one order in ceremoneis, can be appointed for all ages, times and places: for as ceremoneis, suche as men

2dly. Though the ordinary answer be about Perth ceremonies, that we swear abstinenc from the practise suspending it untill a generall assembly. Yet the cheif contrivers of the covenant at this tyme ar of opinioun that thes ceremonies are sinfull in themself, and that som of them ar idolatry *non uno modo*,²⁸ and so to be understood under thes popish rites. Now, if we swear, we must swear according to the meaning of thes quho offers the oath: or else we equivocat and ye know without dew informatione it is very hard for men at any uther's simple desire and command to chang ther opinione quhilk ye know in conscienc to be trew and orthodox. 3. xxx Our people will questioun upon what ground privat subjects such as we heir all ar, can with good conscience resist authority. Though the king sould command all quhat is in questione, I see, blissed be God, few or non quho wald giv activ obedienc to them. But they doubt if passive obedience be not ther deuty. And indeid I assure you, we sall all of us be put to it: a tryall of our patienc will be taken if we presume to meddle with the covenant. Ye know that we have heir our ordinary judge quho is latlie advanced by the king to be a knight: and quho expectis more quhen God and the king will be pleased. I suspect he being charged by the king's majesty in any such bussines wald not refus his service, but though he wer not heir, and though he also wald subscribe, yet we hav the king's agent at Dun-Hague, quho is a bussie man to shaw his diligence in advancing his majestie's service, I make no doubt (and if he knew the grounds as I do ye wald say as much) but if we heir did subscribe, that we sould all of us be taken and bund hand and foot, and sent over to Londoun, quher all the help our country could affoord us wald be pity. It is ever easie for you quho ar combyned together and quho ar not in danger to be singled out to do many things which we can not do. If the deuty wer absolutlie necessary ye sould find that we sould not mak so many doubts, but not being absolut necessary, judge whither or not it wer a casting of our selfs unnecessarily into a manifest danger not only of confiscatioun of goods, but of lif also. *Haec in summum tuum confidenter infundo*.²⁹ I hope ye will mak such use of them as to be confirmed in the charitable opinioun ye hav had of me. And if any xx evill informatione hes prevailed befor with you to my disadvantage, now ye will expell it out of your awine mynd, and be ane means to vindicat my credite pitifully torne in peeces by uthers and to slay such unchristian dealing against me in tyme coming. I sall bee weill pleased [114r] if opportunity offers, that ye communicat so far of my mynd to the rest of your worthie brethren, of your judgement, as ye think fit for clearing

have devised, are but temporall, so may and ought they to be changed, when they rather foster superstition, than that they edifie the kirk using the same.' *DCH*, ii, 31; *Laws and Actes*, 7r.-v.; *APS*, ii, 532.

²⁸ 'not in just one manner'.

²⁹ 'I confidently impart these things to your pre-eminence.'

of me, especially to Mr Andro Ramsay, to quhom also I hav written, but shortlie referring him to yow: and if my caise hes bein so unhappie (as to my greif I hear it hes bein) that the nobility has bein misinformed of my cariadge, I entreat yow for Christ's saik, quhom we both serve, that ye wald effectualle deal to sie by what means I am so blamed, and what ar the things they have been informed against me: If no uther then that I have answered unto, then my answer I am confident will satisfie both them and you. Especially consider the danger this smal handfull will be brought into, if so be the covenant will be send to us: quhat comfort or help wil be for our dear country, to hear of our ruine and that we sould be the first sacrifice to appease the wraith of ane angrie king. And withall if ye find me now innocent, stop your ears in tyme coming to all such divelish slanders, and let not the slanderer goe without his just reproof. For onc[e] for all, the grit God of heaven who looketh upon me now writing is witness to the treuth and the sincerity of my mynd in quhat I have written above, and though now it be injustlie slandered, sall in his awine tyme mak the light brak foorth. I tak this as a visitatioun out of his fatherlie hand and do rejoyce that he hes given me such patienc as not to be moved from my hold. Let me entreat yow to give me ane speedie answer and withall your grav counsell how to cary myself. I stood never mor in neid of it then now. Neyther can I think but that ye who honored me with your favour and acquaintanc long since, and was, under God, the cheif instrument of my comming hither, and my patrone ever sinc, sall be pleased to continew your affectione to me, and quher ye think I er, do freely admonishe me who long for nothing mor then the news of the happie agreement betwixt the king and stait; and do earnestlie pray the grit God who is able to bring light out of darknes so to frame and guide the hearts of all quho now ar employed about that matter, that glory may com to the name of Christ, shame and confusioun upon all his enemies, quho are gaping for our overthrow together with ~~comfort~~ and peac to our distressed church and stait and trew comfort to all in it, who treuly fear his name. The sam God affoord yow ane heart to answer me wiselie, and to cary yourself in thir tymes so prudentlie, as we that ar your weill willers may have occasioun to praise his name for his favor towards you, and in you to us all, amongst whom ye may saillie rekon me on[e], who at all occasions sall study to shaw my self

Your obedient servant and loving brother in Christ.

Campheir. 1/10 September styl. nov. 1638.

MW Spange

[P.S.] Sir, I thought to hav written mor letters, amongst quhom, on[e] to Mr Andro.³⁰ But I am straitned by tyme, quherefore supply ye this present want and

³⁰ Ramsay?

with the nixt I sall writ to you the news such as [³¹] the prince of Orange his coming with his army from Gelder; the retrait of the Hollanders in the West Indies, befor the Bahia Todos Los Santos, the grit victory of Duk Bernard, the happie beginninge of the Sueds in Pomerania, the dubious estait of Monsieur Prince de Condé in Biscay.

³¹ indecipherable abbreviation.

[David Calderwood,]
'Motives and Causes of Humiliatioun', c.1638

[27r] Crying to God with fasting and humiliatioun never more necessarie since the reformatioun of religioun. Manie soules have bein heavilie afflicted and manie salt teares shedde in this kirk at the times of humiliatioun upon the beginnings of the evils which are come upon us and upon the feare of the dayes which we [fore]see.

Motives and Causes of Humiliatioun

1. The lamentable estate of the Reformed kirks in France, Germanie, and other parts and particularlie of diverse congregatiouns in England, Ireland, and amongst ourselves, deprived of the comfort of their faithfull pastors and subjectit to the lusts of corrupt hirelings and tymeservers; and the distresses of diverse worthie pastors put from there flocks for mantaining the puritie of religioun and libertie of Christ's kingdome, an evil which now may be sensible to us when wee are lyke to feele it in our owne persons.

2. Idolatrie oppenlie and ordinarelie practised, many points of hereticall doctrine as Arminianisme and poprie oppenlie taught in schooles and pulpits not onlie without controlement bot with great hop to the teachers of the gaine and glorie of the world, not so much as an shew of any censure against the papists; our kirk in the meanetyme spoyled of her order and authoritie, and x yet a great part of the ministerie pleasing themselves in a carnall conceate that the estate of the kirk was never so good, and the sincerer sort secure lyke Sampson, sleeping till it was tolde him, 'The Philistines are upon thee, Sampson.'¹

3. No course taken for the queene's conversioun, the king's majestie refusing to receive informatioun and to be acquainted with the estate of religioun and of the kirk heer, and these who are about his majestie, both our own countrey-men and strangers, matching the professors of our religioun (under the name of puritanes) with papists; and labouring under that name to make us more odious to his majestie then if wee were papists. And thus all court hopes are cute off except the Lord change the king's heart, lyke as the constitutioun and practise of

¹ Judges 16:9.

the late parliament² have given prooffe when all meanes were assayed with the estates, what may be expected that way hereafter, although diverse of the nobilitie and some of the members of parliament were well-affected.

4. All the fountanes of learning and seminaries of the kirk corrupted and a course taken for a farther corrupting of them;³ no way to breede students of the Reformed religioun, nor entrie for the present, nor hop of entrie hereafter for able young men who would keepe themselves pure from the pollutiouns of the tyme;⁴ and (which is no small mater of humiliatioun) the kirk of Edinburgh, which hade wont to be the watchtowre of all the kirkes of this kingdome and gave a wakening both to pastors and all sorts of people when they resorted thither, is now turned into darknes and deadnes, and that Beth-el become Beth-quen.⁵

5. A great change upon the professors of religioun lyke the people of God who, when Elias sayde, 'If the Lord be God, serve him; if Baal be God, serve him',⁶ were silent and answered not one word; an universall lukewarmnes and indifferencie in all estates lying oppen to receave any forme of religioun that shall be commaunded by authoritie, joyned with the ignorance of the grounds of their owne professioun and contempt of the gospell, with common profanatioun of the name of God and his Sabbaths, with neglect of religious exercises in private and in families, with excesse in drinking and apperrell, with adulteries and manie sorts of uncleannes, with grinding of the faces of the poore labourers, and toleratioun of strong beggars,⁷ and with deceitfull dealing every man with his nighbour; and non more noted by the adversaries for worldines, for precisenes in points of nighbourheed, and for rigour to their poore tennents then such who are accompted sincere professors, which, were it true, would bring themselves to be censured for hypocrites, wauld scarre some, and cause others to fall from their professioun, and wauld make the name of God to be evill spoken of, and therefore wauld be taken heed unto, albeit for the most part it be objected maliciouslie.

6. To let passe such of the ministerie, as all men see to be seeking ther owne things and not the things of Jesus Christ, if the sincerer sort who have entred after the entrie of corruptioun in our kirk were called to give an accompt of their stewardship, how we have entred, how we have served, and how wee have

² 1633.

³ Mullan, 'Arminianism', 25-30.

⁴ Mullan, *Scottish Puritanism*, 34.

⁵ Bethel, lit. 'house of God', was an important religious sanctuary in the Old Testament. The second Hebrew term is uncertain, either 'house of lamentation', if 'quhen' is a verbal root, or else 'house of Cain'.

⁶ 1 Kings 18:21.

⁷ The typical division of the poor into two types.

lived, wee might find more then mater enough of humiliatiouns, as besydes other corruptions, having sought the ministerie as a meane of a temporall life to ourselves more then of spirituall life to the people, in the discharge of our duetie either negligent, or in our diligence seeking ourselves and not the advauncement of the kingdome of Christ and the people's soules, in our life not so spirituall as beseemes, rather suffering ourselves to be drawne away after the corrupt communicatiouns and fashions of the world, nor secretlie worshipping⁸ with God by prayer and labouring with the people to draw them to the love of Christ and to feele the power of the gospell that they might walke worthie of it. Particularlie we are guiltie in this, that wee have not with wisdom and zeale opposed corruptiounis as they have entred, fearing to trouble our wor[l]dlie peace, and to offend evill men, who wauld have bein affrayed of us if wee have joynded ourselves with courage and constancie against them, as our thoughts are yet running rather how we shall live in caice we be put from our places, *now* nor⁹ how we sall acquite ourselves as the servants of Christ at such a tyme. All which when wee consider we may justlie feare that the Lord hes decreed that wee shall be the men in whose hands and by whose weaknes and unfaithfulnes the light transmitted unto us from our worthie predecessors shall be extinguished, religioun shall depart out of the land, and idolatrie set up again; which should make our hearts to burst and rather to choose to undergoe the greatest worldlie extremities then to be the unhappie instruments of such a desolatioun.

Practise of Humiliatioun

In our humiliatioun wee wauld first lay oppen before the Lord our God the manifolde miseries of the Reformed religion and kirks abroad and the great straites that wee are redacted¹⁰ unto at home, confessing particularlie our owne sinnes, the sinnes of our princes and of the people, and afflicting our soules for them. Secondndlie, wee wauld deprecate the wrath incumbent and imminent, praying that he wauld put an happie end to the troubles of his kirk, that he wauld cure us of all the former sinnes, especiallie of atheisme, idolatrie, and defection, and that [27v] hee wauld be pleased to preserve that which wee yet possesse of religioun, and to restore unto us that which wee have lost. And for this effect that hee wauld blisse the king's majestie with the love of the trueth as it hath being professed in this his mother kirk, disapoint the ploits of the adversaries, stirre up the nobilitie, gentrie, and commons to some zeale for the trueth, and blisse the ministerie with everie gift requisite for such a worke. Thirdlie,

⁸ wrestling?

⁹ than.

¹⁰ reduced.

some course would be taken for reformatioun. Wee would be more diligent in our studies, that wee may be the more able to defend our professioun against all obloquies and oppositioun, more faithfull and profitable to the people in our callings, that in this point wee may make our adversaries ashamed, more spirituall in our conference and conversatioun amongst ourselves and with the people, that both they and wee may be the more edefied; and particularie we would promise and vow to be more zealous and courageous in contending for the faith, and labour to work the people to the lyke dispositioun, by making them sensible of the intended ruine of the Reformed religioun and of the horrible consequents therof. This would be done at all occasiouns both in private and in our doctrine in publike, and namelie upon the dayes of humiliatioun. Upon the contrair wee would take diligent heede to ourselves and to the people, lest we pleise ourselves in a forme of fasting and humiliatioun and by our hardnes of heart by our perfunctorious dealing with the Lord in our prayers and by our secret infidelitie and continuance in our former wayes wee provock the Lord to further displeasure against us.

Hopes and Encouragements

There is yet hop for us if wee could draw near to God: first, because of the Lord's gracious promises and constant dealing with his people since the beginning, and very often with his people in this land when they have poured out their hearts before him. Secondlie, because the Lord hath yet reserved a number of all ranks and degrees for himself. And although the number were small, yet wee neide not to be discouraged if the Lord be with us. In the provincially assemblie holden at Dunfermling 1596, David Fergusone discoursed how that onlie sex preachers, wherof himself was one, went forward at the beginning without fear or caire of the worlde, and by the blissing of God prevailed when there was no stipend heard tell of, when authoritie both ecclesiastick and civile opposed themselves, and scarcelie a man of note to take the mater in hand, etc. Thirdlie, because the light never shined more clearlie in any natioun since the dayes of the apostles, never did any natioun tye themselves to the trueth against corruptioun so solemnlie and by so many bands, and yet no natioun in so short a tyme upon so small tentatioun hath so farre and so presumptuously departed from their measure of reformatioun. And therefore if wee would be silent in such a case the stones must speake and be witnesses against us. Bot if wee will be faithfull witnesses against the defectioun, the Lord shall be with us and shall arryse and shall revenge the quarrell of his covenant.¹¹ Since there is an apostasie, better that it be

¹¹ Leviticus 26:25. See use of this language by William Struther, *Christian Observations and Resolutions*, 2 vols. (Edinburgh, 1628-9), i, 54; Samuel Rutherford, *Fourteen Communion Sermons*, ed. A. A. Bonar (2nd edn., Glasgow, 1877), 42.

with shisme and divisioun then that it be universall, and blissed shall they be whose names in the booke of God's providence shall be registred amongst the witnesses of the trueth.

**[Archibald Campbell of Glencarradale,]
'Report of the Glasgow Assembly', 1638**

[1¹] Thursday the 29 [November]. The commissioner went to counsell and ane proclamatione was appoyntit to be maid that forenoone (which was done), and the nobilitie and uthers present causit read the protestatione [baith of them sall be sent yow with the first occassion²]. The commissioner being gone frome Glasgow, and the assemblie being conveynit in full number as of befor, the moderator inquerit of theis quha ware to report ther diligence, anent sume controversies betwixt sume few ~~ministers~~ commissioneres, which being satisfied, then he declaired that there ware foure ministeres quha haid gone to Ireland and ware returned³ and admittit heire. In regaird there ware sume aspertiones layed upone them, [he] desyred they mycht be haird to cleire themselves, and ware haird at lenth and all the objectiones maid against them ware representit to the full, so that the assemblie ware fullie satisfied on ther behalf (then the moderator maid a shoirt speiche anent the mater of the Covenant). It was fund expedient that ane committe should be choysine to consider graivelie therupone, sume out of everie presbetrie of ministeres and reulling elderes. The earll of Argyll, haveing stayed eftire the commissioner, and being sitting in the assemblie, maid ane speich quherin he fullie declaired himselfe anent his opinione of the mater of the matter of [sic] the Covenant to the great contentment and joye of all the heireres, which in my opinione was no small incuradgment to all that ware present. The moderator repetit shoirtlie quhat the earll haid spoikine, and thankit God that was provyding daylie great meines for furtherance of the great work they haid in hand. The earll Montrois declaired that the earll of Wigtowne⁴ haid desyred hime to shawe to the assemblie that he was to retorne withine ane day or two to declaire his opinione anent the mater of the Covenant. Then the moderator presentit to the assemblie how necessar it was that sume of the most learned breatherne and reulling elders mycht have power [to] be ane committee to consider of the service buik, *Buik of Cannones*, hie commissione and Fyve Articles

¹ GD112/43/5/6.

² marginal insertion.

³ RKS, 117.

⁴ RKS, 151.

of Perth. The assemblie approved the motione and appoyntit saxteine of ther numbere for that effect quha war appoynt[it] to report their diligence, with all convenience. The bishoipe of Galloway's proces was lykwayes raid, and power givine to ane committee to consider therof and of all the lybells givine in against the pretendit bishoipes, and to report ther diligence.

On the 27 ther was sume appointit to sitt on the lybelles and complaintes, and lykwayes to report ther diligence.

Friday the last of November. The moderator desyred that theis quho ware of the committie for commissiones undeterminit, to declare ife they ware readie to mak any report. They declared they fand the commissione for Peebills sufficient instructit, and for the protestatione givine in against the unformalitie therof (which seimed to reflect sumthinge on the thesaurer⁵), the pairtie declared that on his conscience he haid no intentione to wronge his lordship, and lykewayes declared that he humblie creavit the libertie to tak up his protestation, and farder declared that he did creave pardone of the thesaurer giving in that protestatione so unconsideratlie, quherupone his protestatione was givine hime up with ane shairpe reproofe frome the moderator. The report for the commission for Breichine was continowed till the nixt day. Thaire ware letters writen to the sheyres shawing them of the commissionere's pairtinge, desyreing they mycht not be discouradgit therby with sume remonstrances of quhat was done. Ther was ane lettere presentit to the earll Argyll writen to hime be the earll of Kinghorne declairing that he did subscriye the Covenant as was meint at the first subscriyeing therof [2] in the yeir fourscore. The earll of Rothes did give ~~me a~~ in ane declaratione from the earll of Galloway, witness be divers nobillmen and ministeres, that he subscrivit the Covenant as was meint in the yeire of God fourscore,⁶ and farder declarit that he haid his owine trubill for subscriyeing the last proclamatione, and wissit his hand haid beine off quhen he did it, and that he haid not leive grantit hime to consider of it quhen he subscrivit it. The earll of Montrois declared that the earll of Mare haid desyred hime to shawe the assemblie that he was readie, quhenever he should be callit for, to declare himeself anent the Covenant, and that he haid refusit to the commissioner to subscriye the proclamatione, affirmeing that in his judgment ther was

⁵ Traquair, whose seat was in the presbytery of Peebles. NLS, Wodrow MSS, Octavo x, 'Mr Robert Douglas account', 76r.-v.: 'When it came to Peebles, ther was a protestation produced against the election, affirming that Traquare, Thesaurer, had thrustud himself in and by letters did procure voices. Traquare being hired [i.e. heard] that he was abused by such a company, meeting [?] Mr Robert Elve, minister, alledging that he offered him bribes for to get him preferment.' See also 79r. and 86v.-87r., where Traquair 'was chosen and himself from the paroch of Traquare and sat in Peebles and vote[d] in the election of the commissioners'. I have found no trace of a minister named Elve or Elvy.

⁶ i.e., the Negative Confession of Jan. 1580/1, and re-offered as the King's Covenant 22 Sept. 1638; RKS, 83-4.

als honest men in that assemblie as any in the kingdome. Thair was the lyk declaired for the mater of the Covenant in the behalf of the Lord Neper⁷ and Lord Amont.⁸ The moderator inquierit of theis quha ware on the committie for sichtig the bishoipes' proces, ife they ware readie to give in ther report. They answerit that the mater was of great consequence and creavit ane longer tyme, and that the proces mycht be devydit amongst theis of the committie, which was grantit. The moderator declaired that the lybells wald be of two natures—On[e] of certaine factes knowne to all, sick as breikeing of the caveats givine them at Montrois,⁹ and he desyrit that the caveats mycht be read, which was done, and lykwais causit reid a peper which witnesset their cleir breikeing of all the poynts of the caveats, which in effect lykwayes contained the nullatie of Peirth assemblie, and divers ministeres quha ware then at Peirth witnesset how unlawfullie the assemblie was caried. It was lykwayes witnesset be Mr Johne Ker and Mr Andro Blackhal and sume uthers that they ware witness that the bishoipes of St Androis, Glasgow, and Edinburgh subscrivit the Covenant of the yeire of God fourescoire in the kirk of Trenent,¹⁰ quherupone the moderator productit ane treatise¹¹ written by the bishoipe of St Androis dedicat to Kinge Charles, quherin he vilifies that Covenant, and the moderator declaired that the uther pairt of the process consistit in facts committit by them, in ther lyeves and doctrine, requiering that nothing should be admittit bot on sufficient probatione. Lykwayes the moderator declairit

⁷ Lord Napier; RKS, 152.

⁸ James, Lord Almond (1633), and thereafter (1641) first earl of Callendar. He was the third son of the first earl of Linlithgow. Paul (ed.), *Scots Peerage*, ii, 360ff. Referred to in *Memoirs of the Life of James Mitchell of Dykes, in the Parish of Ardrossan. Containing, his own spiritual exercises, and some of the spiritual exercises of his two sons, that died before him, and many singular instances of divine providence, towards himself and family. Written by himself* (Glasgow, 1759), 83–4: 'Then in came as great difficulty as ever, for my Lord of Wigtoun and his Lady, upon no terms, and for no intreaty that my Lord Eglintoun could make, both by his presence and letters divers times, could not induce them to renounce their title, which was only put into their hands by way of trust, for the behoof of my good-sister, and failing her to the nearest heir. The truth was, they had another design, that my Lord Amont should have both the feus, before any other. At length, it resolved so: I behoved to cause my wife dispoise to him her own proper right, and the right she had to her sister's half. Albeit I got not the whole of it, yet I was tolerably satisfied. Having dispoised the same to my Lord Amont, there followed another hazard....'

⁹ BUK, iii, 954–7.

¹⁰ i.e., the Negative Confession of 1581. See Mullan, *Scottish Puritanism*, 204.

¹¹ Dedicated to Charles as prince. John Spottiswood, *Refutatio Libelli de Regimine Ecclesiae Scoticanae* (London, 1620), 36–7: 'This is that famous Confession, which the Sectary does not even recollect, although our Cathars repeatedly put in the way, by which they accused the king and the orders of government of perjury and treachery ... But in that Confession no other discipline is recognised than that which was then publicly received, namely the government of bishops and superintendents.' This work is also in *Spottiswoode Miscellany*, 2 vols. (1844–5), i, 29–62. It was a rejoinder to David Calderwood, *De Regimine Ecclesiae Scoticanae Brevis Relatio* (n.p., 1618).

how necessar it was that young nobilmen,¹² gentillmen and uthers mycht be acquentit with the estait of the materes of churche and therfor desyrit ther mycht be ane committie to sume young nobilmen, barrones, burges, graive ministeres, reulling elderes, to reviss the bishopes' caveats and the probatione givine in against them for violatunge of them, which was done. The roll of theis of the assemblie was callit and ther was not any absent bot foure, and excuis was maid for two of them.

[3] The moderator declaired that in regaird so many ministers ware procest for Armenianisme, it was most expedient that theis tenents war knowine to all within the countrey, and by quhat tenents [of] oure Reformed churches they are impugnit. And for effectuating quherof, Mr David Dick and Mr Androw Ramsay mycht be put to work, which was grantit too, and they to make ther report on Munday nixt. This was ane motione of the earll Argyll's to the moderator.

[1¹³] Saterday the moderator, eftir his accustomed maner, uttered a verie patheticall prayer, which being endit, he proceids first to call such process of ministers as haid bein finally convened and fand guyltie befor ther owine presbiteres with refferance unto the assemblie for the sensor, by occasion wherof the moderator discourses lairglie of the power of the churche in afflicting of censors upon the delinquents,¹⁴ shawing that all sortes of societies haid ane ordor, and that the integrietie of the churche could in no wayes consist without discipline; that God had givine unto the churche the power of the keyes; that this power was not authoritative bot ministeriall; that ministeres war not *autores* bot *dispensatores fidei*; that excommunicatione, which was ane pairt of the ~~keyes~~ power of the keyes, was a verie heave censure, the end quherof was the purging of the church of unprofitable memberes, and quhatsoever the church did heirein on earth was ratifieit by the Almychtie in heavine. Then ware the severall process[es] red. First, Mr David Mitchell was severall tymes citted to appeire to heir his proces. Mr David Lindsay, being forsma[n] of the committee appoyntit for revissing of proces, haveing givine in his summons¹⁵ and the wholl deductione of them befor the presbeterie of Edinburgh, the mater of his [i.e., Mitchell's] proces was poynts of doctrine, he was convicted of all the 5 articles of Armenianism,¹⁶ as also of certaine blasphemie and indiscreit speiches, Mr Harie Rollok affirming in the face of the wholl assemblie, that the same day his sentance of suspentione was pronuncite, he said that he thocht it was a bass thing for kinges to subject themselves to be reullit by the Word of God, as also in derissione

¹² See M. Lynch, *Scotland: a New History* (London, 1992), 251; *RBLJ*, i, 123-4.

¹³ GD112/43/5/7.

¹⁴ A similar word, probably misspelled, has been crossed out ahead of this.

¹⁵ probable reading.

¹⁶ an additional ending, 'iss' [?], has been deleted by the editor.

he callit the bretherne of the presbetrie 'the bretherne of the exercis' and by way of *ex probatione* callit the assemblie 'that judicatorie'.

His proces being endit, the moderator subjoynes a speache concerneing Armenianisme, that ther ware two sorts of Armenianis, the on[e] of the la countreyes,¹⁷ the other of the Church of England and Scoitland. The former, they runne drectlie to the b[l]asphemy of Socinus,¹⁸ implying that Armenianisme was no other then *Socinianismus inchoatus* and Socinianismus was *Armenianismus consociatus*.¹⁹ The second sort runs flatlie to popprrie, calling calling [sic] the Armenianisme in England *papismus inchoatus*, and that they wanted not ane poynte of popprrie but ackno[w]ledg the pope to be supreim head. He intimats the danger of theis poyntes, how necessar it was the assemblie should be instructed of the danger of them, [for] which purpose it was thocht expedient that two of the ablest and most powerfull of the bretherne should prepaire themselves against Munday nixt to discours of theis poynts, that they should sett downe both the tenetes of the Armenians and of the Reformed churches, especiallie the confessione of the Church of Scoitland, affirmeing that ther ware certaine articles that came frome ane great man in Ingland, yet he did not name the man, and as he thocht ther was a conspiracie amongst them to set abroad ther opiniones. At lenthe it was resolved that Mr David Dick and Mr Andro Ramsay should be the orators for explaineing of thir poyntes. Mr David Mitchell's process being cleired, the nixt that came in questione was Mr James Scrymger's. Litle was spoikine of his process.

Then cam Doctor Panter in pley, who being solemnlie citit thrie severall tymes by the commone cryer to appeir, his process was publiclie red by the clerk which was maid up of severall poyntes of Armenianisme, popprrie, and many undiscreit speiches. He mantained the doctrine of justifiecatione by inherent rychteousnes, of reall presence, of *limbus patrem*, converting off the not[e]s of the Antichryst into Mahumed, and said that he wished all the wreitings of the Reformed Church ware burnit in the ~~xxx~~ fyre, diswading lykwayes all young theolages frome reiding of Calvine. The third place was givine to Mr Alexander Glaidstaines, quho being legallye cited to compeir to ~~object~~ answer to quhat mycht be objectit against hime, his process was publiclie red by the clerk. He was first accusit of common drunkenness, of crossinge in baptisme, with many other things which I refere unto his process, especiallie that he said it ware moire

¹⁷ Low Countries.

¹⁸ Lelio Sozini, or Socinus (1525–62), was an Italian reformer of radical tendencies. His work was continued by his nephew Fausto Sozzini (1539–1604), especially in Poland, where he disseminated Unitarian views. His liberal opinions spread more widely, and were suspected among the Dutch Remonstrants. It was this teaching to which Henderson alluded.

¹⁹ corrected from RKS, 155. Original might be *consuenatus*.

lawfull to prey for theis quho had bein 500 yeires damned in hell then for sume of his parochie, that all covenanters ware damned in hell, and in tyme of sermone quhen he sawe sume of them goeing out of the churche he cryed, 'Cume againe, you damned roiges and whoores, and tak your cokat with you.'²⁰ He said lykwayes that the author of the *Practise of Pietie*²¹ was damned in hell for he haid maid all the ladyes in Scotland puritanes, and that he had rather renunce God then be a puritane. Theis thrie proces being endit, the committie for the contravertit commissione of the presbetrie of Brechine was callit upone. Then spak Mr Bonner, declairing eftir quhat maner they had resolved upon it. Boith commissiones ware quashed by the generall voyces of the assemblee, and Breichine to have no voyce in that assemblee, that a lettere of reproofe should be drect unto hime, with ane admonitione to be moir cautalous in making of the electiones in tymes to cume. Theis thinges being done, the moderator cloises upe all with ane prayer. And so was finished that day's sessione.

[2] Monday sessione. At elevine of the cloak the wholl commissioneres mett. When all ware assembled the moderator in his manner utters a verie dovoit prayer, which being endit the earll of Argyll rose upe and spaikie, and truly, if ever any speiche cam in seasonabillie and pertinentlie it was that, being a graive, wyse, and sober admonitione cheiflie drectit unto the ministrie that they should not medle in ther preachinges and discourses with thinges without ther owine spheires—especiallie not to touche on any thinge that mycht concerne his majestie's prerogative royall, ather in causes civill or ecclesiasticall; not to medill with the governours nor the government of the stait; that it was ane old complaint against them and mycht perhapes be renewit againe by the oposits if it ware not wyslie prevented. This speiche was occassione[d] by ane sermone which on[e] Gillespick²² maid in the Heich Churche the day befor which trenshed something on the kinge's prerogative. Whan the earll haid done, the moderator subjoynes ane larg and learned speiche to the same purpois, quherin he explained quhat the power of the churche was, etc.

By this tyme Mr David Dick was readie to acqyt himselfe of that talk the

²⁰ See also *The Declinatour and Protestation of the some some-times pretended Bishops ... refuted* (Edinburgh, 1639), 91; 'Process against Dr Alexander Gledstanes, before the presbytery of St Andrews', in Robert Wodrow, *Collections upon the Lives of the Reformers and most eminent Ministers of the Church of Scotland*, 2 vols. (Maitland Club, 1834-45), i, 395-402. On p. 396 it is stated that Gledstanes said: 'Stay perjured pultrones and whores and take your coquet with yow.'

²¹ In MS *practiche of pietie*. The book in question was the immensely popular and much reprinted *Practise of Pietie: directing a Christian how to walke* (1612). Its author was Lewis Bayly, bishop of Bangor. The manual went through twenty-five different printings by 1630, in English alone; it continued to be reprinted in its original language, including in Scotland—see Aldis, *List of Books*—and was also translated. A. Lang, *Puritanism and Pietismus* (Darmstadt, 1972), 187.

²² George Gillespie?

moderator had imposed on hime the Frydaye before.²³ The mater was to instruct the assemblie concerning the poyntes of Armenianisme, which in truth he performed no less learnedlie then popularlie, venting much learneing in plaine and homlie termes. His discours was maid up of 4 heads; *primo*, a propoositione of the errors of the Armenians; 2. of the tenets of the Reformed churches; 3. the causes of the errors; 4. removeall of 3 objectiones. The Armenian poynts he handled first wer the poynts of electione, which the Armenians hold to be conditionall, foundit on the foirsicht of mane's faithe and the guid use of frie will; 2. the universalitie of redemptione; 3. the resistibilitie of grace; and 4. the apostasie of the saints. He spoik lykwayes of universall grace.

Eftir hime Mr Andro Ramsay discourseit a litle upone the poynt of electione, setting downe both quhat Armenians taucht concerneing that poynt and what the doctrine of the Reformed Church was. Quhen boith haid done the moderator subjoynes a distinctione of ~~election~~ *electus* which the Armenians took activlie, sayeing that in the mater of electione, the word was takine to be a nune; the Reformed Church tuik it passivlie for a participle. The former acceptioun implied that man did choose and elect God, rather then God did choose and elect man. The second argued that God did elect and man²⁴ choose of man befor evir man maid any choose of God. Theis doctrinall poyntes being fullie cleired, the nixt bussines that succedit was ane petition of the paroachineres of Wigtowne, desiring that the assemblie mycht be pleasit to tak up what the minister²⁵ haid to say against the bishoipe of Gallowaye, and that he mycht haive libertie to returne home, which was thocht reasonable and no sooner demandit then grantit. The minister, being desyred to give his oathe and declairatione into the ~~assemb~~ committie appoyntit for examineing of the complaints against the prelatts, was dismissed. Now begane episcopacie to totter and give apparent singes²⁶ of hir fatall ruine. The bishop of Orkney's sone producit a letter²⁷ frome his father unto the assemblie, humblie submitteing himself boith his office and his persone to quhatsumever sentence the wisdome of that assemblie wald impois upone hime, declareing with all the infirmities of his auld aige quherby he was disabled to be personallie present with them which in heart and affectione he earnestlie desyred. Eftir the reiding of the letter his sone maks a declaratione in his fathere's name that nothing was intendit [by] that letter but a plaine

²³ RKS, 156-9.

²⁴ i.e., must.

²⁵ James Hamilton; FES, ii, 382-3.

²⁶ i.e., signs.

²⁷ RKS, 159, 171; Mullan, *Episcopacy in Scotland*, 191. A letter dated 11 Feb. 1639 was printed along with a similar missive from Alexander Lindsay, bishop of Dunkeld, in *The Recantation and humble Submission of two ancient Prelates, of the Kingdome of Scotland* (n.p., 1641), 2-3; RKS, 204.

submission unto the assemble.

Eftir this rose upe Mr Johne Hamiltoune²⁸ who in the name and behalf of the laird of Blackha[l],²⁹ declaired the saids laird's approbatione of the proceeding of the assemble, and that quhen he subscrivit the King's Covenant, he did it with reference unto the Covenant of King James, anno [15]80, and also that he refused to subscriv the proclamacione. Eftir this Mr David Lindsay declaires the converssione of a young gentillman³⁰ who was avers from the Covenant and the present proceedinges of the assemble, but now hes subscrivit the Covenant.

Mr David Mitchell, his proces being reid, the court immediatlie procede unto sentence. [fo 3] Bot first the moderator counsles the clerk to red the act of the first foure assemblies declaireing the causes wherfore [?] a minister aucht to be censured and deposed. Which being endit the moderator verie smoothlie frameth a speache quherin he distinguishethe betwixt the censors of the Church of England and Scotland, affirmeing that the Englishe church haid³¹ severall censures—suspentione, depositions, deprivatione, and degradation. He gave a litle touche to that Romishe indelible character which papists affirme the preistes to receive in the ordinances which by no wickednes of lyff nor yit by any church censure can be razed out. As for the Church of Scotland, the church censur was ather to excommunicat, suspend, or to depose, depositions and degradations in the censures are being [one] and the same thinge. The moderator, haveing endit his speache, he demandethe the judgment of sune brethreine, quhither they thought it not fittinge to proceed in sentanceing of Mr David Mitchell. It was answerit by them affirmativlie. Bot ther arose sune litle jangling quhat his censure should be. Then rose upe my Lord Lowdaine and my Lord Balmirinoche quho, haveing declaired ther opinionones, the roll was immediatlie callit, and all the house with on[e] consent agreid that Mr David aucht to be deposed, which being done the moderator procede to pronounce sentence, bot was a litle interrupted by a motion of a zealous brother quho, feareing least any prejudice mycht aryss unto the libertie of thir assemble, would neids put in a difference betwixt the giving of voyces and the pronouncing the sentence. Bot this bieng soone cleired, the moderator pronounced sentence, the maner quherof is this: 'In the name of this assemble and in the name of our Lord Jesus Chryst, I declare Mr David Mitchell to be deposed from his ministree and declare that the said Mr David is incapable to execut any pairt of the ministeriall functione.' Eftir this, ordoure was givine by the moderator then [that] his sentence should be

²⁸ Probably the minister of Inverkip: *FES*, iii, 209.

²⁹ Sir Archibald Stewart.

³⁰ John Forbes, brother of Craigievar. *RKS*, 160.

³¹ unintelligible mark.

publiclye reid and published throchout all the church[e]s of Edinburch. Heir moveth the moderator a questione, that if the forsaid Mr David should happine to baptize any childrene as not acknoledge[ing] the censure of thir assemblie to be lawfull, and so he and uthers adherent unto his factione, not finding hime to be no minister bot ane not lawfull[y] deposed, whither or no any such chylde aucht to be rebaptised—the questione I did not heare determined, only the Shereff Tividaill³² put in that ane act should be enterit in the buikes of thir assemblie, declaireing everie minster that should suffer the said Mr David to exercis any pairt of the ministrie in the churches and pulpits to be lyabill to the same censure that was imposed upone the delinquent himself, and that everie persone quho should suffer thair children to be baptised be the said Mr David should be lyabill to the censour of the assemblie. Now the day drew toward ane end and the commissioners for particular bussine committies callit for at ther privat bussines quhich haid bein presentlie granted them, bot that the commissioner for the cite of Edinburche desyred of the moderator that in regaird that summe of ther ministers haid assentit unto the Declinator³³ of the prelat and haid disclaimed the authoritie of thir assemblie, quherby the people grew offendit with them, refuissing to cume to the sermones, it wold pleas the moderator to tak sume cours quherby theis men mycht be sensored, the people appeased, and the church[e] provydit of abill men. Bot the day being spent, it was put off [f] untill the nixt day and so was finished thir dayes sessione.

Tuesday the moderator beganne with a prayer, which haveing cloised, the first mater cam in questione was Mr Robert Bailzie, ane of thois quho haid bein appoyntit to discours of Armenianisme,³⁴ but by reassone his paperes were not yit compleite, wald not venture to red them in publick when Dick and Ramsay declaired, bot requerit tyme untill the nixt day, which indeid he performed with that narrative, that the wholl assemblie seimed to be fullie satisfied with that he affirmed. It was a longe shedall³⁵ quherin he haid drawine upe both; he³⁶ discovered quhat he was, the place [fo. 4] quher he leived, the oratione³⁷ of his drinkeing at first of³⁸ those errors, how he begane to speir³⁹ them out into the

³² Sir William Douglas of Cavers; see *RPC*, 2nd ser., vii, 76, 131. He was a ruling elder representing the presbytery of Jedburgh: *RKS*, 109.

³³ Published as *The Declinator and Protestation of the Archbishops and Bishops, of the Church of Scotland ... against the pretended generall Assembly holden at Glasgow November 21, 1638* (London, 1639).

³⁴ Robert Baillie, *An Antidote against Arminianisme* (London, 1641).

³⁵ schedule.

³⁶ 'the' in MS.

³⁷ perhaps 'ocatione', i.e., 'occasion'?

³⁸ 'if' in MS.

³⁹ Thus in text, but 'spew' would make better sense.

world,⁴⁰ quhat fitting they gat in the Low Countreyes and divers places of the Reformed Churches, quhat the errors themselves was, the arguments they used for confirming them, the reassone takine of his errors by scriptor, Fathers, serven especiallie the Dominicans who are no les violent,⁴¹ unto the Armenians then any in the Reformed Churches, and lastlie by evident reassone, and this, eftir almost 2 hours' declamatione, he cloised upe.

Then the commissione[r]s for the citie of Edinburch renewed their former desyre that it wold pleas the assembl[i]e to tak ther Loudian⁴² in considderatione, thir people being much offendit with sume of the ministers who did adhere to the prelat and publiclie disclaimed the authoritie of the assemble. Eftir sume motione about the tabill, it was concludit that a speciall commissione sould be granted to persones of choystest qualities, noblmen, barrones, burgess[es], and abill ministers, to examyne the complaints against the ministeres and according[ly] to proceid against them with the full rigoure and authoritie of the assemble ayther to suspensione, depossitione, or excommuniacione, which being done, the commissioners were inrollit and their names callit. Eftir this the commissioneres for Edinburch urgit with much vehemencie that Doctor Eliot⁴³ mycht be includit within the number of the delinquent ministeres, the moderator demanding what his offence mycht be sieing he had nayther subscrivit the Kinge's Covenant nor yit did adher unto the prelat, no uther argument could be givine bot that they thocht him a man not fullie qualified for so eminent a place, the moderator replying if it was soe, what was the reassone they maid choys of hime at first? This answer was givine by the commissioneres, 'Prey yow, moderator, let the commissioners have ~~place~~ power to cognose of Doctor Eliot as weill as the rest, for we wald be quyt of hime.' It was modestlie concludit by the moderator that the commissione should have that power, and according as they fand caus, to proceid against hime. This commission being granted to Edinburch gave occassione to divers commissioners of barrones and sheyres to demand the lyk favoure. The clerk of Dundie urged that a commissione mycht be accordit for tryeing of twa delinquent ministeres in the towne, Mr George Coloss⁴⁴ and Mr Duncan.⁴⁵ The laird of Albare,⁴⁶ in the name of the barrones,

⁴⁰ line and a half left blank.

⁴¹ space left for several words.

⁴² i.e., Midlothian.

⁴³ Mullan, 'Armianism', 25.

⁴⁴ Andrew Collace, minister of First Charge, Dundee, dep. 1639: *FES*, v, 315.

⁴⁵ *FES*, v, 319, lists a John Duncanson as minister of the Second Charge from 1624; he died in 1651. There is no indication of any difficulty with the courts of the church.

⁴⁶ James Lyon of Auldbar: *RKS*, 151. He had promoted the King's Confession in Forfarshire: M. Young (ed.), *The Parliaments of Scotland: Burgh and Shire Commissioners*, 2 vols. (Edinburgh, 1992-3), ii, 442.

gentrie, and ministeres, requerit of the moderator that the commissione of Dundie mycht includ the sheyre. The Sh[e]reff Tividaill arose [and] requestit that a commissione mycht be grantit to that syd of the countrey for the lyk imployment—in a word, so hichlie ware theis particular commissiones laboured for, that the moderator thocht not expedient to determine the questione at that tyme, only the commissione for the citie of Edinburche and sume parts in Lothiane being established; the rest ware delayed untill the breaking upe of the assemblie. Now was tyme for Mr Alexander Gladstaines to receive his condemnatorie sentence, who, being citit threi severall tymes by the commune cryer, then his proces was red, a foull, scandalus, and unfamous ane it was indeid, and verye unbeseming a Christiane man, him be[ing] a minister and on[e] so weill gifit utherwys. His process being endit, the assemblie being fullie satysfied with the probatione, they proceed to the sentence, which was so to be deposed and nevir to execut the office of a minister any moire.

[1⁴⁷] The nixt mater that came in motion was the committie for revissinge the (~~corrupt as they ware then~~) assemblies, as they ware in number: the assemblie at Lithgow holdine in anno 1606; aneuther holdine at the same place anno 1608; a third holdine at Glasgow anno 1610; a fourt at Aberdene anno 1616; at St Androis a fyft holdine anno 1617; and the saxt holdine at Peirth 1618. ~~Theis they are pleased to grace with the name of currupe assemblies and if the pepers [i.e., papers] ware true which was drawine upe by the committie for revissinge theis assemblies, they mycht verie well deserve that name to the jud[ge]ment of any indifferent man.~~ Reassones ware givine in in wreit declaireing the nullatie of them. Theis choys arguments was takine from the tyme granted by the act of parliament for conveyeing of assemblies, which requerit that 20 dayes should interveine betwixt the interdictione and day of meittinge at which tyme libertie was graunted to choos commissioner, which was not observed in all theis assemblies, sume of them being indytit on the 3 of December to conveye December the 10, or otherways they argued from the unlawfullnes of the persones quho gave voyces in this assemblie without any warrand and autoritie from the presbeteres, only authorized by the kinge's speciall letters and then they reassone from the factione and violent cariadges of thinges in thois assemblies. Theis reassones being read and the commissioner seiming to be weill satisfieit, they proceed into voyces, ~~and without so much as ane hoist~~⁴⁸ of any any opposit,⁴⁹ they are declared unlawfull and so pronounced null by the moderator. Then episcopacie, which befor did bot totter, being loosed a litle at the roott, begaine

⁴⁷ GD112/43/5/8.

⁴⁸ cough, i.e., hint.

⁴⁹ If this scoring out was the action of the writer, he should have removed also 'any opposit'. *RKS*, 24, says: 'with the universall consent of all'; *ibid.*, 162, says 'all in ane voice, without contrare voice'.

now to incline her ~~up~~, and presadge hir unresistibill fall. Bot because the day was spent she was suffered to languishe out that night, and so the sessione was cloised.

On Wednesday ther was litle or nothing done. The earll of Argyll havinge gone to Hamiltoun, and I, being with hime, can make no record of that daye's session.

Thursday the moderator inquerit gif theis of the brethern ware readie quha was desyred to speak against the service buike, *Buik of Cannones*, and hie commissione. Foure of them ros upe, on[e] eftir ane uther, and read the peperes which was verie longe, but all to gud purpose. The assemblie being satisfied with them, the moderator requerit they mycht give ther voyces if the Service Buik, *Buik of Cannons*, and hie commissione should be condemned or not. Everie ane of the assemblie answerit to ther names as the[y] ware demandit, and did condemne them, and aye⁵⁰ because it was his majestie's pleaser & by his proclamatiōe so to command.⁵¹ In my jud[ge]ment ther are not maters of importance moir to be handled in the assemblie then the reconsilling of the Covenantes, which in effect is alreadie done, [2] and the sentanceing of the bishoipes, and no doubt they will be all excommunicat, accept⁵² theis that does as the bishoipe of Orkneye hes done.⁵³

⁵⁰ MS altered; probable reading.

⁵¹ RKS, 80, 9 Sept. 1638.

⁵² except.

⁵³ In the event, eight were deposed and excommunicated, the remainder simply deposed. Mullan, *Episcopacy in Scotland*, 190.

Robert Baillie, 'A Discourse anent Episcopacy', 1638

[25r] A discourse anent episcopacie intended for the late generall assemblie, proving from scripture and antiquitie this office as hitherto it hath bin taken and used in the Kirk of Scotland and yet is required, to be unlawfull, and answering the chiefe scriptures and passages of Fathers that commonly are produced to the contrair, shewing also that episcopacie, howsoever limitate, is so inconvenient for us, that by no meanes we ought to give our assent to the reduction thereof.

Among all the questions to be determined in this present synode, there is none of greater consequence in the estimation of all men than that of episcopacie. In all other articles there is some hope of mutuall condescending for the satisfaction of all. Heere only does not yet appeare any cleare ground wherupon so solid and hearty agreeance can be builded as all could wish. In this head the hearts of many are at such a distance, their tenets are so directlie contradictorie, that both standing where they are, all meeting in one, all conciliation is impossible—the one being fully bent in any termes to have bishops standing, the other aiming mainlie at their removall; the one esteeming the subsisting of that estate the gaining of all their present desires and the laying of a sure foundation for all their future designes; the other, taking that estate for the fountaine out of the which all our other evils hath flowed, the root and seede whence all our greivances hath sprung, are nothing quieted by the cutting of the branches, no though the sulk of the tree should be rased even to the ground. So long as any twist of that root remaineth in their land they are in continuall fray of a new sprouting. They put it out of question that with the returne of a sommer season such influences will come down againe from the superiour orbs; such beames from the face of an unclouded sunne will fall on that seed if any pickles of it be left in the ground that it will at once be made to increase suche, yea, a hundreth fold. To thir nothing is contentment, nothing is any tolerable securitie but the close drying up and stopping of that spring, the present pulling up of all the tapons of that ungratious root. In this repugnance of judgments, desires, designes, no agreeance can be expected till our Lord, the Prince of Peace, come downe among us and cause the light of his trueth to shine in our minds and shed abroad in our heart the spirit of brotherly kindnesse. Where trueth and love preceeds, the blessing of

peace is ever commanded to follow. The best meanes [which] can be used by any of us to procure the down sending of these blessings from above, after our earnest supplications to the Father of lights their only giver, will be our mutuall contribution of that little light which former labours hath put in our mind. Whill everie man brings his candle, a great light may arise out of the conjunction of all. Whill everie man lends his lamp for searching of trueth, it may be so sighted at last on everie side that no nooke of it remaine uncleared. For myselfe, the small glid,¹ the poore spark that I have, I offer it most willingly. My judgement of this question I shall propone in that brevitie and clearnesse [of which] I am able, wishing heartielie to be so happie as to have the honor to draw out some piece of trueth out of the darknes² [25v] wherein the negligence of some men and the too great diligence of other hath involved it therby to contribute somewhat for the laying of the grounds of our church's peace which we have now so much need of and all doe so passionatlie wish for, but is impossible to be obtained for any long continuance except the trueth be layed under as a solid foundation whereupon it may be erected to stand firme for many generations.

Concerning episcopacie, three questions are considerable, for the mind of divines in this matter runneth three diverse wayes. Some take this governement to be necessar as a piece of policie which Christ in the New Testament hath set downe to be followed by all churches for ever. Others, not beleeving the divine, the apostolick, the scripturall warrant, and so the necessitie of it, yet takes it for a laudable ecclesiastick ordinance in itself, verie convenient and meete to be embraced by all churches. Others who reject both the necessitie and conveniencie of this governement, yet at some times and in some places take it to be tolerable. All thir threi tenets would be discussed, if episcopacie be necessar or needlesse, if convenient or inconvenient, if tolerable or intolerable, whether it must be, whether it ought be, whether it may be.

But before we break in on any of these, we must understand the nature of the subject whereupon all the questions runnes—what doe the parties understand by episcopacie and bishops? If we would describe bishops with these qualities wherby many of their persons for some hundreth yeeres hath bin clothed in Christendome, yea, are clothed this day within this isle, and call them churchmen, lords of temporall states, prime members of royall counsels, [ex]checquers, parliaments, chancelers of kingdoms, treasurers, lord keepers, earles, palatins, dukes and peeres, generals of armies, governours of provinces, yea, soveraigne princes of large seigniories—if we put in our bishops these qualities, these of our

¹ glance?

² The page bottoms of the NLS copy have been trimmed too closely, and where the text has been damaged, it has been corrected from the NC copy. There are numerous instances where Baillie mixes plural subjects and singular verbs; also 'no' for 'not'. I have not drawn attention to these in the text.

parties might not be offended who defend the compatibilitie of all these and many mo such conditions with the episcopall office, yet for shortning of our dispute we are content for the present to lay aside all these respects which are but accidental to the office and separable from it. In our description let nothing be included but that which by our parties is acknowledged to be unseparable, yea, essentiall to episcopacie.

A bishop hath three characteristicall notes. 1. He hath a perpetuall superioritie of spirituall dignitie above all the cleargie and laitie of his diocesse. 2. He, according to his dignitie, hath the power of ordination wherby he rules as the proper subject of that facultie [and] may ordaine, creat, and consecrat bishops, presbyters, deacons, and all other ecclesiasticall offices. 3. He hath the power of jurisdiction, so that to him alone,³ the only true and proper pastour of the diocesse, belongs the right of publick admonitions, excommunication, absolution, suspension, deprivation, keeping of assemblies, making of church constitutions—thir and other acts of outward jurisdiction belongs to him alone, and these to whome he pleaseth to give a commission to do them by his warrant. Thir three notes are made essentiall to episcopacie by the latest and best defenders, Saravia,⁴ Bilson,⁵ Andrewes,⁶ Spalato,⁷ Downname.⁸ So [on] thir three in all our dispute our eyes must be fixed, that our bishop is an officer in the church who hath a perpetuall superioritie of dignitie over all the diocesse and a proprietie of a double power of ordination and jurisdiction. Such men are Romish bishops; the English in nothing are behind them; our owne claimeth as much as either. Wee see not onlie their late practice in the *Booke of Canons, Service, Ordination*, but their profession before us all in their Declinature,⁹ that they are judges of presbyters by vertue of their degree and scorne to be judged by a generall assemblie of

³ delete 'is'.

⁴ Hadrian Saravia, *Of the diverse Degrees of the Ministers of the Gospell, etc.* (London, 1592), 39–62. This work was published in Latin in 1590 and then first in English a year later. Saravia split his career between the Low Countries, the Channel Islands and England, where he made his permanent home from 1587. He obtained preferment in the church, and became a close confidant of Richard Hooker. He wrote in favour of episcopacy and engaged in literary debate with Beza.

⁵ Thomas Bilson, *The perpetual Governement of Christes Church* (London, 1593). Bilson began his episcopal career at Worcester in 1596, moving thereafter to Winchester; he died in 1616.

⁶ N. Lossky, *Lancelot Andrewes the Preacher (1555–1626): the Origins of the Mystical Theology of the Church of England*, trans. A. Louth (Oxford, 1991 [Fr. orig. 1986]), 279.

⁷ Marco Antonio de Dominis, *De Republica Ecclesiastica*, 3 vols. (Heidelberg & Frankfurt, 1618–58). Obviously the final volume would not have been available to Baillie at the time of writing his treatise. See above, p. 24 n. 10.

⁸ George Downname, *A Sermon defending the honourable Function of Bishops*, in *Two Sermons* (London, 1608). Calvinist and episcopal, he was appointed bishop of Derry in 1616 (d. 1634).

⁹ Later published as *The Declinator and Protestation of the Archbishops and Bishops, of the Church of Scotland* (London, 1639).

us, that the power of an assemblie consists in the bishops alone, that no [26r] presbyter hath any place there except so many as they please to bring for their convoy and taking of the advyce before my lords give out their decisive voices.

Having cleared the subject, consider the first question, if bishops be necessar. If this be evinced, the posterioir questions are needlesse—prove their necessitie, we have sall no doubt of their conveniencie and tolerableness. Prove their divine institution, we must not plead for their removall, no, not for their limitation with any caveat; wer their burthen never so greevous, we must submitt the necks of our verie conscience to it as to a part of Christ's yoke which in no case may be cast off. But praise to God that this necessitie cannot be proven. It is our comfort, that as the conclusion is from the councell of Trent, so all their arguments, when the learnedst of their partie have done their extreme diligence, are but the weapons of the Jesuits, wherewith they fight against the Reformed Church. Yea, this is one of the controversies wherupon depends not the honour and wellfare alone of our church but the verie subsistence and being itselfe of the whole Reformed churches. By this conclusion of the necessitie of bishops, of their divine or apostolick institution, the papists ingeminats the simple nullitie of all our churches, for they alleadge that since Christ hath given the power of ordination to bishops alone, that these who have not their ordination from bishops wants a lawfull calling to preach. Now, none of the pastours of all the Reformed, save the English alone, have their ordination of bishops, so the pastours who have bin there were not called of God, their baptisme was null,¹⁰ their power to preach was not from God, the faith of their hearers is not grounded—all this will inevitable follow if the first ground hold, that bishops have power of ordination annexed by God to their place. These of our neighbours who latelie hes taken up that conclusion from the commoun adversar may be censured justly either of a dangerous error or of a wicked mind towards the Reformation, so much the more as when they are put to answer the popish argument they evidently betray our cause. All they say to count of is that the ordination of the pastours in the Reformed churches by presbyters only, without bishops, came through necessitie, all the bishops in these countries being obstinat hereticks. This answer is not onlie weak and poore but clearlie false—no such necessitie in any of the Reformed churches as they speak of. In them all sundrie bishops received the faith: Cardinall Châtillon¹¹ in France,

¹⁰ This was not Catholic teaching.

¹¹ Odet de Châtillon (1517–71) was the son of Gaspard de Coligny, maréchal of France, and Louise de Montmorency, who died a Calvinist. He quickly moved up the ladder of preferment and became a cardinal in 1533. In 1561 he publicly communicated in both kinds and was excommunicated in 1563. He died in England. See the article by R. d'Amat in *Dictionnaire de Biographie Française* (Paris, 1933–), viii, 816–17.

Vergerius¹² in Switz[erland], Hermannus¹³ of Culen in Germanie, diverse among us in Scotland.¹⁴ And though none had bin, yet easie had the voyage bin to England to have gotten some bishops institut for all the churches. How easie had it bin at the beginning or any time since for the ministers of all the Reformed churches to have created bishops among themselves, as the presbyters of Alexandria and other places did of old, that these bishops might have, according to Christ's ordinance, conferred orders and execut other parts of their episcopall office. But the trueth is that such a conclusion never came in any of the Reformed divines' heads. They ever oppugned it with a generall harmonie, all of them to this day. Onely of late some few in England who have fallen in a passionat love with many other points of poperie have vented this Tridentine maxime of the necessitie and divine institution of bishops, which our men hes taken from their hands, together with their office. Dr Bancroft, the ordainer of our Scottish bishops,¹⁵ was the first in England we can heare of who ventured on this tenet, with the great disdaine of the most of his fellowes, albeit the faction now prevalent hes advanced this. These [are] among the prime articles of their creed, but we must not love the tenet the worse that it is popish, that all the grounds of it are Jesuitish, that all the Reformed doe abhorre it as an errour which endangereth the safetie and verie being of all their churches. If so there be any trueth into it, let the treuth be embraced, though the world should perishe.

In the tryall of this trueth, this sall be our order: we sall propone our scripturall

¹² Pier Paolo Vergerio became a diplomat for the pope in 1532. In his travels he met with Protestants and when he took up an episcopate, he attempted to institute reform. Opposition led him to quit the Catholic Church. He became a Protestant pastor and died in Germany in 1565. He was also exemplified in [Robert Fleming,] *The Fulfilling of the Scripture* ([Rotterdam], 1669), 277-8: 'Vergerius, the pope's Nuncio, for many years in Germany, whilst he is writing against the truth, is even then converted, and forced to yeeld to the power of the same, turns Protestant, and a zealous preacher of the Gospel to his death.' See the article by A.J. Schutte in *OER*, iv, 228-9.

¹³ Hermann von Wied. Elected archbishop of Cologne in 1515, and as such was an imperial elector. He set out to reform the church under his rule, and from 1540 demonstrated stronger affinity toward the evangelicals. Opposition finally compelled his resignation in 1547. See the article by G. Vogler, trans. S.M. Sisler, in *OER*, iv, 271-2.

¹⁴ G. Donaldson, *Reformed by Bishops: Galloway, Orkney and Caithness* (Edinburgh, 1987).

¹⁵ This is incorrect if the statement is intended to be taken literally, and not just evocative of Bancroft's role in pushing the matter forward. The consecrations in 1610 were carried out by George Abbot, bishop of London, Lancelot Andrewes, bishop of Ely, Richard Neile, bishop of Rochester, and Henry Parry, bishop of Worcester, explicitly avoiding any suggestion of submission to Canterbury or York. James Montague of Bath was to have been involved, but was unable; he was replaced by Rochester and Worcester. See J. Collier, *An Ecclesiastical History of Great Britain, chiefly of England*, 2 vols. (London, 1708-14), ii, 702; T. Hannan, 'The Scottish consecrations in London in 1610', *Church Quarterly Review*, boxi (1910-11), 387-413.

[26v] reasons against their these;¹⁶ next, some testimonies of antiquitie; thridlie, we shall examine their reasons from scripture; lastlie, we shall answer their passages of the ancients. The passages of antiquitie we might have passed, for all Protestants ought to rest content in all their doctrines with sole scripture, but heerein we must yeeld to their weaknes. As in many other things they swey, the Romish may so heere also: scripture alone to them in anything, whether disputs, sermons, discourses, or whatever speach, writt, print is unsavorie without the mixture of humane authours. If they conceive that antiquitie in anything be for them such is their prejudice that the clearest scriptures moveth no their mind, but all is put by, shifted, or rejected with frivolous exceptions. It is a pitie that the false show of mistaken antiquitie should be suffered to keep any mind in an error which easelie may be shoven to repugne not only [to] scripture but also to the tenet of the Fathers, both Greeks and Latine. I take it in this as I have found it in many other controversies—scripture and antiquitie consent and go together with us against our opposits. However, let us try it.

Our first reason. Betwixt no officers of the New Testament which are of one order doeth scripture put any different degrees of dignitie, let be of power. But bishops and presbyters are officers of the New Testament which are of one order. Therefore betwixt them scripture maketh no different degrees of dignitie, let be of power. The major is cleare by a particular enumeration of all the other officers of the New Testament—apostles, evangelists, prophets, doctors, deacons. No scripture give[th] to an apostle above an apostle, to an evangelist above an evangelist, to a prophet above ane prophet, to a doctour above a doctour, to a deacon above a deacon, any different degree of dignitie let be in power of jurisdiction. In the Old Testament,¹⁷ where God would have some priests to have the rule over their brethren and some Levites over the other Levites, scripture hath expresse ordinances for all these dignities. The place of the high priest, the place of the 24 princes, the heads of the families of the house of Aaron, also the foure and twentie princes of the house of Levi are all distinctlie set downe in scripture, but of such distinction among the officers of the gospel, the New Testament is silent; yea, when any of the apostles did aspire to any preeminence over their fellow apostles, Christ ever reprovved them for their ambition to be greater than their brethren.¹⁸ Of any such ambition among the evangelists, prophets, doctours, or deacons we read not, only among some pastours that evil spirit entred, which St John beats down in Diotrephes.¹⁹ Our adversaries grants us the paritie of dignitie and power in all the officers of the New Testament but in the pastours, for however

¹⁶ thesis.

¹⁷ e.g. Numbers 3.

¹⁸ Mark 10:42-3.

¹⁹ 3 John 9.

the papists alleadge, a principallitie established among the apostles in the person of Peter. Yet the farthest that any Protestant I know of goes is to the prioritie of meere order without any different degree of dignitie, let be of any greater power of jurisdiction. This being granted, that in all other officers scripture maketh no imparitie of degree, the lawes of reasoning will inferre the like in the order of pastours, for *paria paribus conveniunt*.²⁰ Alwayes, the scriptures they alleadge for the imparitie they establish among pastours we shall consider them all in their owne place. The minor that bishops and presbyters are officers of one and the same order, our adversaries grant, for among churchmen they make seven orders, wherof bishops and presbyters falls under one, to wit, that of priesthood. Some of the late canonists does extend the number of their orders to a *novenarie*,²¹ making the first tonsor to be one and episcopacie another, but this their ignorance is scorned by the rest of the doctors. However, if it were denied, we might soone prove it by scrip[27]ture and antiquitie. Ephesians 4:11, 'He gave some to be apostles, some prophets, some evangelists, some pastours, some doctors',²² who are couched under one only of thir offices—they are officers of one and the self same order. But bishops and presbyters are couched under one of thir offices—they are not apostles, prophets, evangelists, for they were extraordinar; not doctors, for to these discipline and the sacraments does not belong; so the pastorall office alone remaines for them. However, in the heat of dispute our adversars whiles will have their bishops in the order of the apostles, yet their common and constant tenet is that they are pastours, yet the chief ordinar pastour of the whole diocese. As for presbyters, however, whiles they deny them the style of pastours, yet necessitie drawes them to give them that honour, for if they be not pastours they cannot be in any order of churchmen of the New Testament: Ambrose²³ in his Commentar[y] on the 1 Timothy 3, 'the ordination of bishops and presbyters is one'.²⁴

2. Our second reason. Whome scripture everywhere maketh one with presbyters—to these, scripture gives no degree either of dignitie or of power above presbyters, but scripture everiewhere maketh bishops one with presbyters. *Ergo* the minor only is questionable; for the probation of it, looke all the places of scripture which speak of bishops and see if they can be exponed of any men but meere presbyters. Philippians 1:1, 'Paul and Timothy to all the saincts that are at

²⁰ 'the same agrees with the same'.

²¹ 'nine-fold'.

²² Closer to GB; i.e., use of 'to be', which is lacking in AV. Neither uses 'doctors', preferring 'teachers'.

²³ Another word, possibly 'Andrewes', has been scored out.

²⁴ editor's trans. See Ambrose, *Commentarius in Epistolam I ad Timotheum*, on 3:8–10, in *PL*, xvii, 496.

Philippi, with the bishops and deacons²⁵—by bishops heere, according to our adversars' confessions, presbyters are meant, for according to their ground in one citie there can be but one bishop, so whill the apostle puts mo in Philippi he might be understood of such who were but meere presbyters. Also Acts 20:17 [, 28], 'From Miletus he sent to Ephesus, calling the elders of the church. He said to them: ... "Take heed to all the flock over which the Holy Ghost hes made you bishops".'²⁶ The bishops of the church of Ephesus were a multitude of meere presbyters, as is granted [in] Titus 1:5[-7], 'For this cause I left thee in Cret, that thou ... should ordaine elders in everie citie, as I ordained thee. If any man be blamelesse ... for a bishop must be blamelesse'. Who is the bishop? The 'elders in every citie'.²⁷ 1 Timothy 3:2, 8, 'A bishop then must be blamelesse.... likewise the deacons must be grave'²⁸—all the churchmen he gives direction to are but bishops and deacons. Why is there no word of presbyters? The reason [is] because bishops and presbyters were then but all one. 1 Peter 5:1[-3], 'The elders which are among you I exhort, who am also an elder.... feed the flock of God ... taking the oversight theirow not by constraint,... neither as being lords over Gods heritage ...'²⁹ Who, to St Peter, hath the oversight of the flock? Who are his bishops, *episcopountes*? None but the elders. Many other places I passe, being content with thir five which Jerome to Evangelus³⁰ produced before me to prove my

²⁵ A loose rendition, omitting certain inconsequential material, might be based on either GB or AV.

²⁶ Closer to AV than to GB, but neither uses 'bishop' ('overseer').

²⁷ A loose rendition closer to AV in its use of 'blameless' rather than 'unreproveable' in GB.

²⁸ Close to AV, on the same grounds.

²⁹ AV.

³⁰ J.N.D. Kelly, *Jerome* (London, 1975), 147. Earlier editions refer to this as a letter to Evagrius of Antioch. See Jerome, *Opera*, 9 vols. (Cologne, 1616), iii, 259, where *Epistola lxxxv* is given as *Hieronymus Evagrius*. Likewise the Paris edition of 1533, ii, 117; Saravia, *Of the diverse Degrees of the Ministers of the Gospell*, 65-6; Downname, *A Sermon defending the honourable Function of Bishops*, 42. Modern editions give the recipient as Evangelus, and supply a different number, i.e., *Letter 146* (*Letter 85* acc. to Baillie); I have corrected all references both to name and to number. The testimony there to Jerome's views is worthy of quotation *in extenso*, given Baillie's commitment to Jerome, referring to him a number of times in this document: 'When subsequently one presbyter was chosen to preside over the rest, this was done to remedy schism and to prevent each individual from rending the church of Christ by drawing it to himself. For even at Alexandria from the time of Mark the Evangelist until the episcopates of Heraclas and Dionysius the presbyters always named as bishop one of their own number chosen by themselves and set in a more exalted position, just as an army elects a general, or as deacons appoint one of themselves whom they know to be diligent and call him archdeacon. For what function, excepting ordination, belongs to a bishop that does not also belong to a presbyter? It is not the case that there is one church at Rome and another in all the world beside.... Of the names presbyter and bishop the first denotes age, the second rank. In writing both to Titus and to Timothy the apostle speaks of the ordination of bishops and of deacons, but says not a word of the ordination of presbyters; for the fact is that the word 'bishops' includes presbyters also. Again when a man is promoted it is from a lower place to a higher. Either then a presbyter should be ordained a deacon, from the lesser office, that is, to the more

these,³¹ the simple identitie of presbyters and bishops in the New Testament. Our partie's answers heere are two, both borrowed from the papists: the first that Jerome from the places inferres the commoun names of bishops and presbyters but not the communion of their office—the apostles are oft called deacons, [but] for that cause the apostles' and deacons' office are not one. We reply that this answer is but a poore shift. The sole drift of Jerome's *Epistle to Evangelus* is to prove the reall dignitie of presbyters above deacons by this argument, mainly³² that bishops and presbyters in scripture wer all one. His argument were ridiculous if he meaned onlie of their unitie in name, for the deacons might have pleaded that they and the apostles by the same reason wer one, because in scripture their names were commoun. But Jerome's argument, being not only of the name but office of a bishop, it curbes mightielie the deacons' pride aspiring to be above the presbyters, but no daring³³ to come neere the bishops with whome scri[27v]pture made the presbyters to be one. Jerome reasons from scripture universally, that everywhere scripture maks thir twa one, thogh in some places apostles are made one with deacons, yet elsewhere they are distinguished. If alwayes scripture have given them the same name, from this universall communication of names had followed the identitie of the matter, so it is alwayes in a bishop and presbyter, so it is sometimes only in an apostle and deacon. Besyd, looke [at] all the five places named, you shall find that the matter and office of a bishop and presbyter is as well made commoun as their name. Philippians 1:1, the presbyters not only hes the name of bishops but the thing signified by that name, for no other brooked the office of a bishop at Philippi then but only presbyters. The 20[:28-31] of the Acts giveth to the elders the most part of the episcopall office, to wit, the pastorall oversight over all the flocke, by commission from the Holy Ghost, also the judgment of doctrine and power of putting away of hereticks and wolves from the flock. Also the elders that this speaks of have not only the name of a bishop but whatever propertie or part of episcopall office is set downe there, it belongs to the elder as well as the properties and parts of the deacon's office belongeth to the deacon. So likewise in the passage of Peter the elders not

important, to prove that a presbyter is inferior to a deacon; or if on the other hand it is the deacon that is ordained presbyter, this latter should recognize that, although he may be less highly paid than a deacon, he is superior to him in virtue of his priesthood. In fact as if to tell us that the traditions handed down by the apostles were taken by them from the Old Testament, bishops, presbyters, and deacons occupy in the church the same positions as those which were occupied by Aaron, his sons, and the Levites in the temple.' *St. Jerome: Letters and Select Works*, trans. W.H. Fremantle (A Select Library of Nicene and Post-Nicene Fathers of the Christian Church, 2nd ser., eds. H. Wace & P. Schaff, vol. vi, Oxford, 1893), 288-9.

³¹ thesis.

³² namely?

³³ 'daigning' has been emended, perhaps to 'daring', as in NC copy.

only are bishops in name but the true oversight and rule over the flocke, albeit not lyke lords, is given to them. When this shift hath failed they take them to the papists' last refuge, granting that in their places scripture maks both the name and office of bishops to be commoun to all presbyters, but affirming at that time the church governement was not perfected, that the perfection of it came afterward when bishops in the apostles' dayes got preheminance over presbyters, as we see in the Revelation of St John. This shift is miserable. It graunts the most of our arguments; it quytes the best of their arguments as that taken from Titus and Timothy, and that taken from the jurisdiction of the apostles. Besyd, they build on a verie false ground that in other posteriour scriptures church governement was made more perfite; the vanitie of this allegation shall be shoven in the owne place. In the meantime it is absurd to say that St Peter in his last directions and St Paul in his last, especially when he avoweth his telling of the whole counsell of God, and that he would never more see the Ephesians' face, that they then would leave the churches with a wrong and unperfected governement.

3. A third reason. The right of ordination is ascribed by scripture to presbyters, but the right of ordination is the chief part of episcopall office. *Ergo*, the chiefe part of episcopall office is warranted by scripture to presbyters. The minor is granted. The major is proved by 1 Timothy 4:14, 'Neglect no the gift that is in the[e] which was given thee by [prophecy, with the] laying on of the hands of the presbyterie'.³⁴ Though the apostle himselfe was present, yet he will not take the right of ordination to himselfe alone but ascribes it also to the presbyterie, that is, the companie of elders. So oft in scripture the word *presbyterium* is taken. Our partie does expone the word 'presbyterie' two other wayes: 1. For the gift or office of an elder, and for this sense they pretend the authoritie of Calvin.³⁵ The trueth is that Calvin does not expone the word 'presbyterie' heere so that he doeth dislyke our exposition, but evidently he approves it, albeit he admitt also the other they speak of. But in this Calvin hes not reason with him, for besyd, that scripture never taketh the word *presbyterium* for the gift or office of an elder. Such a sense in no congruities can [28r] consist with the place. This our partie seeth well and therefore they take them to another sense of the word, understanding by the presbyterie a companie of bishops. This exposition is most unreasonable, for according to their owne confession, at that time when Timothy was admitted minister, there was no bishop yet created, let be that there should be a companie of them at Timothy's ordination. That the presbyterie heere, which layes hands with the apostle on Timothy, was a companie of simple presbyters, both scripture and antiquitie maks it cleare. Acts 13[:1-3], a companie of the

³⁴ AV; I have restored Baillie's omissions using square brackets.

³⁵ John Calvin, *Commentaries on the Epistles to Timothy, Titus, and Philemon*, trans. W. Pringle (Edinburgh, 1856), 116.

elders of Antioch was the presbyterie which laid hands on Paul and Barnabas when the Spirit sent them to preach to the gentiles. In the auncient church for some hundreth yeeres in every famous church the presbyterie of simple elders was settled to joine with the bishop both in jurisdiction and coordination. Cyprian's presbyterie is famous, also Tertullian's judicatorie of *probatii seniores*.³⁶ The popish canons this day and the English likewise gives the power of ordination to presbyters and that, as Field³⁷ well remarks, not onlie to testifie their bare consent—for if it wer so deacons might lay their hands with the bishop on deacons to testifie their consent to their ordination, which was never permitted—so [the fact that] the presbyters' imposition of hands is not by the bishop's meere permission, is not to testifie their consent, but it is their due place by divine right to signifie their power to conferre orders, as they call them, with the bishop as his [sic] colleagues, not as his arbitrary assistants.³⁸ That they wer spoiled of this right it was the bishops' usurpation against the canons both divine and humane. The 13 canon of the councill of Ancyra before Nice[a],³⁹ 'It shall not be leasume for the *chorepiscopus*, that is the presbyter who had the oversight of the landwart churches, to ordaine presbyters or deacons without the bishop's leave licence in wreit, yea, the toun presbyters may not do it in any other parochin.' Heere the councill gives leave both to the toun presbyters and to the *chorepiscopi*, which wer but presbyters, to give orders anywhere in the whole diocie with the bishop's licence. Yea, the toun presbyters are permitted to give orders in their owne parish without the seeking the bishop's warrant. In the dayes of Augustine, the presbyter, without any leave, did confer orders in the bishop's absence. *Questions from the Old and New Testaments*: 'in Alexandria and throughout Egypt, if the bishop is absent, a presbyter ordains'.⁴⁰ That the restriction of ordination to the bishop's person is but a late ecclesiasticall ordinance, and that corrupt, see [Pope] Leo, *Epistle [Decretal]* 88.⁴¹

For although very great dispensation of ministries is common with bishops, nevertheless

³⁶ 'proven elders'.

³⁷ Richard Field, *On the Church: Five Books* (2nd edn., Oxford, 1628), 703: 'This Ordination [of ministers] is either of Bishoppes, to whome the care and government of the Church is principally committed; or of other inferiour Cleargymen.'

³⁸ grammatical problems in orig.

³⁹ Greek text omitted. See the critical discussion of this text in C.J. Hefele, *A History of the Councils of the Church*, 5 vols., trans. W.R. Clark & H.N. Oxenham (Edinburgh, 1871-96), i, 212-13. The council was held in 314.

⁴⁰ *Opera*, iv, *Appendix*, 33. The editors of the 1616 version viewed this as a spurious work.

⁴¹ Pope Leo, [*Opera*] (Lyon, 1633), pt. 1 [*Epistolae Decretales*], 158-9. While not overtly misleading, Baillie's quotation is neither precise nor continuous; omissions have been restored in square brackets. While present in older editions, later ones came to regard this letter as a supposititious work. See *PL*, liv, 1238; lv, 757-64.

let them know that certain things by authority of the old law, certain things by ecclesiastical rules of the new law, such as the consecration of presbyters, deacons, or virgins, the dedication of an altar, and blessing or anointing, are prohibited to them. [If indeed it is not permissible for them to erect an altar, then neither is it permissible to consecrate churches or altars, nor to convey the Paraclete, the Holy Spirit on converts from heresy by the laying on of hands to the faithful being baptised], nor to confer the chrism, nor to seal the foreheads of the baptised with chrism [nor indeed publicly in the mass to reconcile any penitent, nor to send to whomever it may be official letters. For all these things are not permitted to *chorepiscopi*, who are recognised to be according to the example and form of seventy disciples, nor to the presbyters who bear the same form. Wherefore although they have consecration, they do not however have the pontifical tiara. All these things fall to be owed to the highest priests alone (i.e., bishops) by authority of the canons], so that by this both the distinction of ranks and the exalted dignity of the highest priest is demonstrated. And besides, it is not permitted to presbyters to enter the baptism in the presence of a bishop, nor to baptise an infant, the bishop being present, nor to seal, [nor to reconcile a penitent without the authority of their own bishop, nor, him being present unless he bid, to create the sacrament of the body and blood], nor in his presence to teach a congregation of the people, or to bless or to greet, nor in any case to exhort the people.

From this pope we learne that the taking of ordination from presbyters, it was but *autoritate canonum*, but *ecclesiasticis regulis*,⁴² and by such canons which was neither old nor good, except you will have the constitutions both good and old that spoiled the presbyters of the power to preach, to baptise, to celebrate the communion in a bishop's presence. [28v] That all such ordinances were but late and not universall in all churches, Ambrose on the 4 [ch.] of the Epistle to the Ephesians will show it:

Not everything written by the apostle concurs with the ordination which is currently practised in the church, because these things were written during the infancy of the church. For Timothy, whom he himself had made a presbyter, he called a bishop, because the first presbyters were called bishops so that when one departed, a successor might succeed to his place. In Egypt, at least, presbyters ordain if a bishop is not present. But because the subsequent presbyters began to be found unworthy to hold the primacy, the matter was changed, by provision of a council, so that not order but merit should make a bishop, appointed by the judgement of many priests, [so that the unworthy might not heedlessly usurp (the office), and there be a scandal in many things].⁴³

Heere the creation of bishops is posterioir to scripture. The ordination of bishops themselves at the beginning and their election also is given to presbyters, and the ordination of presbyters and deacons when a bishop was wanting in Ambrose's own dayes was the commoun practice of presbyters over all Egypt.

4. Our fourt reason. The power of jurisdiction is ascribed by scripture to presbyters, but the power of jurisdiction is a great part of the bishop's office. *Ergo*,

⁴² 'by the authority of the canons ...by ecclesiastical regulations'.

⁴³ Ambrose, *In Epistolam ad Ephesios*, on 4:11-12, in *PL*, xvii, 410. Baillie omitted the material in square brackets. The first part of this material is also in Saravia, *Of the diverse Degrees of the Ministers of the Gospell*, 26, but missing the essential negative, i.e. 'doth not agree'.

the question is only about the major. We must prove it by parts, for the acts of ecclesiasticall jurisdiction are many. They may be reduced to three sorts—either they are critick, diatactick, or dogmatick. The first are in judging of church causes and executions of censures, the next in setting downe lawes and constitutions in church assemblies, the third in censuring of doctrine. All thir three scriptures ascribes to presbyters, at least to men who are not bishops. For the first, see Matthew 18:17–18,⁴⁴ 'If he shall neglect to heare them, tell it to the church; but if he neglect to heare the church, let him be to thee as an heathen man and a publican. Verily, I say to you, whatever yee shall bind in earth it shall be bound in heaven....'⁴⁵ Heere the power of judging of ecclesiastick causes and the power of executing church censures the right of the keyes is given by Christ to the church, which is not nor can be understood of the bishop of the diocese for he is alwayes one, but the church whereof Christ speaks heere is necessar[il]y a multitude as both the text and the ancients on it puts out of doubt, for Christ directs to admonish first alone, then before one or two witnesses, then before the church which hath mo then two or three, thus Chrysostom on the place:⁴⁶ 'he commaunds by admonition to cure his disease, once, twyse, thryse, and now his alone to admonish, then with two, then with mo'; he bids 'tell the church', that is, the governours. So Jerome⁴⁷ on this place, 'But if he will not hear, a brother is brought. If he will not hear him, a third is brought ... Hereafter if he will not hear them, then it is to be said to many ...' Basil in his *Asketicks*, question 86, expounds this place the same way, giving the power of the keies to all the apostles as well as to Peter, and to all pastours as well as to them:⁴⁸ 'To all posteriour pastours and doctours giving a like power; a prooffe hereof is that all doeth bind and loose as well as Peter. Now, that what Christ said to the apostles he made [29r] it a law to all the pastours of the church after them, it may be proven by many and undoubted testimonies of the holy writt.' That Basil by his *kathegesomenon* understands all pastours is cleir, for he is speaking of these of whom the apostle, Hebrews 13, sayes,⁴⁹ 'these hegoumenoi ar all who watch for people's soules and are to give account for them'.

⁴⁴ MS has 18:19.

⁴⁵ AV. The phrase 'tell the church' became a great source of contention between presbyterians and independents in the 1640s, the latter following a more congregational, i.e. democratic, line.

⁴⁶ Greek text omitted. See Saint Chrysostom, *Homilies on the Gospel of Saint Matthew* (A Select Library of the Nicene and Post-Nicene Fathers, vol. x, ed. P. Schaff, repr. Grand Rapids, Mich., 1956), 373.

⁴⁷ Jerome, *Commentarium in Matthaicum*, in *Opera*, vi, 38. The NLS copy attributes this quotation to Hilary, but the NC copy, while obscure, seems to give Jerome.

⁴⁸ Greek text omitted. The cited material does not appear in Question 86 of *Regulae Brevius Tractatae*, but at least some of it is to be seen in PG, xxxi, 1404, *Constitutiones Monasticae*.

⁴⁹ Greek text omitted.

The Master of Sentences, after Jerome, expounds this place the same way, giving the power of binding and loosing to all priests as well as to bishops, bk. 4, distinction 19:⁵⁰ 'It seems right to others, as I acknowledge it seems right to me, this key is given to the entire body of priests [*sacerdotibus*], namely of binding and loosing... for, he says, the other apostles, as well as Peter, have this same judicial power, because truly all priests have this power, and the whole church has in bishops and presbyters.'⁵¹

As Christ's precept puts the right of the church censures not in the hand of one bishop but of the church—a multitude of governours, the presbyterie, the synedrium of elders—so was the practice in the apostles' dayes. See 1 Corinthians 5[:4-5], where it is acknowledged that the excommunication of the incestuous did belong not to a bishop, which then was not, but to the church of Corinth, for the apostle rebuketh them that they had not excommunicat; albeit he was an apostle, yet will he not take this censure to himselfe alone but will joine them, or rather will joine himselfe with them, making them the subject of the power: 'Yee being met with my Spirit', he commaunds them to purge away the old leaven and shewes that they have power to judge all within the church, which St Augustine, *The City of God*, bk. 20, ch. 9,⁵² expounds of excommunication 'by the rulers themselves by whom the Church is now governed'. This same excommunication, 2 epistle [2 Corinthians 2:6-10], is called a rebook⁵³ given by many and the absolution from it is given to them, 'to whom yee forgive, I forgive', shewing that both the censure and absolution from it belong to those who were no bishops. So Chrysostom on the place takes it: 'He made them companions in the decree; neither did he alone give it out, least they should think him proud and a contemner of them.'⁵⁴ Long after the apostles' dayes was this practice kept in the church, that all ecclesiastick causes did come before not one bishop, but a multitude of elders. Tertullian, *Apology*, 39: 'the tried men of our elders preside over us',⁵⁵ and Cyprian is full of the convocation of his presbyterie at every occurrence for the judging of all ecclesiasticall causes. Neither was the calling of the presbyterie a matter arbitrarie at the bishop's option as a prince doeth call his counsell when he will and misken it when he pleases, and when it is called either follows their advyce or rejects it. Such princely power of bishops over

⁵⁰ PL, cxii, 890.

⁵¹ 'bishops and presbyters' reversed in NLS copy.

⁵² Augustine, *Works*, ii, 365.

⁵³ 'rebuked' is used in GB, but Baillie was probably consulting the Greek NT at this point.

⁵⁴ Greek text omitted. See Saint Chrysostom, *Homilies on the Epistles of Paul to the Corinthians* (A Select Library of the Nicene and Post-Nicene Fathers, vol. xii, ed. P. Schaff, repr. Grand Rapids, Mich., 1956), 298.

⁵⁵ Tertullian, *Writings*, i, 119.

presbyteries was unheard of among the ancients; the bishop's sentence without the consent of the presbyterie was null. See the 4 councell of Carthage, ch. 23: 'A bishop shall undertake no judicial action except in the presence of his clergy, otherwise his sentence is invalid.'⁵⁶ Our parties confesses it was so till generall and provinciall synods had multiplied the canons, at which time the bishops had sufficient light and direction without the cleargie to decyde all causes; and so their presence being needlesse, it was thereafter neglected. This answer is impudent, yea, wicked on any pretence, to spoile the cleargie of that right which scripture and some hundreth yeeres antiquitie gives to them. Beside, was there not canons enough before the fourth councell of Carthage, yea, doeth not experience tell that the more lawes are multiplied, judges are the more involved in difficulties, and the bishops, since they have cast off[f] their presbyteries, have associat to themselves as assistants a farre greater multitude of canonick officials, commissars, and the table of consistoriall law[y]ers for the great vexation of all countries where these wicked spirituall tenets praevayled?

[29v] The other two parts of jurisdiction, dogmatick and diatactick, the judging of doctrine and making of canons, these two we shall conjoin for commonly they are both performed at once by the same persons and the same meetings. Thir we prove belongs to presbyters: whoever hath a decisive voice in church assemblies where doctrine is censured and canons for discipline are constitute, the dogmatick and diatactick part of jurisdiction belongs to them. But presbyters hes a decisive voice in such assemblies. *Ergo*, the minor only is quaequestionable, yet both scripture and antiquitie makes it evident. Acts 15, the councell of Jerusalem mad decrees⁵⁷ upon matters both of doctrine and discipline and is the maine patterne we have in scripture to all church assemblies, both oecumenick, nationall, provinciall, diocesan, and of what ever kind. In this patterne fall synods where the apostles, yea, any one of them, without danger of errour, might have concluded all causes, yet for to begin an order thereafter to be followed the elders were joined with the apostles and have decisive voice, for it is said of them and not of the apostles alone, 'it seemed good to the Holy Ghost and to us',⁵⁸ yea, the determinations of that synod are called the decrees of the elders. This right the auncients brooked in ancient councils. Cast over the subscriptions, in Eliberis,⁵⁹ a national Councell of Spaine, in Arlat,⁶⁰ a nationall synod of France, both before Nice[a], numbers of preachers wer synodick members. The synodick letters

⁵⁶ Hefele, *History of the Councils*, ii, 412.

⁵⁷ both 'mad' and the 's' suffixed to 'decree' have been added later.

⁵⁸ Acts 15:28.

⁵⁹ The council of Elvira was held in 305 or 306. Hefele, *History of the Councils*, i, 131-72.

⁶⁰ The council of Arles was held in 314. *Ibid.*, 180-99.

of Antioch against Somosatenus⁶¹ are subscribed alike by bishops and presbyters; see Eusebius, *History*, bk. 7, ch. 30. The councell of Rome against Novatus consisted most of presbyters; the nationall synod of Italie under Felix, and that other under Hilary, mo presbyters subscribes than bishops, and in that same fashion with bishops, for the distinction of subscribing *definiens et consentiens*⁶² is but idle—presbyters oft subscribe *definientes* and bishops oft *consentientes*. Pope Symmachus himselfe, *ego consentiens subscripsi*. In England to this day presbyters have decisive voice in nationall assemblies, [but in] provinciall or diocesan they seeme to have none, for the diocesan meetings are but episcopall visitations where the bishop only sits as judge and they as to be tryed to be fined and refined by my lord and his courteours, but in the nationall synod there is sex presbyters for one bishop—and not one of them chosen by any bishop of the land—wer followed,⁶³ yet everie one hes a decisive voice, albeit they be cast downe to a lower house, and the matters they treat on must come to them from the lords' hands above. It is true in some oecumenick synods there appeares no subscriptions of presbyters, but if there was not any they have bin excluded only by ecclesiastick canons or customes for meere order's sake, least if in universall synods presbyters having place, the members should be infinit and full of unavoydable confusion. That their state did not exclude them we see, for in the universall councell of Chalcedon, Barsanas, presbyter and archimandrita, *definiens subscripsit*, and from this paterne the papists themselves in sindrie of their generall counceles as Lateran, Basil,⁶⁴ and others admitted numbers of presbyters to a decisive voice.

Mo scripturall reasons I give not, least I be longsome; for antiquitie, if the passages I have brought alreadie content not, have some mo. Jerome: 'For what function, excepting ordination, belongs to a bishop that does not also belong to a presbyter?', *Epistle To Evangelus*. Heere he denyes that the power of jurisdiction in his dayes was any wayes taken from presbyters. That bishops did differ in nothing to count of from [30r] presbyters but onlie in ordination, that this one difference was brought in by custome or ecclesiastick right, not by any divine or scripturall ordinance, he shewes it in the same place.⁶⁵

According to these places, we may declare that in ancient times presbyters and bishops were the same, but the whole care was in fact gradually drawn onto one person in order to uproot young shoots of dissensions. Therefore just as presbyters know that they are subject, according to the custom of the church, to the one who has been set over them, so bishops must know that they are greater than presbyters more by custom than by the

⁶¹ Paul of Samosata.

⁶² 'determining and consenting'.

⁶³ NLS copy has 'fellowed'; 'allowed' would make better sense.

⁶⁴ Basel.

⁶⁵ i.e., *Commentary on Titus*.

truth of the Lord's disposition, and ought to govern the church jointly [imitating Moses, who although when he alone had in his power to have charge of the people of Israel, chose seventy, with whom to judge the people].⁶⁶

The passages of Jerome for this are many and large. Our adversaries who are most learned does not deny Jerome to be ours; so Bellarmine, Saravia, Spalato yeelds, only they say that he is in an errour, that he is singular and contradicts himself. For the places they cite for themselfe out of him against himself and us, we shall answer in the owne place. Singular he cannot be who cites so many scriptures for himself and avowes his tenets to be the Fathers' before him. The prooffe of his tenet in his *Commentar on Titus* he begins thus: 'Does anyone think that it is not the position of the scriptures, but ours, that a bishop and a presbyter are both one?'⁶⁷ and he closes with: 'these things I bring to show, that in ancient times presbyters were all one with bishops ...'⁶⁸ Medina⁶⁹ avowes that numbers of the ancients both Greek and Latine are in Jerome's mynd.

Heere Chrysostom in his commentar on 1 Timothy 3:8, 'There is not much betuixt bishops and presbyters, for even presbyters have received power of doctrine and church governement, and what the apostle hath said of bishops the same things agrees to presbyters, they differ only in the power of ordination and in this only the bishops seeme to exceed the presbyters.'⁷⁰ If you will expone *cheirotomia* as many do and the common use of the word does import for election, the difference will yet be lesse betwixt thir tuo—the power of ordination will also be commoun to both and the bishop only will have this prerogative, that by commoun election he is made moderator of the presbyterie. But suppon the word be all one with *cheirothesia*, imposition of hands, there will be no difference in degree nor in jurisdiction appearing in Chrysostom betwixt a bishop and presbyter but only in ordination, and that as we have heerby ecclesiastick right alone—no wayes by apostolick or divine ordinance.

Augustine maks this good, *Epistle 82*:⁷¹ 'For although, so far as the titles of honour which prevail in the church are concerned, a bishop's rank is above that of a presbyter, nevertheless in many things Augustine is inferior to Jerome;

⁶⁶ Baillie's omission restored in square brackets. See next note.

⁶⁷ Jerome, *Opera*, 9 vols. (Cologne, 1616), vi, 198–9.

⁶⁸ Both MSS have a somewhat garbled version: 'ut ostenderem sic sapuisse veteres'. The text, taken from the source in the preceding footnote, reads: 'ut ostenderemus apud veteres eosdem fuisse presbyteros quos et episcopos'.

⁶⁹ Probably Juan Medina (1490–1546), Spanish moral theologian. *New Catholic Encyclopedia*, ix, 619.

⁷⁰ Greek text omitted. See Saint Chrysostom, *Homilies on Galatians, etc.* (A Select Library of the Nicene and Post-Nicene Fathers, ed. P. Schaff, vol. xiii, repr. Grand Rapids, Mich., 1956), 441 (Homily 11).

⁷¹ *Epistle 19, To Jerome* [*Opera*, ii, 29]; *Works*, vi [*Letters*, i], 344. Text in square brackets restores Baillie's omissions.

[albeit correction is not to be refused nor despised, even when it comes from one who in all respects may be an inferior].’ Bellarmin’s shift of this testimonie pleases not Saravia; neither his shift is accepted of Spalato, nor will any man like Spalato’s evasion. Augustine is not speaking of hereticks but of the true offices of a bishop according to their title which, to mitigat Jerome’s mind exasperat with the pride of bishops, he doeth extenuat by insinuating his consent to Jerome that betwixt a bishop and presbyter there was by church canons and custom a difference of honour. Yet this was not by any divine right or scripturall ground, so that a man who was a bishop had no reasons to swell above a presbyter since his honour was only by custome of the church, no by any divine appointment. Ambrose we cited before.

Adde Nazianzen, in his oration after [30v] his leaving the bishoprick of Constantinople, about the end,... that is:⁷² ‘Never any man that was wise did regard a bishoprick; and to flee now from a bishoprick, as it seemes indeed to me, is the chiefe part of wisdom for because of it all our offices affaires⁷³ are troubled and shaken; for it the ends of the earth are in feare and in warre, which is dumb and hath not a name; for it we who wer of God are like to be fleshlie men and to losse our great and new name.’ Not only this much is said by the Father against the abuse of the office by wicked men, but also he wishes from his heart that the office itself had never bin in the church, which he could not have done if it had bin, in his judgment, of divine ordination or of necessar, yea, of convenient use. Heare him subjoine:⁷⁴ ‘Would to God’, sayes he, ‘that episcopacie were not neither any preheminance of place and tyrannick prerogative, but that we were all discerned only by our vertues. But this right hand and that left hand, and this mid place, that higher, that lower place, that going before and this going together hath made our wounds many without cause, hes cast many in the pit and put them in the place of the goates—not only of those who wer meane but even of verie pastours who, being of Israel, was ignorant of these things.’

See a cleare passage in Ignatius’s tenth epistle, *To Hero, Deacon*,⁷⁵ that is: ‘Do thou nothing without the bishops for they are the priests and thou the priests’ servant. They baptise, celebrat the communion, chuse ministers, impose hands.

⁷² Greek text omitted. Gregory of Nazianzus, *Oration 26*, in PG, xxxv, 1248. On the dating of this oration, see R.R. Ruether, *Gregory of Nazianzus: Rhetor and Philosopher* (Oxford, 1969), 179. Gregory expressed himself freely on the failings of the clergy. See, e.g., *Three Poems*, trans. D.M. Meehan (Fathers of the Church, lxxv, Washington, DC, 1987), esp. *Concerning himself and the Bishops*.

⁷³ in margin.

⁷⁴ Greek text omitted.

⁷⁵ See *The Writings of the Apostolic Fathers*, trans. A. Roberts et al. (Edinburgh, 1867), 468–9. The attribution is now regarded as spurious. There is room here for tendentious translation. Where Baillie writes ‘celebrat the communion, chuse ministers’, this translation has ‘offer sacrifice, ordain’.

Thou serves them as holy Stephen did to James and to the elders at Jerusalem. Salute the divine presbyterie and thy holy fellow deacons.' The bishops wherof he speaks are nought but the presbyters who wer many in one citie, even the presbyterie to whom Hero did serve as a deacon. Thir presbyters had then the power not only of preaching the Word and adminstrating the sacrament but also both of election and ordination. Many evasions the adversars mints⁷⁶ to, but none are good.

Lastly, see Primasius on 1 Timothy 3.8:⁷⁷ 'It is asked why he made no reference to presbyters. But he includes presbyters in bishops, because the second is within the one degree, as is proved by many testimonies of the scriptures'. Theophilact⁷⁸ and Oecumenius,⁷⁹ the same place, hes as much. But aneugh of this.

Come now to their arguments. The first place of scripture they produce and wherin [31r] they put greatest confidence is the 2 of the Revelation: 'Write to the angel of the church of Ephesus, to the angel of the church of Thyatira', 'the seven starres are the angels of the 7 churches.'⁸⁰ Heere, say they, the office of angels is approven by Christ and allowed by the apostle St John, but the angels heere are bishops: for in the churches where there was many preachers, the angel as one singular man is spoken to, he is praised for what is well, and dispraised and threatned for what is evill. So to him behoved to belong the oversight and jurisdiction over all. *Answer.* For as great confidence as learned Bilson puts in this reason, and Downam after him, yet the sharpest patrons of their cause esteemes it little worth. Bellarmine passeth it cleane by, Saravia but glances at it. And good reason had they so to do—it is grounded on a mystike and metaphorick word of an angel. Augustine will tell them that firme arguments can no be drawn from symbolick words. Jerome will tell them, *Epistle 59*: 'This entire book is to be interpreted spiritually, as we reckon',⁸¹ and this place, particularlie of the seven starres by the angel himself, is called mysterious—many things heere must be proven before they come to their intent: 1. That because the angel is spoken of in the singular number, therefore ane singular person alone must be understood by this word. Many examples will be brought out of scripture where a name of the singular number does note a multitude. 2. When they have obtained the singularitie of the angel's person they must prove from this the superioritie of his

⁷⁶ aspires.

⁷⁷ Primasius, *In Epistolam I ad Timotheum Commentaria*, PL, lxxviii, 665.

⁷⁸ PG, cxxv, 46–7.

⁷⁹ Johannes Hentenius, *Enarrationes vetustissimorum Theologorum* (Paris, 1545), 77v.–78r.

⁸⁰ The final phrase is Rev. 1:20, GB or AV.

⁸¹ Baillie has *Epistle 148* (Jerome, *Opera Omnia*, iii, 347). See Jerome, *Epistulae*, 4 parts, ed. I. Hilberg (Corpus Scriptorum Ecclesiasticorum Latinorum, vols. liv–lvi, Vienna, 1996), part i, 544. Jerome, *Letters and Select Works*, 123, has this as 'a letter not preserved', summarised from another source.

degree during his life. 3. They must prove from this place his power of ordination. 4. His power of jurisdiction and that in all the maine parts of it, thir will not be proven in haste; in the meanetime they prove the point in grosse by the testimonies of Augustine, Ambrose, Jerome, Gregory. We esteeme either their practice heere, especially as now they give it out, the necessitie of expounding places of scripture as the Fathers, in these few writts of theirs we have, hes of old expounded them and no other wayes, to be verie dangerous. Alwayes to pleasure them we are content to admitt the commentars of the ancients on this place for judges betwixt us. The passages they cite none of them are written upon the place. Yea, all the ancients I have seene on the place are flatlie against them. Some by the angels meanes no men at all but these heavenly spirits which attends on the church. So Jerome on the 34 of Ezekiel, having said that the pastours of the New Testament are not only bishops but presbyters and deacons, and that St John's angels are to be taken of these: 'according to mystical understandings, angels of individual churches, to which John wrote in his Apocalypse ...'⁸² So do the Rhemists⁸³ take Jerome. Andreas of Caesarea on the place expounds it the same way and cites for this same meaning Gregory Nazianzen: '*Singulis porro, ecclesiis ut Dominus insinuat angelus custos praepositus est, quod confirmat Gregorius Theologus dum praesens caput edisserit.*' This exposition the Jesuit Peltanus approves, for this note he puts on the margin of Andreas: *singulis ecclesiis et hominibus praefectio esse angelum.*⁸⁴ Of these who takes the angels not for spirits but for true men, the farre most part understands a multitud—either the whole church or at least the whole number of pastours and governours. The letters to the angels are all dedicat to the churches and all ends with 'heare what the Spirit speaks to the churches'. For the angel's fault [31v] the candlestick is threatned to be removed; for the bishop's fault to take away the gospell from the whole diocie it wer no justice, so the text itself will not permit the angel to be understood of one only man but will inferre the word to be expounded of many. Not only Perkins,⁸⁵ Fox,⁸⁶

⁸² Jerome, *In Ezechielem*, bk. 11, in *Opera*, iv, 439.

⁸³ *The New Testament of Jesus Christ, translated faithfully into English ... in the English College of Rhemes* (Rhems, 1582), 701.

⁸⁴ 'an angel has been set over individual churches as guardian, as the Lord appoints elsewhere, as Gregory the Theologian confirms while he explains the present chapter.... over individual churches and men the governor is an angel'. Theodorus Peltanus, *S. Patris Nostri Andreae, Archiepiscopi Caesareae Cappadociae in D. Ioannis Apostoli & Evangelistae Apocalypsin Commentarius* (1596), 8. See also PG, cvi, 231: '*Singulis porro, ut Dominus alicubi insinuat, & Gregorius Theologus, dum praesens hoc caput edisserit, confirmat, Angelus custos praepositus est.*'

⁸⁵ William Perkins, *Workes*, 3 vols. (London, 1635, 1617, 1631), iii, 261.

⁸⁶ John Fox, *Eicasmī seu Meditationes, in sacram Apocalypsin* (London, 1587), 17: 'ut sub persona Angeli, pastores & ministri ecclesiarum intelligantur' ('so that by the personage of an angel, pastors and ministers of the church might be understood').

Brightman⁸⁷ so comments it, but the Rhemists also, who yet are verie loath to let any word of scripture go by that with any shew can be throwen to advance episcopall government. The angels heere, say they, 'must needes signifie the priests or bishops specially of the churches here, and in them, al the governours of the whole and every particular church of Christendome.'⁸⁸ But for the late writers, whether papists or Protestants, let them have as litle authoritie as our partie pleases. The ancientest we have extant expounds the place as we doe. Victorinus's commentar,⁸⁹ revised by Jerome, be the angel understands *classis sanctorum*. Aretas expones *angelum* 'the church in such a place'.⁹⁰ The commentars ascrivit to Augustine:⁹¹ 'the seven stars ... he wanted the church to be understood ... what he says to one, he says these things to all. Moreover what he says to the angel of Thyatira ... he says to the overseers of the churches ... just as the Lord in the gospel said, the whole body of presidents is one servant'. Ambrosius Ausbertus:⁹² 'He indicates "churches" by "angel", by which manner of speaking the Lord in the gospel ...' At length he proveth this exposition. So lykewise Primasius on the place:⁹³ 'but rather the angels of the churches are to be understood here as rulers of the people, who, presiding over individual churches, proclaim the word of life to the whole gathering.... Therefore the angel, that is the church ... but because truly it has overseers and people, therefore in the angel the office of preachers is signified.'

Thir are all the old writers I have seene upon the place which all makes against the reason of our partie. As for the passages they cite, they are all but spoken by occasion, not one of them written expresslie by way of commentar on the place; yea, if they be examined, none of them will help the cause. Augustine, *Epistle 43*:⁹⁴ 'In fine, as I mentioned a little while ago, the person presiding

⁸⁷ Thomas Brightman, *A Revelation of the Apocalyps* (London, 1611), 32-3.

⁸⁸ *New Testament* [Rheims], 701. Baillie's rendition has been slightly emended from the original.

⁸⁹ Victorinus of Petovium, commentator, and a martyr under Diocletian. See the article by C. Curti in A. Di Berardino (ed.), *Encyclopedia of the Early Church*, trans. A. Walford, 2 vols. (Cambridge, 1992), ii, 867; *PL*, v, 321.

⁹⁰ *Brevis quaedam explicatio ex commentariis in Apocalypsin divinitus institutis beatissimi Andreae, Archiepiscopi Caesareae Cappadociae, redacta in ordinem ab Areta indigno Caesareae Cappadociae episcopo*, in *PG*, cvi, 526.

⁹¹ *Opera*, ix, 313-14, not in strict order. These phrases come from *Appendix tomi noni, continens ea quae constat beati Augustini non esse ...*, and Baillie reflects the scepticism concerning authorship; see also *PL*, xxxv, 2427, Autpertus (see next note).

⁹² Ambroise Autpert or Autpertus, abbé de Saint-Vincent de Vulturne, d. 778. He is described in an article by L. Bergeron in *Dictionnaire de Spiritualité Ascétique et Mystique*, ed. M. Viller, 17 vols. (Paris, 1937-95), i, 430. See *PL*, lxxxix, 1277-8, and *PL*, xxxv, 2426, n. 1, and 2427, not an exact quotation.

⁹³ Primasius, *Commentaria super Apocalypsim*, *PL*, lxxviii, 803, 807.

⁹⁴ *Epistle 162* (ii, 250); *Works*, vi, 158.

under the title of angel over a church is commended ...', that heer by *praepositus*⁹⁵ Augustine does not understand one only bishop but the whole body of the elders set over the church. Go no farther to try then his owne *paulo ante*⁹⁶ where he sayes: 'Now, if He [Holy Spirit] wished this to be understood as addressed to a celestial angel, and not to those invested with authority in the church....' There *angelus* to him is *praepositi*, not only *praepositus*. This is more cleared by another passage, *Answer to the Letter of Parmenian*:⁹⁷ 'it is said to the angel in a figure of those presiding'.

There next passage is from Ambrose on 1 Corinthians 11, *angelos episcopus dicit, sicut docetur in Apocalypsi Joannis*.⁹⁸ If they had looked narrowlie to the place they might have drawn more out against us, for their women in the church are to be veiled. According to Ambrose, *propter reverentiam episcopalem*, also *episcopus personam gerit* [sc. *habet*] *Christi*, also *episcopus judex est et vicarius Domini*.⁹⁹ For as pregnant as thir places are, let Ambrose heere decide the cause and our adversars themselves pronounce as judges. Thus, then, we reason the bishops which St Ambrose sayes is meant by the angels in the Revelation are such bishops which by St Paul, 1 Corinthians 11[:10], are called angels for whose reverence women should be veiled, which to Ambrose there are Christ's vicars. But so it is that the bishops of whom St Paul speaks in the 1 Corinthians 11 and of whom Ambrose speaks in his commentars on that place are nought but simple ministers according to our adversars' confession, for they grant that in the church of Corinth, yea, in no church at that time any bishop [32r] is yet created but that episcopall power over the church of Corinth was in the person of the apostle who then was absent, so that all other bishops among them in his absence could be no other but simple ministers. Jerome serves them for as little purpose: *hoc loco angelos ecclesiae praesidentes dicit*,¹⁰⁰ what place speaks he not of the Revelation, for there be angels he understands caelestiall spirits, as we have said. But the place he speaks of is 1 Corinthians 11. Now all the world knowes that Jerome does oft professe that no bishops were in the world at the writing of that epistle. Yea, our

⁹⁵ the man presiding.

⁹⁶ i.e., 'a little before'; *ibid.*, 156.

⁹⁷ bk. 2, c. 10 [*Opera*, vii, 15].

⁹⁸ Ambrose, *Commentarium in Epistolam I ad Corinthios*, 253, on 11:8-10: 'he calls angels bishops, as in St John's Apocalypse'.

⁹⁹ 'according to the reverence fit for a bishop ... a bishop bears [or has] the character of Christ ... therefore, just as if before a judge, so before a bishop, because he is the vicar of the Lord.' In both MSS Baillie has *gerit* for Ambrose's *habet*. The last phrase is based on the following: *Quasi ergo ante iudicem, sic ante episcopum, quia vicarius Domini est, propter reatus originem subjecta debet videri*.

¹⁰⁰ 'in this place he calls the angels presidents of the churches'.

partie confesseth this much, so that to Jerome heere angels and *ecclesiae praesidentes* must of necessitie be nought but simple presbyters.

As for Gregory:¹⁰¹ 'indeed, angels, that is, messengers, are sometimes in the sacred eloquence called preachers.' This passage is impertinent, for Gregory heere speaks nocht of the Revelation. I grant if they had bin diligent they might have brought from Gregory another passage for that purpose, to wit: 'Often holy scripture is accustomed to designate preachers by the name of angels of the church because they proclaim the glory of the Father, and thus it is that John, writing in the Apocalypse, speaks to the angels of the churches, that is, to the preachers of the people.' This maks against them, for according to Gregory the angels are the preachers of the whole diocesse, *praedicatores populorum*, a stile whereof bishops for some hunder yeeres hes not bin verie ambitious. In a word, neither reason nor authoritie will make thir angels to be diocesan bishops. Suppose we would give to our parties that by the angel wer meant one singular man as the chief defenders of our cause, Beza,¹⁰² Reinolds,¹⁰³ and others cares not to give them. Yet it would prove no more at most than a moderatour of the elders in these churches who was the mouth of the rest to whom letters wer directed, and who in name of the rest receaved praises for what was well and reproves for what was evill done without any constant superioritie in degree, let be sole power of ordination and jurisdiction that thir angels doe signifie diocesan bishops. It is like our partie doeth not beleieve, for if they did beleieve that the charge of a whole diocesse of two hundreth ministers and two hundreth thousand people, yea, whiles as in London twentie or thrittie hundreth thousand¹⁰⁴ people whose faces, yea, whose names they doe not know, that the charge of all these soules lay on them, would they so utterly neglect that burden as to take on with it the chiefe offices of the kingdome, such as of the high thesaurer,¹⁰⁵ the

¹⁰¹ I have not located this citation.

¹⁰² Presumably a reference to Theodore Beza, *Ad Tractionem de Ministrorum Evangelii Gradibus, ab Hadriano Sanavia, Belga editam* (n.p., 1592).

¹⁰³ Presumably an allusion to Edward Reynolds, *An Explication of the 110th Psalm* [first pub. 1632], in *Works* (4th edn., London, 1658), verse 2, pp. 353-438. Reynolds (1599-1676) ended his life as Restoration bishop of Norwich. He had been a moderate Anglican before the civil war, was at the Westminster Assembly, and took the Solemn League and Covenant in 1644. He remained moderate in his episcopate.

¹⁰⁴ It must be presumed that he meant 200,000 or 300,000 people.

¹⁰⁵ William Juxon, bishop of London, was appointed in 1636. Laud was made first lord of the treasury in 1635, and had been preceded by George Abbott in that post. The previous clerical treasurer had been under Edward IV. See E.B. Fryde *et al.* (eds.), *Handbook of British Chronology* (3rd edn., Cambridge, 1986), 107-8. In Scotland, Bishop John Maxwell was rumoured to be angling for the appointment, but if so, was unsuccessful. Mullan, *Episcopacy in Scotland*, 173.

chancellor,¹⁰⁶ etc., which requires the whole spirit of the most able men? If they did beleieve that all what is done amisse in the diocesse is to be laid to the angel's charge and that the angel's decay in zeale, let be falling in crimes, is a cause sufficient to remove the gospel from the whole diocesse, they would a great deale¹⁰⁷ rather choose the state of the poorest artisan than of so high a creature ere they accepted—let be ambitiouslie hunted for—so dangerous and so heaueie a charge. Not only they would chuse with some of old to have their noses and eares cutted off, but their head also.

Their second reason is this: the office of Timothy and Titus is institute by God [and] hes a scripturall, apostolick, and divine right, but the office of Timothy and Titus was episcopall. *E[rgo]* they prove the minor: To whom alone the power of ordi[32v]nation and jurisdiction in the whole diocesse is committed, their office is episcopall; but to Timothy and Titus alone in the whole diocesse the power of jurisdiction and ordination is committed. This they shew by diuerse passages. 1 Timothy 5:22, 'lay hands suddainlie on no man, neither be partaker of other men's sinnes';¹⁰⁸ heere the power of ordination is committed to Timothy alone. 'Them that sinne, rebook before all, that others may feare' [5:20]; 'against an elder receave not an accusation, but before two or three witnesses' [5:19]. Heere publick admonition, a maine act of jurisdiction, is given to him. Yea, he is constitute judge of all causes wherof pastours may be accused. 1 Timothy 1:3, 'I besought thee to byde still at Ephesus ... that thou might charge some to teach no other doctrine.' Heere residence in his diocesse is commaunded and power to censure doctrine given. Titus 1:5, 'For this cause I left thee in Cret, that thou should set in order things that are wanting and ordaine elders to everie citie, as I did appoint thee'. And 3:10, 'A man that is an heretick after the first and second admonition, reject'. Heer by the apostle's appointment the ordination of elders over all the isle, the constitution of all things that wer out of order, the rejecting of hereticks, is committed to Titus alone. Farther, their office to be episcopall is proved from the postscripts of their epistles. Timothy ordained the first bishop of Ephesus. Titus ordained the first bishop of the church of the Cretians. A number of passages of antiquitie seeme to say the same. Our parties speaks of

¹⁰⁶ John Williams, bishop of Lincoln, became lord keeper in 1621, but the previous clerical chancellor was Nicholas Heath, archbishop of York, in 1556. In Scotland, Archbishop Spottiswood had been appointed to the post in 1635. Mullan, *Episcopacy in Scotland*, 173; *Handbook of British Chronology*, 88–9. This latter work has Spottiswood's appointment dated on 14 Jan. 1634 (p. 183), but is apparently incorrect. See *RPC*, 2nd ser., v, 452–3, where Charles's letter of presentation was dated 23 Dec. 1634, and read before the council on 3 Jan. 1635.

¹⁰⁷ corrected from NC copy.

¹⁰⁸ In this section Baillie's citations are consistently closer to AV, or else GB is more or less the same. In some instances there are minor variations from AV, but wherever indicators are clear, AV is apparent.

this argument very loftily, yet we answer it with the greater courage that we know it to be borrowed in all the parts and probations from the councell of Trent to be pressed by Bellarmine and his fellowes, but rejected as nought be the whole Reformed churches except of verie late by some in England. But to the argument we deny the minor in all the parts: the apostle's commaunds to Timothy and Titus about ordination and jurisdiction belongs not to them alone. The apostle sets these two men before him as paternes of good Christians and of good pastours—as his Christian directions to them wer common to all beleevers, so his particular directions to all pastours, [1 Timothy] 6:11: 'Thou, O man of God ... follow after faith, righteousnes, love, patience'. Shall no other but Timothy and his successors be obliged to follow these vertues? [1 Timothy 4:16, 14:] 'Take heed to thy selfe and the doctrine ... neglect not the gift that is in thee', and to Titus [2:1], 'speake thou the things which become sound doctrine'—were not thir precepts commoun to all the preachers that then were in Ephesus and Cret? Even so the precepts they speak of, 'lay hands suddainlie on no man', this was not proper to Timothy, for others there with the verie apostle layd hands on Timothy himself. 'Some rebooke before all'—this was not proper but commoun to all who preached the word, for rebuke is an use of the Word: [2 Timothy 3:16] 'All scripture is given by divine inspiration, and is profitable for doctrine, reproof, correction'—as doctrine is commoun to all preachers, so rebuking and correcting. Slavish wer our case if we might not rebuke ane knowen adulterer whill¹⁰⁹ we had my lord his officials' direction for it. The receaving of accusations against any of the faithfull, let be an elder, belongs not to one only man but to the church, as Christ sayes. None but papists expounds the church of one representative head, that charging some not to preach other doctrine is not proper to one, for to op[33r]pose vaine fables belongs to everie good pastour, and the spirit of any erroneous prophet is made subject by scripture to the spirit of mo true prophets. We say the same of Titus his power of ordination and of his rejecting of hereticks. This was not proper to Titus alone according to our partie's doctrine but commoun to many preachers in that yle. They gave that power to all bishops, and in everie citie they put one bishop. Of old in Cret there were an hundreth cities, and that same time according to Plinie above fourtie—the precepts which Paul giveth to Titus, since they must communicat them to fourtie or a hunder, why may we not make them commoun to threescore or two hunder? If this our most reasonable denyall of the minor doe not satisfie them, we will distinguish the major: to whom alone the power of ordination and jurisdiction in all the diocesse belongs, their office is episcopall. Put in a litle word, 'only', and we grant it, but put in 'not only in the diocesse but everie where', so it will be

¹⁰⁹ until.

manifestlie false, for they who have power of ordination and jurisdiction, not onlie in one place but in all places where ever they come, their office is farre superiour and specifically differing from episcopacie; they are either apostles or evangelists. Applie the distinction to the minor: but Timothy and Titus had power of ordination and jurisdiction in all the diocies of Ephesus and Creta, only there and nowhere else. This is false, for they wer the apostle's companions even after their charge to stay a while at Ephesus and Creta. They convoyed the apostle and laboured with him in the gospell at Rome, Corinth, Philippi, Thessalonica, Dalmatia, and many other places, where the power of ordination and jurisdiction was as great as at Ephesus or Crete. Bishops, if they minted to execute their faculties without their diocese, the acts of their jurisdiction and ordination would be null, being without the bounds wherto they are determined. But Timothy being an evangelist, as the apostle expressly calls him, and Titus a colleague of the same office, being extraordinar pastours, where ever they came their pastorall acts were unquestionable. As for the postscripts,¹¹⁰ they are apocrypha scripture copen lately into the Bibles; no auncient either Greeke or Latine approves them. I am sure Jerome, Chrysostom, Ambrose, Theodoret, were altogether ignorant of them, so what is brought from them is unworthie the answer.

As for the Fathers, we do not deny but many of them oft calls Timothy and Titus bishops, but no other way than they call the apostles bishops, in a large sense wherein they call the first preachers in any place bishops; that it is so, diverse testimonies doe shoe. For shortnesse have Ambrose on thir words: 'Paul, Sylvanus, et Timotheus ... indeed the letter contains the names of three bishops'.¹¹¹ And again 1 Timothy 1, where Paul beseeches Timothy to stay at Ephesus, 'a bishop beseeches his co-bishop'.¹¹² It detracts nothing from the apostle's office that the Fathers calls them bishops. It maketh them no bishops in a proper and strict sense of the word, so neither does the stile of a bishop diminish from the office of an evangelist or draw it downe to a proper episcopacie. This same Ambrose: '[Paul] shows that he ordained Timothy presbyter, but because he had no one else before him, he was a bishop'.¹¹³ Timothy could not be proper bishop of Ephesus, since our adversaries grants that [33v] John the Evangelist the most part of Timothy's life and long thereafter had his ordinar residence in Ephesus, and there did execut the power of ordination and jurisdiction without any

¹¹⁰ Both GB and AV add brief postscripts to 2 Timothy: 'The second Epistle written from Rome unto Timotheus the first bishope elected, of the Church of Ephesus, when Paul was presented the seconde time before the Emperour Nero'; and to Titus: 'To Titus, elect the first bishope of the Church of the Cretians, written from Nicopolis in Macedonia' (both quotations from GB).

¹¹¹ 1 Thessalonians 1:1, in *Commentarium in Epistolam I ad Thessalonicenses*, in PL, xvii, 466-7.

¹¹² 1 Timothy 1:3-4, in *Commentarium in Epistolam I ad Timotheum*, ibid., 487.

¹¹³ 1 Timothy 3:8-10, ibid., 496.

subjection to Timothy. Titus likewise could not be bishop of Crete, for there wer many bishops in that isle, as they confesse, and one bishop hath no jursidiction over another unlesse he be ane archbishop, which Titus was not according to their owne grounds, for ane archbishop hath ane proper seate which Titus had not, for the whole isle was all subject to his jurisdiction; also the office of an archbishop was an ecclesiastick invention some hundreth yeeres after Titus's death. Lastlie, bishops are obliged by divine right to reside in their diocesse but Timothy and Titus are commaunded to stay but for a while and thereafter to come to him. That ever they returned againe to their supposed diocesses it cannot be shoven.

3. The third reason. The apostles by divine right and Christ's owne appointment were superior to the 70 disciples, but the bishops are the apostles' successours and the presbyters the 70 disciples' successours. *Ergo* the bishops are superiour to presbyters by divine right and Christ's owne appointment. *Answer*: we passe that this reason also is word-by-word borrowed from Bellarmine and that the forme of it is vitious, for in the syllogisme is 4 tearmes; passing formalities, we find the matter wholly false. The bishops succeeds no the apostles, the presbyters succeeds not the 70 disciples, the apostles had no such soveraigntie over the 70 disciples as they give to bishops over presbyters. The 70 disciples had no kynd of dependance from the apostles, their commission was given them immediatelie by Christ, and they were answerable in it to him only; the apostles had no jurisdiction over them, their office was but a temporall commission, so they had no ordination at all to it, they had no successour—the office of presbyters and their office is of a farre different nature. Also, that bishops doe succeed the apostles we may not yeeld, for successours and predecessours are colleagues, their office is one, and is affirmed as well of the successour as predecessour. Now, that everie bishop is an apostle and that episcopacie is an apostleship it is no true. They distinguish in the apostle's office essentials and accidentals. The preaching of the Word, administration of the sacraments, and jurisdiction they make essentials; thir they make commoun to all bishops, accidentals of having an immediat calling from Christ and an infallible assistance of the Spirit. Such qualities as thir they make accidentalls to the apostles and so not necessar for bishops. Well then, if the essentialls of the apostle's office be in episcopacie, everie bishop must be a true apostle. If they have apostolick jurisdiction, they have the world for their diocesse, they are all universall pastours and all true popes. But thir distinctions heere are verie ydle, for St Paul evidently distinguishes the office of an apostle from all ordinar pastours such as all men maks bishops. Who by any distinction would make apostles bishops, or bishops apostles, would debase the one and advance the other three degrees farder than God's Word does permitt. Beside, the apostles, for all their power, yet in the execution of it either in their ordinations

or acts of jurisdiction, [34r] they did joine others to them as fellowes in the same facultie. So in their ordination of Timothy the hands of the presbyterie are used; in the excommunication of the incestuous person, and in his absolution, the church of Corinth is joined. Yet they will prove their argument by Augustine on these words of Psalm 45[16]: "Instead of thy fathers, children have been born to thee." The apostles were sent to thee as "fathers", instead of the apostles sons have been born to thee—there have been appointed bishops. [For in the present day, whence do the bishops, throughout all the world, derive their origin?] The church itself calls them fathers; the church itself brought them forth, and placed them on the thrones of "the fathers".¹¹⁴ If this place must be understood of bishops, what remains but that by divine right grounded on this Psalme bishops should be taken for princes in all the earth? This the papists avowe and some of our parties from them, but his is an evident mistake of the text, as Chrysostom and Theodoret upon the place will cleare. However, suppose Augustine's commentar wer good, he speaks not heere of the 70 disciples, of presbyters' succession to them, of the apostles' jurisdiction over the 70 disciples, which is the principall point of the argument. Yea, what he speaks of episcopall ~~dis~~ succession he grounds only on ecclesiastick institution, [as above, on Psalm 45, 'The church itself ...']. Farther, all he sayes of apostles and bishops is by meere similitud and allegorie, which is no ground of argument. So Bellarmine, the first producer of this testimonie, cleares, *De Romano Pontifice*, bk. 4, ch. 2: 'Bishops do not succeed, properly speaking, to the apostles, because the apostles were not formally ordered to a set office, but just delegated pastors to whom none succeed; bishops indeed have no part of apostolic authority. Bishops succeed the apostles in the same way as presbyters succeed the seventy, and it is agreed that presbyters do not succeed to these properly, for these 70 disciples were not presbyters nor did they receive any order or jurisdiction from Christ.' How farre Augustine was from comparing bishops with apostles in propriete of speech, himself can tell best, *On Baptism*, bk. 2, ch. 1:¹¹⁵ 'For who can be ignorant that the primacy of his apostleship is to be preferred to any episcopate in the world?' As for allegories, numbers of the Fathers speak as much of presbyters as he does heere of bishops. Ambrose in Ephesians 4:¹¹⁶ 'Wherefore the honour of this order is exalted (for of this kind are the vicars of Christ)', yea, also *antistes Dei*.¹¹⁷ Ignatius, *Epistle 2* [To

¹¹⁴ Augustine, *Exposition on the Book of Psalms*, ed. A.C. Coxe (A Select Library of Nicene and Post-Nicene Fathers, ed. P. Schaff, vol. vii, repr. Grand Rapids, Mich., 1956), 155. Material in square brackets was omitted by Baillie.

¹¹⁵ *Works*, iii, 33.

¹¹⁶ Actually 1 Timothy 5:19, p. 506.

¹¹⁷ 'overseers of God'.

the *Magnesians*], ch. 9, calls presbyters 'the assembly of the apostles',¹¹⁸ and Chrysostom, *Homily 17* in Matthew, calls all presbyters 'Christ's vicars'.¹¹⁹ Jerome, *Epistle 14, To Heliodon*:¹²⁰ 'Far be it from me to censure the successors of the apostles, who with holy words consecrate the body of Christ, and who make us Christians. Having the keys of the kingdom of heaven, they judge men to some extent before the day of judgment.... I may not sit in the presence of a presbyter; he, if I sin, may deliver me to Satan, "for the destruction of the flesh that the spirit may be saved".'

The fourth reason. In the Old Testament it was God's ordinance that among the officers of the church there should be one high priest to have the preheminance and power of jurisdiction over all the inferior priests and these also to be over the Levites. Therefore in the New Testament it must be according to the same wisdom of God that bishops have the preheminance over presbyters and these over deacons, for bishops are now in place of the high priest, ministers in place of priests, and deacons of Levites, according to Jerome, *Epistle 146, To Evangelus*: 'In fact as if ...'. *Answer*. It is marvellous that our [34v] brethren should still continue to speak the language of Ashdod¹²¹—all this, as the rest, is word-by-word from Bellarmine. There is no force in the reason, as Bilson himself confesses,¹²² *nulla necessaria consequentia est*¹²³ from the policie of the Jewish church to the policie of the Christian; yea, he brings sundrie good reasons why Aaron should have had place above other priests, and they above Levites, which he grants he has no ground under the New Testament. We may take no part of the policie of the Old Testament for which we have no warrant in the New itself. As for this part in hand if it were admitted, it would overturne and destroy the whole ministrie of the gospel, if it be pressed as our partie does. It would take the deacons from their first institution, hinder them from serving the tables and the poore, take them within the temple, make them wait at the altar to serve the priest, lyke a Levite at the offering of the sacrifice. So now is the guyse at Rome and among our bishops also—the presbyters shall be taken from his labour in the Word and doctrine that within the veile he may be a sacrificing priest to offer up outward, proper, reall, unbloodie sacrifices after the order of Melchisedeck.

¹¹⁸ *Apostolic Fathers*, ed. Roberts, 177; *The Apostolic Fathers*, ed. J.B. Lightfoot, 3 vols. in 5 (London, 1885–90), ii/1, p. 119: 'tupon sunedriou ton apostolon'.

¹¹⁹ I have not located this reference.

¹²⁰ Both MSS give Jerome's *Epistle to Evagrius* (Evangelus), but this is incorrect, and I have inserted the proper reference in the text. Jerome, *Letters and Select Works*, 16. See Bilson, *Perpetual Government*, 111–12.

¹²¹ A Philistine city temporarily subjugated by Uzziah, king of Judah.

¹²² Perhaps an allusion to Bilson, *Perpetual Government*, 25.

¹²³ 'it is no necessary consequence', i.e. it does not follow of necessity.

This is the language now of our good men who yet will swear themselves Protestants. As for the chief part of the argument that the bishop is *summus pontifex*, this wer an highway to reduce the pope to be the head of all the church of the New Testament as Aaron was under the Old; yea, this our men thinks expedient that the pope should be not only patriarch of the whole Latine and West Church, but have a primacie over all Christendome as in right the first patriarch of the world, that this his privilege was unjustlie taken from him in the Reformation. Besid, this doctrine would be a good ground for erecting in everie prince's dominion a high priest as Aaron was in Israel, to make my lord of Canterburie soveraigne patriarch in the king of Britan's territories, as the pope of old did acknowledge Anselm truelie to be; yea, this maxime would be a ground for the erection of a papacie in everie province or diocesse, to make everie bishop a soveraigne pontifex as some does urge. But no true Protestant may yeeld to any such wicked ambition either of an oecumenick or a nationall, or a diocesan pontifex: scripture and antiquitie are both contrair. In the epistle to the Hebrews and many other scriptures, Christ alone is the high priest of the New Testament, the substance and bodie of that type, figure, shadow of Aaron. Augustine is cleare for the same, *Sermon 99 (de tempore)*:¹²⁴ 'The true high priest is one and alone, as the scriptures teach, of whom this Aaron the priest foreshadowed the type ... as we have often set forth, the true high priest is Christ'.

As for the testimonie of Jerome, that which he speaks of the apostolick tradition is meaned only of the preheminance of presbyters above deacons which the apostles did institute to serve and help the preachers of the Word, as the Levites wer ordained by Moses to serve the priests. He speaks not there of the superioritie of bishops to presbyters but of the high priest to inferiour priests; he speaks of Aaron and of his sonnes as of one, of bishops and presbyters as of one. That this is Jerome's mind, go no farther to try then the same epistle where his only intension is to compare two, presbyters and deacons—to advance the one and debase the other as farre as Levites wer under the priests. As for bishops, he [35r] brings them in, not as diverse from presbyters, but according to scripture all one, as Aaron and his eldest sonnes were one in dignitie. Whatever inferioritie was among the minor priests beneath the high, Jerome heere speaks not of it. However, that he compares not bishops, presbyters, and deacons in this place as three, but as two, wherof bishops and presbyters makes but one, it is cleare from the place: 'I am told that some one has been mad enough to put deacons before presbyters, that is, before bishops. For when the apostle clearly teaches that presbyters are the same as bishops....' After two or three scriptures he subjoines: 'there is the

¹²⁴ *Opera*, x, 605. In this, the 1616 edn., *Sermon 99 (De Tempore)* has been renumbered *Sermon 40*, and placed in an appendix, indicating doubtful authorship.

following passage which clearly proves a bishop and a presbyter to be the same'.

From scripture they bring no more, to my memorie, that is considerable from antiquitie. They fetch some particular passages and some generall grounds. Of the first I shall consider foure, the most pregnant.

1. Cyprian, *Epistle 68*:¹²⁵ 'For from this have arisen schisms and heresies, and still arise, in that the bishop who is one and rules over the church is contemned by the haughty presumption of some persons; and the man, who is honoured by God's condescension, is judged unworthy by men.' In the first part of the words there is nothing for their cause. Suppose the contempt of bishops which then were settled in the church by canons and long custome; let their contempt, while they stood unrevoked by the church, be the occasion of schismes and never so many evils—this proves not their institution to be divine or themselves to be necessary, which is the only question in hand. It is the last words only which seeme to import somewhat of this kind, and yet we confesse there is in the same place words more pressing than these they cite, for there this office is said *divina sententia* and *Dei iuribus niti*, and *Deo episcopum constitutente*,¹²⁶ yet all this is nothing to the point, for this divine constitution and right is no more than God's generall providence whereby he allowes and permits everie office everie thing which is either in church or commonwealth, whether it be immediatelie commaunded in scripture or appointed by humane lawes, civill or ecclesiastick, and no wayes grounded on any scripturall or divine institution. In this sense the meanest and most changeable magistrate in a burgh may be called of divine ordination according to the Psalme 75[6-7], 'Preferment commeth neither from the east nor from the west, but God is the judge'.¹²⁷ That the divine constitution wherof Cyprian speaks is no otherwayes to be understood, the place itselfe will evidence where thus he speaketh: '[So that although he says,] "Are not two sparrows sold for a farthing? and neither of them falls to the ground without the will of my Father"', and His majesty and truth prove that even things of little consequence are not done without the consciousness and permission of God, you think that God's priests are ordained in the church without His knowledge.' As for Cyprian's mind about our question, it may be gathered out of his words in

¹²⁵ Cyprian, *Epistle 68*, in *The Writings of Cyprian*, 2 vols. (Edinburgh, 1868-9), i, 244-6 (referring to this entire paragraph; not in strict order). Cf. *Epistula 66*, in *Sancti Cypriani Episcopi Epistularum*, ed. G.F. Diercks (Corpus Christianum, Turnholt, 1996), 439. There are two methods of numbering Cyprian's letters. The MS versions, including the NC copy by Robert Wodrow, have somewhat mutilated transcriptions of the Latin original, compared with the Diercks edition. Also, the reference in both MSS is confused, and I have substituted the number supplied in the translation which I have borrowed here.

¹²⁶ 'by divine judgement ... grounded by the judgement of God ... God having constituted the bishops'.

¹²⁷ 'preferment' makes this closer to GB than to AV.

the same place: '... Christ, who says to the apostles, and thereby to all chief rulers, who by vicarious ordination succeed to the apostles'—heere he avowes that all preachers of whom Christ sayes 'he that hearerth you, hearerth me ...', that they all succeed to the apostles and are in the place.

Their next passage is from Irenaeus, *Against Heresies*, bk. 3, ch. 3:¹²⁸ 'and we are able to recount those whom the apostles appointed to be bishops in the chuches, and their successors, quite down to our time'. We answer that Irenaeus's bishops are but presbyters, such bishops as wer institute by [35v] the apostles in everie church no wayes with the sole power of ordination. That bishops which Irenaeus calls the successours of the apostles are but simple presbyters, see some few lines before in the preceeding chapter:¹²⁹ 'But when on the other hand we challenge them to that tradition, which is of the apostles, which is guarded by the successions of presbyters in the churches, they opposed tradition, saying that themselves, being wiser not only than presbyters, but even than apostles, [have discovered the genuine truth].'. Irenaeus's bishop is specifically different from the bishops of our time.

Their third is Ignatius's *Epistle to the Trallians*,¹³⁰ ch. 2 [and 3]: 'Be subject to your bishop as to the Lord,... the bishop is a type of God the Father of all, reverence your bishop as Christ, so the holy apostles hes commaunded you.' The commaund of the apostles is to obey teachers; it speaks no farther of bishops, which the church after the apostles did institute, then as they are teachers. So Ignatius ordaines the same subjection and honour towards presbyters in the same place, 'be obedient to the bishops and presbyters'. And upon this maine reason, because they watch for your soule. As for the high degree which he ascribes to bishops, that they are in the place of Christ and God, it is spoken by way of similitud and metaphor. He sayeth oftentimes as much of presbyters: 'Be subject to the presbyterie as the apostles of Jesus Christ'; yea, of the deacons he sayes, 'Reverence them as Christ Jesus whose place they keepe'; and of presbyters, 'The presbyterie is as the councill of God, and company of Christ's apostles'.

¹²⁸ Corrected from MS ref., bk. 4, ch. 3. Irenaeus, *Against Heresies*, bk. 3, ch. 3, p. 206. This line was written once then crossed out, as being wrongly formatted, i.e., extending into the margin, beginning then with a lengthy indentation to start the second line.

¹²⁹ *Against Heresies*, bk. 3, ch. 2, p. 205.

¹³⁰ See *Apostolic Fathers*, ed. Roberts, 190–1. The quotation is loose and conflated (ch. 2 and 3), and the final phrase about the command of the apostles is not found in modern texts, whether English or Greek. It should be noted that the Ignatian correspondence has a difficult textual history. Those consulting the English translation noted in the foregoing should be advised that Baillie's use of 'type' is entirely correct, as the Greek text reads *ton episkopon onta tupon tou patros*; *The Apostolic Fathers*, ed. Lightfoot, ii/1, pp. 157–8. It is curious that the nineteenth-century translator should neglect a word of such significance in the Christian tradition.

They cite from Jerome also, *Against the Luciferians*, bk. 2, ch. 4, thir words: 'The well-being of a church depends upon the dignity of its chief priest, and unless some extraordinary and unique functions [*ab hominibus*] be assigned to him, we shall have as many schisms in the churches as there are priests.'¹³¹ He speaks heere of the danger to contemne the order that is settled in the church by any privat person, for Lucifer, himself a bishop, had made a schismaticall separation from the church upon the pretext of the subscription of all other bishops to the Arrian councill at Ariminium. Nothing heere is said of the divine or apostolick institution of bishops, but especially the *exors potestas* he gives them is said to be *ab hominibus* and the ground of it, as there he speaks, are *leges ecclesiae*,¹³² and that are necessar, for, sayes he, this power is given 'more by way of honouring the episcopate [*sacerdotium*] than from any compulsory law'. Yea, the ground of that *exors potestas*, let be to be divine, it is not an humane defensible right, for the matters wherin it consists, among others, are that the bishop hath sole power of baptisme and preaching. 'Hence it is that without ordination and the bishop's license neither presbyter nor deacon has the power to baptise.' This they will not, I hope, defend.

Beside particular testimonies they have some generall reasons, the chief wherof are thir two following. First, whatever hes bin all times and all places, not institut in any generall councill, that is an apostolick tradition and of divine right. But [36r] bishops superiour to presbyters in degree and power of jurisdiction was in all times and places, etc., *ergo*. The major, though taken from Augustine, we may not grant without a distinction; it must be restricted to things of necessar use and unvariable practice, such as the baptisme of infants, the celebration of Sunday according to the mind of some, but for rites of variable and indifferent use it is denied. The granting of it simplie is the ruining of sole scripture, the maine ground of the Protestant religion; yea, from it our partie is pressing on our conscience already many popish superstitions such as Lent fast, worship towards the east, altars, images on them, bowing before them, subjection to the pope as patriarch of the West, etc. The minor also is palpablie false. We deny them in any place of the world one of their bishops for many hundreth yeeres; yea, the ancient bishop, that constant moderator of the diocesse, was not in all times nor in all places. He began at Alexandria [and] was not received long after in many places. See Jerome, *Epistle to Evangelus* and on Titus. 'For even at Alexandria ...'¹³³ Therafter the scripture was closed and Mark died; a bishop is elected by the presbyters of their owne accord, as the armie chuseth the captaine or the deacons

¹³¹ *The Dialogue against the Luciferians*, in Jerome, *Letters and Select Works*, 324.

¹³² 'extraordinary power ... from men ... laws of the church'.

¹³³ *Commentary on Titus*. See p. 156, n. 30 above.

their archdeacon. Farther he tells us 'According to these places, we may declare that in ancient times presbyters and bishops were the same....'¹³⁴

For a long time in many places there was no bishops but the churches were governed by presbyters alone. See the second councill of Carthage, ch. 5: 'If a district has hitherto had no bishop, neither shall it have one in the future. [But where a bishop has hitherto been, there also shall one be in the future.]'¹³⁵ Yea, Joannes Major,¹³⁶ an enimie to us in this cause, confesses, and Forbes in his classicum, his ill-named *Eirenicon*,¹³⁷ dar not deny but that our church in Scotland was governed without all bishops for two hunder and odde yeares at leist. Also where two or moe did governe there, there was no proper bishops as our partie yeelds, but for a long time in many cities ther was mo than one that wer called bishops in one citie. See Epiphanius, Haeresis 68, in *Meletian*: 'Alexandria had never two bishops as other cities';¹³⁸ he grants then that in other cities it was no raritie to have mo bishopes.

There other reason is this: the denyall of episcopacie as it was at the beginning descrived was the heresie of Acrius according to Epiphanius, Philaster, Augustine. Therefore episcopacie as descrived is a trueth clearely set downe in scripture, for heresie is the denyall of scripturall trueth, yea, of fundamentall trueth necessar to salvation. *Answer*: Our partie would do well to speak plaine language. They have [36v] many of them bein thir yeeres bygone avowing that the papists wer neither heretiks nor schismaticks. Betwixt their teeth they have bin muttering that the Reformed divines, especially Calvin—'that furious theologue', as they call him—are guiltie of these crimes. But this argument, if they will stand be it, will convince all the Reformed churches of formall heresie, and so spoile them all of the hope of salvation according to their grounds. Least they fall into this abhominable absurditie which must make them flee in haste from the

¹³⁴ See p. 165, n. 66 above.

¹³⁵ Hefele, *History of the Councils*, ii, 390. Has Baillie understood this aright? Does it refer to non-episcopal government, or rather to an avoidance of creating new dioceses? Baillie does not include the second sentence, which I have placed in square brackets.

¹³⁶ John Major, *A History of Greater Britain [1521]* (Scottish History Society, 1892), 65: 'In the year of our Lord four hundred and twenty-nine, Pope Celestine consecrates as bishop Saint Palladius, and sends him to Scotland. For the Scots were at that time instructed in the faith by priests and monks without bishops.'

¹³⁷ Forbes of Corse, *Irenicum*, 159–60. Forbes first cites Major, then writes: 'However, in our Scottish Reformed Church it [i.e. episcopacy] was not yet possible because of the poverty of the church, ecclesiastical possessions having been pillaged sacrilegiously by laymen. Besides, in some Reformed churches the magistrate intervenes so that there might not be any bishops. At least these are defects of administration only as far as good order is concerned, but they are not fundamental defects which destroy the essence or power of the true church.' (Editor's translation.)

¹³⁸ Baillie's translation. See Epiphanius, *Opera Omnia*, 2 vols. (Paris, 1622), i, 722.

Reformed Church to the popish, there to seek salvation,¹³⁹ let themself[s] find an answer to that their beloved argument. In the meantime we deny the antecedent. The question bewixt Epiphanius and Acrius¹⁴⁰ did concerne episcopacie as it was then in the church, not as we did describe at the beginning and as heere we disput of it—the monster of the Romish or English bishop was not heard of till some hunder yeeres after Epiphanius. Epiphanius gives in his dispute against Acrius to presbyters the power of jurisdiction; he setteth them in one throne with the bishop. Howsoever Acrius's opposition to the bishops which then was did not make him a heretick, no ecclesiastick historie of that time puts him in that infamous catalogue, only Epiphanius, whom Augustine and Philaster followes. In this Epiphanius is not without the suspicion of malice. He inveyes against the poore man most bitterly whom yet he dar not deny to have bin counted by many who knew him singularly both pious and learned. He cannot suppress his great love toward Eustathius of Sebaste, Acrius's mortall enemy, though he confess the man to have bin justlie condemned in a synod for a relaps Arrian. Alwayes let Acrius be an heretick, the question is: What of his tenets wer hereticall? If we follow Epiphanius, we need search no farder than his Arianisme. He was wholly an Arian, and he thought no otherwyse than Arius did, as Augustine expounds it: *in Arrianorum haeresin lapsus est*.¹⁴¹ If you will make him hereticall for everie one of the tenets of Epiphanius ascribes to him, then prayer for the dead to obteine them mercie for their sinnes, to get their punishment mitigat, and their faults in some part forgiven, must be a cleere scripturall and fundamentall truth. So also the religious celebration of Lent faste, of the other churches' fasts and festivals—for oppositions to thir wer among Acrius his tenets, and we are also begun even ~~xxxxxx~~ for thes to be counted Arian hereticks by our parties. Alwayes see his heresie about episcopacie; Philastrius reproves him not of any error in this point.¹⁴² Augustine and Epiphanius agrees not on his position. That which Epiphanius ascribes to him is that in scripture there is no distinction betwixt bishops and presbyters. This was Jerome's opinion. Our adversars being judges, the argument which Epiphanius ascribes to Acrius from scripture, Jerome approves them all. The proposition Epiphanius maketh from scripture is so weak that our adversars dar not justifie it, hence it is that Augustine doth not tax Acrius for these conclusions anent episcopacie which Epiphanius ascribes to him, for in all thir Augustine himself and many mo of the Fathers leaves Epiphanius and embraces Acrius's tenet, but he maketh Acrius to say that not only in scripture

¹³⁹ but see Wedderburn, p. 73 above.

¹⁴⁰ Epiphanius, *Opera Omnia*, i, 904–12; *Haeresis lxxv*.

¹⁴¹ 'He fell into the heresy of the Arians.' Augustine, *Liber de Haeresibus*, in *Opera Omnia*, vi, 11.

¹⁴² Philastrius, *Haeresium pene omnium ... Catalogus* (Helmstedt, 1611), 31–2 (no. 72).

there was difference bewixt bishops and presbyters, but the difference that then or in any bygone time was betwixt thir was wrong and should not have bin: *dicebat Episcopum a presbytero nulla [37r] deberi differentia*.¹⁴³ Suppon Aerijs had maintained this conclusion, as Augustine, his alone without the testimonie either of Epiphanius or Philastrius, is bold to say; suppon also that this contradiction to the publick order of the church at that time had bin an errour, especially when he joined therto needleslie a separation from the church, for Epiphanius alleages that he made a faction and led them out to the woods and deserts where they erected a church of their owne faction. This made him not hereticall except in a very lax sence, as while everie schisme, yea, the highest errour to Augustine is heresie, which kind of heresie will not make the opposit trueth to be grounded on scripture, let be to be a cleare and fundamentall veritie. That heresie this way is taken in Augustine and Philastrius's *Catalogue*, let be in Epiphanius's large bookes, it is cleir. One of Philastrius's heresies is that philosophick tenet which either is true or verie neere to trueth, to wit, that the earthquakes commeth from the commotion of subterranean vapours and winds in the low concavities seeking by violent eruption to come above,¹⁴⁴ as that pope made the tenet of Antipodes to be an heresie.¹⁴⁵ Certainlie Augustine confesseth that some in his [i.e. Philastrius's] *Catalogue* are not hereticks in any proper sense.¹⁴⁶ See in his 81st¹⁴⁷ fromlie heresie of the Luciferians: 'I am convinced that Epiphanius and Philaster believed that they began only a schism, not a heresy.' His 87th heresie of Abeloitae: they maintained no errour, only did live in wedlock without copulation.¹⁴⁸ The 68th of *nudis pedibus ambulantes*¹⁴⁹ had no errour but continuall going with bare feet from some mistaken scriptures. Shall going with shoes be a fundamentall point of faith? The 63th heresie of Pattalorynchitae¹⁵⁰ had no other fault but a

¹⁴³ 'He said that there ought to be no difference between a bishop and a presbyter.' See Saravia, *Of the diverse Degrees of the Ministers of the Gospell*, 62.

¹⁴⁴ Philastrius, *Catalogus*, 50, no. 101, *De terrae motu haeresis*.

¹⁴⁵ See the article on 'Antipodes' (P. Delhaye) in *New Catholic Encyclopedia*, i, 631-2. In 748 Pope Zachary launched an investigation into the notions of Virgilius who speculated about the existence of people either under or beyond the earth. Augustine had already worked out that people living on the opposite side of the earth would not be sons of Adam, with considerable theological ramifications. There is no evidence of a condemnation of Virgilius.

¹⁴⁶ Augustine, *De Haeresibus*, in *Opera Omnia*, vi, 11-13. See also Augustine, *Arianism and other Heresies*, trans. R.J. Teske (Works of Saint Augustine, i/18, Hyde Park, NY, 1995), 15-77.

¹⁴⁷ MS has 85th. The NC copy has a blank where the number should be. For translation, see Augustine, *Arianism and other Heresies*, 53. Both MSS economise on the Latin text, i.e., giving in the final phrase only *non haeresim condidisse* for *non haeresim eos condidisse, credentes*.

¹⁴⁸ Philastrius, *Catalogus*, 112, no. 46 in the *Supplementum, Abelonii*.

¹⁴⁹ 'walking with bare feet'.

¹⁵⁰ *Ibid.*, 33, no. 76, *Passalorinchitanum haeresis*.

foolish custome of putting their finger on their mouth and nose when they would professe to be silent. It will prove a poore argument that all the tenets which Augustine ascribes to Aerius are so hereticall that their oppositions must be fundamentall points of faith.

This much for the first question, if bishops must be of the necessitie and scripturall right of this office. No scripture, no antiquitie will inferre that conclusion; yea, we have brought both scriptures and antiquitie which shoves not onlie the needlesse but also the contrarietie of episcopacie as it was described both to scriptures and Fathers.

Our paines may be eased in the second and third question, for it is needless to speare¹⁵¹ if anything be convenient for a church which scripture and antiquitie does condemne. We trust also that our parties will be loth to require of us a toleration of anything which we have proven so opposit to scripture and Fathers.

Heere we might close, wer not an obscure rumour that waks in corners of another kynd of bishop then yet we have spoken of, to wit, such a one as was truelie in the auncient church, such a one as is this day oversea and was at the beginning in our church—the superintendents or a bishop with so many caveats as the church pleases to put upon him; a person who hath prioritie of order, no superioritie of in degree above his fellow presbyters; who hes no by vertue of his office the power either of ordination or jurisdiction, but the power of thir remaining in the presbyterie alone; gets the execution of some parts therof, so farre and so long as the presbyterie, the assemblie provincially or generall thinks expedient to which the bishop is simplie [37v] subject to give account of his executions so oft as he is called; to be removed as the assemblie thinks convenient. Such a bishop, some sayes, is to be proponed to us to descant upon him. What statesmen in the cabin[et]s are pleased to discourse upon it belongs not to us curiouslie to search; so farre as we have heard to his houre in publick there is no appearance of any such proposition. Our bishops cla[i]ms to this day all the prerogatives of our first description without quiting any inch of that ground. Howsoever the *Booke of Canons* is revoked by the favour of our gracious prince, yet to this day no word of acknowledgment hes fallen from any of their mouths or of any of their followers, that in that booke the bishops have usurped any diginite, any power in ordination or jurisdiction which does not belong to them; yea, in their Declinature before us all they pretend to as high priviledges as any bishop either in England or Spaine does possesse, and as it seemes to some, more high prerogatives over the whole laitie and inferiour clergie, as they speak, yea, which to us is most considerable, these articles which my lord commissioner his grace presented to us subscribed with his majestie's hand to be registrat in our

¹⁵¹ enquire.

assemblie books as the fardest which by any dealing his majestie could be moved to yeeld. We see in them the bishop's person to be subjected to the censure of the generall assemblie in all their misdemeanours, which indeed is a high favour to us long groaning under the oppression of these lawlesse men,. But to diminish the power of the office itself, to set it within the bounds of the old superintendant, of the caveats of the late minister, commissioner for the parliament—not a syllab of any such intention. This conceat therefore is but a dreame which neither our gracious prince nor our ungracious prelates will have us to think upon. Yet because there hath bin much speech of this *chimaera*, I will shortly tell my mind of it in some few theses, no backing them either with probations or replies to contrair objections.

1. Episcopacie as last descrived is not of divine institution nor of apostolick right. The constant moderators of diocesses of old, the superintendents of late, were at most but of ecclesiastick appointment, brought in at the church's arbitrimint and removeable when they are found inconvenient by that power of the church which first did erect them.

2. That this kynd of episcopacie is wicked in itself or contrair to the Word of God, I know no classick divine of the Reformed churches who mantaines it. The reasons whereby some would have it so seemes to me of deep and dangerous consequence—the Brownists ar at our ports, seeking by their verie subtil and to[o] to[o] popular captions to brangle the verie foundations of all our discipline, to throw downe with bishops our presbyteries, synods, generall assemblies, and all, that ordination and jurisdiction may be put in the hands of the parish alone—as you may see in that malapert *Guid to Sion*¹⁵² who from Amsterdam hes been bold verie untimously to present us with such dangerous reveries. With our heart we will pull down episcopacie, but by God's grace upon no ground wherupon Brownisme may be erected or have hopes of any footing among us.

3. This ecclesiastick episcopacie may not be brought in, in any Christian king[38r]dome, but with the church's consent and by her authoritie; it may not be anywhere continued but with the church's good lyking; it may well be holden up by the strenth of men's hands; but stand freely without violence it cannot, except on the base of the church's approbation. If this alone be away, that state, never so well qualified, changeth the nature and becommes tyrannick.

4. Our late bishops, let be to have bin constitut by our church's authoritie, did never obteene to their office the church's consent. Privat men, for the peace of the church till they ran stark mad, did tolerat them, but that ever any generall

¹⁵² *A Guide unto Sion. Or, certaine Positions, concerning a true, visible Church* (Amsterdam, 1638): 'The election and ordination of them [ordinarie officers] must be made by the free chose [sic] of the congregation of which they are members, and wherein they are to administer', 18; see also 24, 31.

assemblie which can abyde the touchstone of any commoun and most superficiall tryell did seale their autoritie with their approbation, it cannot be shoven, but it is evident that when by verie corrupt meanes they had obteneined, in some lewd and clearly null assemblies, some priviledges both civill and ecclesiastick, they, without the advyce of the church, went to strangers, and from their hands did take ordination to their office, wherto they never yet craved, let be obtained, the assent of the Church of Scotland.

5. At this time to demand the continuance of their office, which hitherto hath bin null in reason, for want of the only ground wherupon it can stand were a non-sence and most unreasonable petition, the being the creation [sic] must be sought before the continuance by those who would not evert natur's order. When these men are exemplarie punished who have contribut all their labours thir many yeeres to thurst on the church's back to her heavy annoyance the burden of that office which ever to her power she declined, when that their tyrannick office is once put under foot, if thereafter we be required to make ane new erection of a lawfull episcopacie specifically differing from that we have had, the church will give to that proposition such an answer as is fitting.

6. The erection of ane new order of bishops among us may not be yeilded except on two conditions. First, that the expedience of this new office for our church be demonstrat to the eye. Next, that the full and free consent of the generall assemblie be obtained. In the first place, conditions both most equitable, our parties themself in their cold blood being judges, for I hope that their corner maxime which they are muttering whiles one in another's eare, that matters of church policie and governement, were they conceived by the church to be never so unexpedient, yet if they can move the prince with his temporall sword to inforce them on the church, they must in that case by all in conscience be received. I hope that troublesome experiences will hinder them from venting any such grounds of impudent oppression.

7. It is not verie likely that our church shall ever by her autoritie erect this new office. Surelie it seemes she shall never have reason to doe so, so many cleare inconveniences ingyring themself in the face of any the weakest witted person at the first blenk. Thir following stands before my mind which obliges my will and affections heartielie to dissent from the creation of new of any bishops among us. [38v]

8. If we looke to bygone experience or present reason, no appearance that episcopacie will stand long in these termes wherto the necessity of the times in hands may get it now astricted. Can there be invented any firme bands, any starker securitie, to hold them fast now then the acts of assemblies? the promise of kings? the oath of the partie? How ~~well~~ weik hes thir proven hitherto to us! no better then the coards on Samson's armes. Though their prior pranks did put

us in no fray, yet reason will do it. Bishops spoiled of all temporall advancement, put low in their spirituall authoritie, can do the prince no service at all for the state can be no propp to uphold the tottering chaires of the episcopall seases in the other two kingdomes. Since their standing heere in some appearance at least is sought among us for these ends, we must be assured they cannot be content with no meaner a being than is necessar to make them serviceable for the end that makes them to be desired. Whatever now be promised, we need no doubt but we must have at the first convencie [sic] the bishops revested with such temporall honours and such spirituall authoritie as may make them able to hold downe and keep in under the inferiour cleargie, especially these who are most zealous for the service of God, also inabled in parliament as a third state to further the prince's projects when the other two estates are in the humour of contradiction, and above all they must quicklie be returned to all which the Englishe bishops possesses, leist if they remaine in anything degraded,¹⁵³ the preparative might be inductive to our neighbours in England to draw downe their prelates from some degree of their estate and so by their descending—and it wer never so litle—to cause them runne the hazard of a totall ruin, being extremely herd¹⁵⁴ in a precipice to come downe one step without a breakneck.¹⁵⁵ Wherefore both experience and reason persuades us that whatever kind of bishop we shall at this present be permitted to have, yet at once they must of necessitie be such as may be no evill example to their brethren in England and such as may be meete to do the prince their creatour and master some service in church and state; that is, they must be just the same or verie neere the same which lately we saw and found them—the end of their being will permitt them to be no other.

9. But suppose we might have bishops in whom conscience to keepe condition might so farre domin [sic] against bygane experience and the present alleadged reason that we might be assured of their perpetuall standing within the bounds of a newlie erected episcopacie—yet we doe esteeme even these verie unmeet for us. That same office would be but the mark whereat the ambitious spirits among us would continually aime; it would be but the lunt¹⁵⁶ to kindle the pride and greede of many to put them on continuall designses for the distracting of their thoughts from their ministeriall charge; emulation, envy, and schisme would be the daughters of it. However order and unitie was the first alleadged cause to institut this government, yet who[ever] will read the old storie of the church, the most of all the old schismes had bishops for their head

¹⁵³ Marginal note in NLS copy; I have made use of the NC copy here.

¹⁵⁴ in the text, 'heere', amended to 'herd', i.e., 'hard'.

¹⁵⁵ NC copy inserts the number '9' at this point, and succeeding numbers are one greater than in the NLS copy.

¹⁵⁶ match.

or men malecontented for the miscarying of their hopes to compasse that degree. In our church this office hath bin [39r] the fountaine of all the strifes yet we have seene; they and their taile hes bin the only apple of contention among us. So it hes bin in England to this day. The pitifull visions that hes vexed that glorious church thir fiftie yeeres, and that more and more, is onlie the bishops and the needlesse ceremonies which their obstinacie holds on foot. All other churches which are free of them are free of division. Holland was a whyle extremely troubled with the Arminian sect, but the only meanes of their wo[e] was one man with his episcopall arts, Utenbogard,¹⁵⁷ by his favour with the state oppressing the ministrie, bereaving them of their synods. So soone as he was removed and synods obtained, at once peace returned to that torne church. All the union that ever was enjoyed either in the auncient or Reformed church came alone from the blessed labours and authoritie of assemblies, never by bishops as bishops.

10. From this episcopacie no good can come to the prince. We need record no old stories within or without this isle. Very oft the most dangerous enemies that princes ever had hes bin turbulent prelates. That eternall warre in Flanders whom hes the Spanish king to thank for it, mainly his owne conceit of erecting a number of new bishops where none had ben, he hoped by them to have drawn the people's hearts to such obedience as he required. But how farre this meane did deceive him, the event proves. These streames, yea, seaes of blood which in this last warre hes washen the mids and all the foure corners of Germanie—whence did they flow but from Ferdinand's unjust desire of restitution of the church lands to popish prelates in the territories of the Reformed princes. In our state no discontentments came this fourtie yeere to the heart of our princes but these which miscariage of the prelates did procure. Wer they away, no imaginable quarrell in our land would remain.¹⁵⁸ They possesse the mind of princes with a maxime most false in itself, but which they now doe indeavour to make true, 'no bishop no king'. The Protestant churches where no bishops are have bin as obedient to princes as could have bin wished. In France, except when bishops and Jesuits hes set the prince on work¹⁵⁹ to root out by force of armes the religion,

¹⁵⁷ Johannes Uytenbogaert (1557–1644) was a friend of Arminius and one of the leaders of the Remonstrant party. Like Arminius he studied in Geneva, indeed under Beza, but even before his return to the Low Countries he was moving away from the doctrine of predestination. Following the synod of Dort he was banished for some years, returning in 1626. See the article by W.F. Dankbaar in K. Galling, ed., *Die Religion in Geschichte und Gegenwart*, 7 vols. (3rd edn., Tübingen, 1957–65), vi, 1223–4. D. Nobbs says that he 'set up the state to limit this corporate tyranny of the church on behalf of individual liberty', thus ironically Uytenbogaert's Erastianism would become the instrument of a more liberal religious policy. *Theocracy and Toleration: A Study of the Disputes in Dutch Calvinism from 1600 to 1650* (Cambridge, 1938), 49.

¹⁵⁸ two words added in margin.

¹⁵⁹ two words added from margin.

never a people more loyall than they, even to popish princes. Over all Germanie did the least Protestant earle, let be greater princes, find any trouble from his subjects to this day, in Denmark, in Suaden. To Protestant kings we have bin most obedient, let be to monarchs whose gouvernement is most divine, naturall, and according to reason, to any soveraintie whether of the people or these of better sort. We without episcopall directions have kythed¹⁶⁰ extreame and most willing subjection. What rebellion hes been ~~hereof~~ hitherto in Switz[erland], in Holland, in Geneva, in any other toun of Protestant people against their soveraignes? Cast over the annals of England, of France, of Germany. See in how many rebellions bishops have bin chiftans. What was their mind towards authoritie since the Reformation it could not well appeare. Their favour with the people was none; the hearts of the most part in this isle was ever set against either their persons or office. If they were at their designed point, if the meaner cleargie were all at their devotion, if the [39v] hearts of the people were palpable plyable to their wills—it is hard to say what friendship kings might find in them. We see at this instant their predominant affection is self-love, that the standing of their episcopall state is preferred by them to the safetie both of church and kingdome. Let extrem damage, disgrace, danger come to the king their great benefactor; let all the countrie be put to fyre and sword; let the forraine enemie come in and red the pley—yet it is but a pastime to them if so their episcopacie may stand, or at least the fall of it may be memorable in the doolefull ruine of the land which was bold to assay the reducing of their ~~xxx~~ sacrit office to the termes of law and reason.

11. Finallie, we judge all episcopacie at this time most unexpedient for our church, not only for the most vitious behaviour of the men who occupies these places or aspires to their roomes, who for the most part in the estimation of all hes bin overtaken, and now by the tryall of their processes are found to be more removed from spirituall and clerical conversation than any churchmen this day living almost in the popish churches, not only for their endeavours, wherof they doe kyth no tokens of repentance, to bring upon our whole land a necessitie to change the whole outward forme of our religion and to beleieve Arminianisme and poperie, which they did publikely avow, and wes chosen by forraine prelates to their places for that very end, as too evidently appeares, but especially because they make their office, which is meerelie an ecclesiastick constitution and which they by fraud and force have brought in our church, to be now so unmoveable that the church may not cognosse upon it. When any mutable ordinance becommeth so effronted that it must not be tryed, yet it refuses to subject itselfe to the consideration of its superiours and authors, then it becommeth unsupportable,

¹⁶⁰ shown.

especially if it become so powerfull as it can and dar minace a whole kingdome with the wrath and sword of their otherwise most gracious and meeke prince. If ever episcopacie was inconvenient, it must now be so pronounced.¹⁶¹ Yea, if our church should cast out this estate as ~~some~~ Rome did once their kings with an oath never willingly again to reseave any such proud lords, bishops might thank themselfe[s] for the extorting of her long abused patience such a just, albeit seveir, censure.

¹⁶¹ corrected from NC copy.

‘The Protestation with some Grievances and Complaints ... against Mr William Wisheart, Parson of Restalrig and Minister at Leith’, 1639

[318] The protestation with some grievances and complaints expressed in the articles following, relative to the former generall complaint given up to the presbitry of Edinburgh against Mr William Wisheart, parson of Restalrig and minister at Leith, by Alexander Hay, James Mathesone, younger, and Henry Bapty, his parishioners, for themselves and others their adherents there, under protestation to them or any of them to add and eik¹ hereafter what shall be found reasonable hereto against him, and that judicatory of the said presbitry without partiality or [319] by respects will proceed and minister justice against him, if he be found guilty, as they will answer to God Almighty at the last day.

They complaine that the said Mr William Wisheart about 30 moneths bypast in his pulpit of Leith upon the Lord's day did preach and affirme then, his text being [...] verse of the chapter of [...], viz., that the kirk of Rome is the true kirk of God,² which doctrine we conceived then and now to be antichristian, at least false and erroneous.

2. Because we beleewe the whole scripturs most properly doe judge the Kirk of Rome to be the antichristian kirk, and so cannot be true kirk of God.

3. And albeit possibly the Kirk of Rome was in her beginning the true kirk of God, notwithstanding now it cannot be so called, chiefly by those who profess to be the true members of this kirk.

4. If the Kirk of Rome be the true kirk of God, why doe we call her Babell, and say with the prophet, ‘Come out of Babell’,³ and why doe we become separatists from her, as appears this day?

5. Farther, the true professors of our kirk differs [sic] substantially from the Kirk of Rome, as appears by the multitude of controversies vented by us. The confession of faith and covenants made with the Lord, authorized by our kirk judicatories and acts of councill and parliament, as namely the 19 article of the

¹ lengthen, join.

² Wishart, *Exposition*, 341-2, ‘our neighbour church in Rome’, though he did not fail to indicate that the Reformed was rather superior to the Roman. The spaces are in the original.

³ Isaiah 48:20.

first parliament of King James VI,⁴ where expresly our professors, at the least profession and religion is understood to be the true kirk of God, and the pope, head of the Romish kirk, disclaimed, and the kirk of Rome understood therein to be the synagogue of Satan, the kirk malignant, the great harlot, and again is more fully ratified and exprest in the 68 chapter of the 6 parliament of King James VI⁵ and diverse other laudable statuts.

Likewise there he preached on Thursday in June last upon the 32 verse of the 21 chapter of Genesis that the covenant betwixt Abraham and Abimelech was just and good, and that our generall subscribed Covenant was not so, but by the contrary called it 'a seditious and treacherous combination, and the bloody edition. And like the covenant that Jaacob's children made with the Schekemits,⁶ cursed be your Covenant, and cursed be you and the subscribers therof. I pronounce to you as Jaacob did to his sonnes Simeon and Levi: "Brethren in evill, instruments of cruelty are in your habitations. Into your secrets let not my soule come; my glory, be thou not joyned with their assembly. In their wrath they slew a man, and in their will they digged down a wall. Cursed be their wrath, for it was fierce, and their rage, for [320] it was cruell. I will divide them in Jaacob, and scatter them in Israel"⁷—so will God doe to you all.'

We doe conceive and beleve that the generall subscribed Covenant of this kingdome (as it was and is) to be orthodoxe, and his opinion and judgment of the Covenant heterodoxe; our Covenant to be also received and approved by this kirk, king, and estats of this kingdome, so that he was rather obleidged to have given God thanks and maintained holily and nobly as his noble umwhill antecessor and cousin Mr George Wisheart⁸ did, who virtually sealed with his blood of martirdome in this kingdome. Neither find we assurance for him summarly to curse his people, far less a nation—Christ Jesus saith, bless and curse not.⁹ Neither could he do so lawfully or legally without process by any authority from the kirk and lawes of this kingdome, which he cannot appear, and by his cursing he would appear to befriend too much the papists' idolatry, superstition, and error; at least he is scismatick.

Likewise he preached there upon a Thursday in August last, the text beginning at the first verse and continuing to the 18 [verse] of the 26 chapter of

⁴ A reference to chapter 19 of the Confession of Faith, 'Of the notis by the quhilk the trew kirk is decernit fra the fals, and quha salbe juge of the doctrine', *Lawes and Actes*, 6v.-7r.; *APS*, iii, 19.

⁵ 'Anent the trew and haly Kirk, and them that ar declared not [to] be of the samin', *Lawes and Actes*, 30v.; *APS*, iii, 137.

⁶ Genesis 34.

⁷ Genesis 49:5-7 GB.

⁸ George Wishart, c.1513-46, Protestant martyr, burned for heresy at St Andrews.

⁹ Matthew 5:44.

Genesis, that

Isaac went up at the commandment of God and stayed where he was commanded beside Abimelech. Being commanded by the said king to goe from him, Isaac obeyed his command, notwithstanding that God commanded that he should stay there; wherby we see that by his example, and this text teacheth us, whatsomever things kings doe command, albeit just or unjust they should be obeyed, making no exception.

By this point of doctrin, the text (as we conceive) is abused, and all authority in princes wronged, as to pretend God to privileged them to command their subjects to obey where himself clearly commands the contrary. Neither is this evill instance of the king sufficient warrant to obey the king where God commands the contrariously. We are commanded to obey superiour powers in the Lord, and with the apostle, it is better to obey God nor man.¹⁰ If it were not so, as he has affirmed, as said is, those that killed the infants about Bethlehem¹¹ were right, so Joab that did kill Uriah,¹² Doeg that killed the priests,¹³ the men that did cast Daniel into the den,¹⁴ the three children into the fiery furnace,¹⁵ and all the idolaters that did worship the golden image,¹⁶ and all that obeys in worshipping idola[321]trously at their king's command, are all blamless in that part.

In September he preached there on the 43 verse of the 27 chapter of Genesis, where Jaacob fled from Esau, beeing upon a Thursday. He said, 'My brethren are forced to flie to a certain place to eshew the wrath of our brethren Esau's. I must say something for them and I care not albeit ye laugh at me, as ye use to doe. Our good names are robbed from us, our estats are kept from us, and we are in great dread of our lives among you, but we despair not for God will provide for us as he did for Jaacob, and defend us from the fury and wrath of our brethren Esau's that persecut us.' We conceive this comparison holds not, seeing thay have gone away willingly, living at their own randome, and rather therby to irritat authority against their kirk and country, nor for fear of any offence they might expect at home, more then others that stay at home, which is none; and who are fled to a brave land and there to get moneys to maintaine them and spare their rents at home, and so cannot be well likened to Jaacob that had no court with princes, but a poor man for many years whose ambition exceeded not above a shepherd and fed his flock and sheep night and day, which these that would be called like him cannot say. Neither can this kirk and kingdome be called Edomits,¹⁷ and

¹⁰ Acts 5:29.

¹¹ Matthew 2:16.

¹² 2 Samuel 11:16-17.

¹³ 1 Samuel 22:18.

¹⁴ Daniel 6.

¹⁵ Daniel 3.

¹⁶ Exodus 32:1-6; see also 1 Kings 12:28.

¹⁷ descendants of Esau.

they have not dealt rightly with them that deserved it abroad or at home, but by the contrary, and have Jaacob's voice and profession and also in action, as by God's blessing doth appear in them every way this day.

In all his best texts, prayer, and sermon there, his voice is so spoyled and lost that he is not heard more then a mumbling mess priest by ane of an hundred almost in the kirk, and so he is not meet for the kirk, his hearers beeing so defrauded.

These few instances for this time as erroneous points, merits [sic] by the laws of this kirk and statuts of this kingdome deprivation, and namly by the 46 act of [3] parliament of King James VI.¹⁸

Discipline.

The sacrament of baptisme is refused by him to children gotten in marriage within his congregation causeless, and so likewise the children gotten in fornication and born within his parish, yea, to some after caution is found to satisfy the kirk session, and his reader's testimoniall therupon seen by him.

[322] He refuses to suffer certain of the dead of his parish to be buried in the kirkyard of Leith till he be earnestly solicited for licence, the dead not beeing excommunicat nor traitors, which, breeding contest, might have occasioned the spilling of innocent blood, and if he continue so minded.

The presbytery of Edinburgh having recommended to him to baptize a man that lived in Leith that was an anabaptist, which baptisme was required by him, and thereafter marriage with a Leith woman, conforme also to the presbitrie's direction, he refused both, wherupon the anabaptist went to Holland, and took with him the woman, where she turned, and he continues, an anabaptist, condemning now this religion, all in his default.

He is not upright, nor does rightly in the judicatory of his kirk session, as namely he does not put to voting the greatest, or no matters that comes before the session, so that ordinarily except one man the rest are abused by him as cyphers, albeit all be yearly sworn to equity and justice, and so are answerable to God.

He maketh choice to be sessioners ordinarily men of least knowledge, action, assertion, and least attendance to assist the kirk or poor.

He refuses and rejects lairds and the most well affected men to the kirk session and having care of the poor, and who were before his entry ordinar sessioners, and did much good.

¹⁸ Probably the 46th article of the 3rd (a blank was left in the MS) parliament, 'All ecclesiasticall persones suld subscribe the confession of the faith', in *Lawes and Actes*, 21v.-22r.: 'And gif ony person ecclesiastiall, or quhilk sal have ecclesiasticall living, sal wilfullie maintene ony doctrine, directie contrair or repugnant, to ony of the saidis Artickles ... [persistence] salbe just cause, to deprive him of his ecclesiastical living': *APS*, iii, 72.

When these and such like sufficient men are elected and leited by the old session to succeed as new sessioners, and their names given up in writ to him, he refuses to writ the nomination, and conceals their written names without cause or law, usurping therin in all things a negative voice as pope, and thereby declareth honest and sufficient men unjustly by law incapable or unfamous.

He retrenches the ordinar wounted number of sessioners to less then the half, so by this his deed, the half, or no delations of guilty persons are give up to the session, and so great sinnes are covered with silence, delinquents not punished, and thereby the benefit that should maintayne the poor lost in great measure.

He upbraids his elders and deacons when they delate delinquents to our session, except the delator will undertake to prove the guilt alledged, which hinders not a few delations of fornications and of worse and other faults that would advance the poors' [323] benefit, and the punishing of sin holds God's judgment off the land.

When elders are neglected in speiring¹⁹ their votes, and that they find that he works partially and claps the head of the guilty, will somtimes be forced to let him know it in publick, he will answeare not beseeming his calling in that place: 'for a farder satisfaction to you that speaks so, and punishment of them, goe yea and kiss their tails.'

He will keep session dayes, that should be weekly kept, when he pleases and when he pleases not, wherby discipline is greatly neglected and delinquents pass away both by sea and land.

Moneys in great pertaining to the poor by him is [sic] taken away with connivence yearly of that session which he keeps and makes of purpose for that effect, and who dare not quarrell his unlawfull taking, beeing so bestowed by the intention of the givers.

The patrimony and moneys of the kirk and poor is dilapidat and given out by his direction to his acquaintances and comerads who were and are not responsall, and probably one part therof comes to his own use that way.

Moneys that were given by some of the congregation to the poor and delivered to him are not yet redelivered to the parties, nor to the poor.

He commands these of the kirk session, at least some of them, not to give him up delinquents wherby they may give satisfaction to the kirk after they are certainly guilty.

He will receive no penitents, albeit offering themselvs in the body of the kirk and by supplication to the session, having fulfilled all that was enjoyned by the kirk to them to doe.

¹⁹ enquiring.

He refuses persons' friends or themselves that are guilty in privat and sometimes in publick. And after that they come in privat to him, give him moneys or some benefit or gift, he does not any more call in question, and sometimes when they are called in question by others, he commands these of the session not to mention the offence nor guilty person hereafter any more in publick.

He baptizes some children of papists, none of their parents beeing present at the sacrament of baptisme, notwithstanding they be intelligencers in his parish.

When delinquents come before the session and affirme that the other party is not in the town, lives abroad or at sea, wherby they shifte that time, if they have credit with him, and are never more thereafter questioned.

He does marry privately and frequently people that are not known, [324] none being present but the bedrell and few or none others, and that at such time when there is neither preaching nor prayers, so that questions and doubts arise if the parties be free; neither is there record of the parties of their marriage and by what authority he does so, against the custome and lawes of this kirk, if it be the bishop's warrant they should be discharged and forbidden.

By this endeavouring so to keep the session by old laudable custome ever at Leith since the Reformation, and the ordinar free election therof, the whole congregation is overcharged by a great multitude of strong idle beggars and vagabonds, and the poor of the parish famishing against the command and tenour of the 74 act of the 6 parliament of King James VI²⁰ and the 19 act of the 16 parliament of King James VI.²¹ The wellbeing of the kirk discipline and poor, the exact punishing of vice, and the diligent delating of delinquents consists in the quality and ability of the large number of the sessioners, beeing ordinarily of old at least 50 or 60 honest men, and all even too few for the said parish in respect of their evill manners, and a great confluence of all sorts of people, and for the most part the worst from all parts of the kingdome from France and strange countries there.

By his great excessive pride and by respects, having refused to suffer the old wounded committee of the neighbours of his parish which were honest sufficient famous men appointed with the session to see the counts and how the kirk rents and casualties pertaining to the session and poor were distribut and used, wherin if not right, to see it mended, and if superexpended, to contribut voluntarily amongst themselves and their haill parish for supply and relief of the session's debt and the poors' maintenance, which these 9 years bypast since his entry has not been done, and has sacrilegiously misemployed the moneys, which pertains and is allotted for maintenance of the poor, and to pay the debts of the session,

²⁰ 'For punishment of strang and idill beggars, and reliefe of the pure and impotent', *Lawes and Actes*, 32r.-34v.; *APS*, iii, 139-42.

²¹ 'Ratification of the act anent strong and idle beggers', *Acts 16-20 Parliaments*, 8r.-v.; *APS*, iv, 232-3.

howsoever contracted, and therby hindreth the land's wounted charity, that his parishoners used to give yeirly both for help to pay the session's debts and maintaining the poor, his parishoners beeing unwilling to give their charity to him who did use their poor and session means so ill, and would not give a compt to them, as use was since the Reformation.

[325] Likeas his default, and the session's, who dare challenge nothing but as he commands, but always weak and feeble in themselvs, they have lost the casualties and benefit belonging to their poor and session, as namely the casualty and benefit of carding and dicing and horse races, and that since his entry conforme to the 14 act of 23 parliament of King James VI.²²

The impost of the wine vented in his parish beeing granted by King James VI to the kirk, parish, and session therof, the collectors of the same refuse payment therof to the kirk session or poor untill they get allowance of certain monies of the said impost borrowed from the collector by the said Mr William, or at least some large debt contracted and restand to the collectors by him, wherby the session and poor are defrauded of the principall, at least the annual rents therof after the principall shall be payed, and that by untimous payment therof.

He refuses and contemnes fasts appointed by the presbitry, albeit for the peace and well of this kirk and kingdome commanded, testifying therby himselfe no true member therof.

He leaves his kirk destitut of preaching when he pleases, and should preach at ordinary times, as use was, albeit he be in health, and in the town where his kirk is.

He does not as use was since the Reformation here, no not once since his entry these 9 years past, visited monethly, quarterly, or yearly the families of his congregation, and to take notice with his elders of the quality of the inhabitants of his congregation, and that they be such as are obedient and answerable to the kirk discipline, and that others not worthy should be removed or censured, because Leith is an open town to strangers and all sorts of people, and other wayes could never be kept in good order, so that by his pride and neglect here of harlotry and such abominations in his time has increased more nor a before. Debauched and lewd people come from all parts, and live there uncontrolled.

He does not as use was a before weekly and oftner visit the sick of his congregation, and scarce when he is sent for will he come or can be had, wherby the most part beeing gross ignorants depart this life beastlike for him, except the Lord in heaven grant favour and mercy otherwayes. Likeas he can pretend no ignorance to seek peoples' names inrolled and given to him twice in the week

²² 'Anent playing at cardes and dyce, and horse-races', *The xxxiii Parliament of our most high and dread Sovereine James, 4 August 1621* (Edinburgh, 1621), 17v.; APS, iv, 613-14.

and have elders and deacons ready, that he is not able by the help of his bedrell to have the house designed to him, where the sick of his parish dwells.

He does not as use was to catechise in summer time on the Lord's day after sermon from 4 to 6 and uses with his parishoners worse, spending time in taverns.

Diverse families in his congregation are yearly unexamined or war[326]ned therto, or punished for not coming to kirk discipline, and some families never examined these 9 years bypast.

He delats not papists in his parish to the civill or ecclesiastical judicatories, as he and kirkmen are obleidged by diverse acts of parliament, namely the 4 act of 20 parliament of King James VI.²³

He converses with papists, neer excommunicat papists, by eating and drinking in his own house and taverns with them, conferrs in the streets with them, against the lawes of the kirk and parliament, as namely the 4 act of 20 parliament of King James VI,²⁴ the [1] act of 19 parliament of King James VI,²⁵ the 10 and 102 and 2 act of the 12 parliament of King James VI,²⁶ and 164 act of [1]3 parliament of King James VI,²⁷ and 139 and 174 acts both of the 14 parliament of King James VI,²⁸ and 4 act of 3 parliament of King James VI,²⁹ and consequently contemns great discipline and municipall laws of the kingdome.

The acts of parliament anent fornication are not observed by him, chiefly against relapse, or where there is 2, 3, 4, or 5 fornications in one person, not so much as common repentance exacted of the guilty, conforme to the 13 act of 1

²³ 'Act giving command to bishops to send the names of excommunicat persons to the Thesaurer and to the Director of the Chancellarie', *Acts 16-20 Parliaments*, 31r.-v.; *APS*, iv, 429. Note the irony of the act, with respect to bishops.

²⁴ *Ibid.*

²⁵ Presumably chapter 1 (the number is obscured by show-through), 'Anent sayers and wilfull hearers of Messes', *Acts 16-20 Parliaments*, 27r.-v.; *APS*, iv, 371-2.

²⁶ The numbers here appear to be confused. But see act 120, 'Sayers of messe, Jesuites, seminarie-priestes, trafficking papistes, and receipters of ony of them, committis treason', *Lawes and Actes*, 114r.; *APS*, iii, 545.

²⁷ 'Anent the sayers of messe, and receipters, or interteiners of excommunicat papistes', *Lawes and Actes*, 134r.; *APS*, iv, 17.

²⁸ '139' should certainly read 193, 'Against wilfull hearers of messe', which also makes provision against 'conceilers of the same'. *Lawes and Actes*, 146v.; *APS*, iv, 62. The reference to 174 should then probably be amended to 194, 'Anent satisfaction to the kirke be papistes', which threatens swingeing punishment of anyone who 'sall receipt, supplie, or in[ter]teine the saidis papistes', 147r.; *APS*, iv, 62-3.

²⁹ I take this to be act 47, 'Adversaries of the trew religion, ar not subjects to the king', *Lawes and Actes*, 22r.: 'that nane salbe repute as loyal, and faithful subjectes to our said souveraine Lord, or his authoritie, bot be punishable, as rebellaras, and gaine-standeres of the samin, quhilk sall not give their confession ...': *APS*, iii, 72-3.

parliament of King James VI.³⁰

He wears a crucifix ingraven on his hand, which is condemned as a superstitious papisticall rite in the 104 act of 7 parliament of King James VI.³¹

He has not given confession of his faith of new in publick since his transplantation, as he is obleidged by the 46 act of 3 parliament of King James VI and that under pain of deprivation as the same act bears.³²

He covenants for moneys to bring in office bearers in the kirk of God.

He got moneys not given to the poor for to keep off repentance where it is, in which procured the money was not right.

He in session examinations or visitations seeks no testimoniall as use was where the honesty and good behaviour especially of servants and common people are not known, where from they came, or are.

He cannot deny but he made 'The women's universe'³³ of infamous memory, at least was accessory, and a compenner therof, and that he invented so much himselfe, befor famous witnesses.

He most sacrelegiously, and vilely under trust borrowed certain chartors and evidents out of the poor and his kirk session chest where their securities lyes from the keepers of the keyes therof, wherin certain bands, heretable rights, priviledges, and [327] rents mortified and given to the said session and poor *in usum pauperum* and their successors in Leith by Mr John Hay of Easter Kennet³⁴ and confirmed and dispoed again twice by King James VI to the ministers, elders and deacons of the said kirk session *in usum pauperum*, pretending the right they had was not good, and by his credit and friendship would better it, and procure new rights in their names therof from King Charles, and did in the contrair, and procured and took a right in his own name allenarly neglecting his colleague, session, parish and whole poor therof, the whole bands, heretable rights, priviledges, rents, and casualties which pertained to them, with a new power to give indulgence therin; and that before it was known what he had done, this gift was exped by him quietly through the seals, which beeing detected by Alexander Hay in Leith, the congregation with his colleague and session were acquainted, commissioners were appointed to deale with him to denude himselfe friely and

³⁰ 'Anent the filthie vice of fornication, and punishment of the samin', *Lawes and Actes*, 12r.-v.; *APS*, iii, 25-6.

³¹ 'Against passing in pilgrimage to chapelles, welles, and croces, and the superstitious observing of divers uthers papisticall rites', *Lawes and Actes*, 44v.-45r.; *APS*, iii, 212. See also Mullan, 'Arminianism', 24, n. 101.

³² 'All ecclesiasticall persones suld subscribe the confession of the faith', *Lawes and Actes*, 21v.-22r.; *APS*, iii, 72. Again, the involvement of bishops.

³³ See Appendix to this selection below, pp. ??-??.

³⁴ See *RPC*, 2nd ser., v, 296.

quietly therof, seeing he had wrakt his credit therby, abusing his calling, wronging his colleague, session people, and poor of his parish most of all, who refused, and for answere that Leith, or any man should have it by buying or selling, otherwayes not, for it was gifted to himselfe by his majesty, and upon no other terms, except buying or selling, would he quite the right to them, wherupon his colleague Mr William Morton,³⁵ Alexander Hay, Mr John Elphinston, and Jems Home intended process before the secret councill in July 1633 against him, and obtained decreit in July 1634 against him, declaring his session and poor to have good right befor his right which did wrong their right, and found no remeid for safety but to cancell the said Mr William Wisheart his gift and right, which he procured to himselfe, till they were forced to delete the king's registers where it past, and for warrand of detection of the kings whole councill subscribed an act judicially. The like practick never was, as his majesty to the councill cleared the contrary of his alledgeance, and declared by his letter that he intended not to prejudge the poor, and therefor piously willed him to be reproved and secured, as was done nobly and justly for the civill part, so that sacrilegious fault and intention with the actor is lyable to ecclesiastick censure as yet and now waved.³⁶

There is no edification in his ordinar keeping and frequenting taverns and wine houses, one of the fruits wherof was causeless. In his owne parish church at the evening prayers before witnes he called on his [328] reader John Sibbald, and at the pulpit foot hatt him on the breast and cast his hat on the ground, and thereafter when he had taken it up and put it on his head, and [said] to him, 'God forgive you for wronging me', he come to him again and cast his hat on the ground the second time, for the which and the like pridefull violent carriage to that godly simple man he contracted grief, became bedfast, and dyed in the

³⁵ William Morton became minister of the second charge at South Leith in 1631. He fled in 1639 and ended up in a parish in Yorkshire. *FES*, i, 165-6.

³⁶ 'At our being of late in that our kingdome we wer pleased to grant to Mr Williame Wishart, minister at Leith, a gift of the preceptorie of Sanct Anthon's for the benefite of the hospitall of Leith and their kirkessioun, for the use whairof some rents of that preceptorie (as we ar informed) ar still accustomed to be payed, and that the remnant of that benefice hes beene of a long tyme suppressed, being disposed of to some persons by our late royall father; hearing that the said Mr William hes past that gift in his owne name, whereby not onelie that part of the said benefice dedicated to the hospitall and kirkession may by tyme be wrested to a particular frome the intended publict use bot that lykewayes our right trustie and weilbelovet cousine, the Erle of Dunfermline, will be prejudged in his right and possession of certan lands now holdin of us whiche ancientlie belonged to that preceptorie and wer acquired (as we ar informed) by his late father upon valuable considerations, our pleasure is that having callit the parteis interested before yow[,] yow deale with thame to submitt the differences heerin unto your selfies or suche of your owne number as yow sall appoint for taking a faire course to settle the same, so that no prejudice may ensew by the said gift to the said hospitall, kirkession, or to the said erle;...' *RPC*, 2nd ser., v, 228-9. See also 290-1, 296-7, 561-2; vi, 579. Wishart protested that his intention had been only to gain parliamentary action to secure the property to the use of the church, but the gift was cancelled.

Lord. He drank and helped well to debosh by oft and untimous drinking late and eare³⁷ the master of our grammer school; then, where for eight years we had no benefit of a school, the youth of our parish was lost, to our great grief then. Which fault by God's providence is mended to us, and we trust the other fault has left the young man that was schoolmaster then, and that so soon as he left the company of the said Mr William Wisheart.

His ordinar trade and calling in the whole time of his life is spent for the most part—and namely from 7 in the morning or therby till 7, 8, 9, or 10 at night all the year over, work day, and Sabbath day for the most part, except when he is at sermon on this day and the Lord's day—he is going from taverne to taverne making litle or no difference of companies, causing others drink and they him drink, till at the last turnes drank not so beseeming a gentleman of his own conceited worth in birth, less his profession of the gospell to the ill example of us his parishoners, too much following his ill example and scandall of those that are adversaires to our profession, namely going to taverns after sermon on the Lord's day, and somtimes befor sermon, which is done by him against conscience, leawes of this kirk and parliament of this kingdome, as namely in the 17 act of 6 parliament of King James VI³⁸ and 132 act of 8 parliament of King James VI³⁹ and the 20 act of 22 parliament King James VI⁴⁰ wherin ministers are commanded in the contrair under the pain of deprivation, notwithstanding he goes on in no actions so constantly, or is he bettered since his entry of 9 years past to this time, without hopes of amendment, according to the custome and nature of that sin.

Likeas he, at his own hand, without consent of the session or authority civill or ecclesiasticall known to us formerly, in contempt of authority and repining at the wished and hoped for peace and well of this kirk and kingdome, as we conceive, or at least distempered by excess or some malignant humour, did call for the session book, and delete with pen and ink with his own hand the act lawfully made and done in his own ordinar elected and frequented [329] session convened in the ordinary session house on the ordinary day and hour of meeting, his own colleague Mr William Morton being moderator for the time in his absence, who did preach himselfe that day, and was required by the baillies and session of Leith to stay and keep session for performing their effairs and punishing

³⁷ presumably 'early'.

³⁸ Presumably the 70th act, 'Discharge of mercatties, and labouring on Sabboth-dayes, or playing and drinking in time of sermon', *Lawes and Actes*, 31r.-v.; *APS*, iii, 138. Wishart's alleged behaviour would not have been in violation of the letter of the law.

³⁹ 'The causes and maner of deprivation of ministers', *Lawes and Actes* [James VI], 59r.-v.; *APS*, iii, 293.

⁴⁰ 'Anent the punishment of drunkards', *The Acts in the xxii Parliament of James VI*, 28 June 1617 (Edinburgh, 1617), 18v.; *APS*, iv, 548.

delinquents, which he refused to doe, wherupon, and for obedience to our soverain lord's supreme authority, having commanded and ordained a generall [assembly] to be convened at Glasgow, the said moderator and session upon Thursday after the proclamation, beeing a session day, as said is, did make the act and nomination of the kirk of Leith, and gave commission to the ministers and elders therin nominat to goe to the presbitry of Edinburgh and concurre for choosing of commissioners timously to the generall assembly indicted. Notwithstanding wherof, he has delete the said act, as said is, and therefore merits condigne civill and ecclesiastick punishment for his contempt, and as one that would undermine the ground warrands of that election, and consequently of the assembly in so far as he may by that act *pro tanto*.

His whole conversation for the most part is rather like a pope that would live to doe as he will, and when he will in all things without controlment, against conscience or reason, using ordinarily the words of our Saviour (the lawfulness whereof some doubts, viz., 'thine they are, and them thou hast given me'⁴¹) which sentence he uses in his publick kirk prayers for his people and other times. Beeing modestly exhorted within the kirk of God and session house of Leith to doe what is right and not the contrary, he uses to swear he will destroy their session and town, and then 'goe, but conceive not to goe to heaven by such a way', and therefor we pray God to save us from these curses, his examples in many things, and the destructive end he wishes to fall on us and all that are not of his mind. And posset with the Spirit and words of our Saviour, who came to save and not to destroy chiefly his own, and till then we intreat for the ordinary legall remedy in justice, as God by the lawes has appointed, and that ye will approve yourselves just, chiefly in the time of so happy a reformation intended and begun, which God assist and guid you in and all intrusted therewith, and remove all impediments and enemies speedily.

This far for the conversation we and some others our adherents are forced to express with grief, finding no other way or mean of redress; and having tryed all other lawfull means, but in vain, and shall, God willing, clear these our alledgences proponed by us, or any two, or any of us sufficiently, and accordingly expects justice, chiefly lest ye be found favourers against reason of him who is of your own coat, and who makes vaunt that our last complaint was rejected by you, and we shall get the long sands.

⁴¹ John 17:6.

APPENDIX

Woman's Universe

There are 22 verses in all; a selection follows.

1

Wits blew-eyed maid (illustrious art)
 by reason's disquisition
 hath so anatomised each part
 of nature's constitution
 that nothing now in natur can
 lye hid, obscure, or secret,
 for by the industry of man
 hir mistery is mad naked.

2

How the azur spheris doe trip hir dance,
 how primum mobile capers,
 whence day affords hir radience.
 How darknes blows hir tapers!
 How hot, how cold, how moyst, how dry
 dwell in hir severall center.
 Man knows, and by his industrie
 hir discords can contemper.

3

Quhat? Tho' earth doth in hir bosom k[ee]p,
 how winds blow from ther treasure,
 quhat alteration in her deip
 how clouds drop rain by measure.
 Quhat number is, quhat's consorts frame
 how bodies keip proportion—
 man knows and rears a diadem
 from this hir strik construction.

...

Gramarian

In gramer she is so perfynt,
 to try hir is bot folly.
 For sche hath takin such delyt
 in *omni viro soli*¹
 that never man hath substantive
 yet framed in such perfection
 bot she overthrows it with an adjective
 by way of interjection.

Divyn

Ask at the divyn quhat ane ape
 she provis in reules of piety.
 She tels you that she may be pape
 for similar sobrietie.
 Hir looks ar puritans, her lyf
 provis hir to be catholick.
 And reason? For she is Peter's wyf,
 and he was apostolik.

...

Conclusion

God help me! quhat a wretch is this
 quhen neather art nor natur
 in color or of pain or bliss
 can portrey with trew featur.
 Then quhy strive I thus for to wed
 Eurydice² to fashion?
 Though Orpheus got hir maidenhead
 yet Pluto³ keip hir passion.

Printed at the sing [sic] of Bessebelle⁴ in Paul's Churchyard.

¹ 'every single man'.

² wife of Orpheus, a mythical player of the lyre.

³ king of the underworld.

⁴ Bessie Bell?

'A Reply to the *Reasons for a Generall Assemblie*', 1638

[73r] No man denieth the necessitie and profite of a nationall assemblie¹ being lawfullie called and well constituted, as by the contrarie, seditious conventicles gathered without the warrant of autoritie and composed of mutinous persones are most pernicious and hurtfull.

Everie councell hath not the Holie Ghost for president as had the councell of the apostles,² nor hath our Saviour promised his presence to anie but those who come together in his name. And since it is in a kingdome ruled by a Christian prince, whosoever presume to gather but³ his warrant, they meit not in the name of Christ.

God's ordinarie providence presupposeth order, and where that is, some must call and others stay to⁴ they be called. If a church be preserved by a confused and tumultuous running together of a headles multitude, it is a miracle indeid, but few exemples of churches so preserved can be showed.

The Church of Scotland hath hade her generall assemblies alwayes warranted by autoritie, asweill under the regents in King James his minoritie, as efter he accepted the governement himself. Yet to the yeir 1592 wes there no act of parliament for keiping general assemblies once in the yeir; which libertie, hade it beine as moderatlie used as it wes religiouslie granted, there had beine les necessitie of abredging that libertie by acts ensueing. But not to speak of the manie irritatiouns thereafter given to that good king in assembling without his licence obtained, they have not forgot, I hope, the conventicle of Abirdeine anno 1605, which gave the occasion of the act of Glasgow assemblie anno 1610 and runneth in this forme:

The assemblie acknowledgeth the indiction of all general meittings of the clergie to be-long to his majestie by the prerogative of his croune, and all convocations of that kinde, without his licence, to be meirle unlawfull, condemning the conventicle made at Abirdeine anno 1605 as haveing no warrant frome his majestie and contrarie to the prohibition he hade given.⁵

¹ *Reasons*, A2r.

² *Ibid.*, A2v.

³ without.

⁴ until.

⁵ *BUK*, iii, 1095-6: 'It is declairit that the alledgit Assemblie haldin at Aberdein, is null in the selfe,

If this act doeth suppose or import the necessitie of a yeirlye general assemblie, let anie man judge. But we have a sort of men that are liberall in there allegations. By this act, they saie, the prelates wer made lyable to the censure of the generall assemblie in there life, office, and benefice in general, the trueth wherof will appeare by the register. Not that anie prelate will refuse the censure [73v] of the general church in anie or all of these, but they must beare with us if we reject the censure of such as have condemned us before we were heard.

That 'the doctrine was by them preserved against error and heresie, the worship was kepted pure against superstition and idolatrie; the Discipline was holden in integritie against confusion and tyrannie; unitie & peace was entertained against schisme and division; piety and learning were advanced against profanitie and idlenesse', &c.,⁶ we acknowledge it to be a singular blessing of God. But what is meant by the parenthesis⁷ (contrarie to that we have seene of late), as we doe not take up, so they shall pardon us to say that unto this time when all is turned into a confusion, doctrine, worship, discipline, unitie, and pietie wer never in better care then, thanks be to God, the same hath beine since the re-establishing of the true and auntient governement of the church.

For it's a most false calumnious lye, that in the fourth section is said, that 'doctrine is corrupted by Arminianisme and Popish errors'.⁸ To our knowledge, neither hath Arminianisme nor poperie beine taught neither in church nor scholes, and I doubt much if this reasoner wer put to it, if he could tell what wer Arminius's tenets. Of this I am certane that manie have Arminius in there mouth who never knew what his doctrine wes.

Abuses (they saie) and enormities ar multiplied through the governement of prelates.⁹ This is a lie easilie denied as affirmed. Abuses cannot be esteemed in

speciallie in respect it had not his Majestie's allowance, and was dischargit be his Commissioner.

'And because the necessitie of the Kirk craves, that for ordour taking with the commoun enemy, and uther affaires of the Kirk, ther salbe yeirlye Generall Assemblies, the indictioun quherof the Assembly acknowledges to appertaine to this Majestie be the prerogative of his royall crowne; and, therefore, the Generall Assemblie most humble requests his Majestie, that Generall Assemblies be haldin once in the yeir; or at leist, in respect of the necessities foresaid, that his Majestie wald appoint a certaine tyme, at the quhilk the samein salbe haldin in all tyme coming.'

⁶ Reply, A2v.-A3r. The MS citation does not differ significantly from the printed document.

⁷ Presumably a reference to a statement on A3r: 'For such necessary causes as are exprest in these acts, which being neglected, religion could not be preserved.' Or else on the preceding page: 'That although God by his omnipotencie, or by way of miracle may preserve his Kirk on earth without Assemblies, yet in the ordinary providence of God, Assemblies are necessary for the right governing, and well being of the Kirk.' Archbishop John Spottiswood had already taken aim at presbyterian pretensions of unity and concord. See his *Refutatio*, 10-12.

⁸ *Reasons*, A3v.

⁹ *Ibid.* Almost a direct quotation; a few words are relocated.

anie governement, *vitia erunt donec homines*,¹⁰ but while our abuse hath beine in the prelates' governement, twentie abuses may be shewed in the other that is the presbiterial; and let it ever be remembered, that betweine a governement and the governours, there must a distinction be made, for the fault of the governours ought not to be laied upon the governement.

For overturning the discipline of the church, that cannot be said to be overturned which is orderlie changed, for what is more comone then to sie the acts of assemblies corrected and altered one by another? *Regula fidei invariabilis*, saith old Tertullian, *caeterae disciplinae patiuntur novitatem correctionis*.¹¹ How long the discipline they call for stood in force, wes there anie that presumed to overturne it? But when a change wes made by the assemblie and the same ratified by parliament, we have reasone to obey and follow what wes enjoined. They may be justlie said to have overturned the discipline of the church who, at there owne hand, without the autoritie either of church or parliament, have presumeit to cast doune all this by law established.

As to the oath they mention,¹² it's wonder they should not [74r] be ashamed of it, for all oathes in maters of discipline are to be understoode *durante disciplinae forma*,¹³ and if they question this they denie the article of the Confession of Faith printed in the 1 parliament of King James, the 21 or 25¹⁴—which of them I remember not, for the acts ar not by me—and if they make anie conscience of oathes (as what can be saiffe amongst men, if these be set at nought) let them tell me with what face they can violate the solemne oathes sworne and subscribed at there entrie to the ministrie? They cannot say that alteration is made as yet in the thing they swore solemnlie to observe; such manifest and avowed perjurie God almightie cannot but punish.

They complaine of peace turned into schisme¹⁵—we ask them, who ar the cause? Whither they that goe frome the law and order prescribed or they that maintaine and obey the same? And so for the diversitie of opinions amongst pastors, who (they say) hath made people to doubt of there religion, it is answered that they are the cause who in there pulpits, when they should have

¹⁰ 'There will be abuses as long as there are men.'

¹¹ 'This law of faith being constant, the other succeeding points of discipline and conversation admit the "novelty" of correction[; the grace of God, to wit, operating and advancing even to the end].' Tertullian, *On the Veiling of Virgins*, in *The Writings of Tertullian*, eds. A. Roberts and J. Donaldson, 3 vols. (Edinburgh, 1869-70), iii, 155. A similar point is made in *Declinator*, 26 and in Spottiswood, *Refutatio*, 37.

¹² Presumably the Negative Confession, 1581, interpreted through presbyterian eyes. See Mullan, *Episcopacy in Scotland*, 178-83.

¹³ 'while the form of discipline is in effect'.

¹⁴ See Spang's letter, pp. 128-9 above.

¹⁵ *Reasons*, 4.

taught faith and repentance and exhorted them to the obedience of God and there superiors, have contrariwayes stirred them up to disobedience, and made ignorant people believe that is¹⁶ wes religion, which wes nothing so.

As to the mynding of worldlie peace and encrease of dignities, on which side this wilbe found when it cometh to be tryed will easilie appeare. We certainlie should have had more worldlie peace if we had not (as our deutie wes) striven to vindicate ministerie from the contempt and miserable povertie wherin they lived. And for encrease of dignities, they cannot say, that anie of the prelates have sought them otherwayes then by lawfull meanes, yea, and some have wished to be ridd of them, as of a burthen which they wer unwilling to beare; whereas it is notoure that the cheiffe authors and fosterers of this commotion have bred it onlie out of a discontent that they missed the dignities which they gaped efter.

Lastly, to the thrusting out of faithfull pastors from there ministrie which they doe so aggravat, it should on there pairts have beine well done to have named the men that wer so thrust out. In the whole cuntrie they shall not name fyve put frome there places by the prelats, and these that wer put from the same, to have beine put away for just reasons, if false doctrine, open rebellion, blasphemie agains there king may be judged sufficient causes. Neither let them speik of smiteing there fellow servants, for the smiteing will be found on there pairt, and of late practised by there instigation upon men out of comparison worthier then anie of themselves; but they wilbe deceived if they think to prevaile by these meanes—neither raskals nor railers will make us leave our stations.

[74v] So to conclude the point, the necessitie of a general assemblie is acknowledged, and wilbe quicklie suted by the prelats when these rebellions are compest¹⁷ of his sacred majestie, but not with such arguments as we heare they use, that if his majesty will not hearken to there petition and grant ane assemblie, they will call one by themselves. We have not so learned Christ, and if this will not warne them to be quiet, let them remember what the assemblie at Rochell wrought in the French church, and how it fared with some of these brethren at home for that meiting at Abirdene.¹⁸

¹⁶ i.e., it.

¹⁷ from 'compesce', to curb or restrain.

¹⁸ The church assemblies at La Rochelle and Aberdeen are hardly comparable. The former, beginning on 28 Nov. 1620, contrary to the declaration of Louis XIII, established something like a Huguenot republic, whereas the general assembly in Aberdeen, postponed by James VI, was still held, in principle, by nineteen ministers, and their action was supported by another ten. Six were exiled for life, including John Forbes of Alford who was among those first imprisoned in Blackness Castle, and then exiled to the Netherlands where he died. Holt, *French Wars of Religion*, 178-9; G. Donaldson, *Scotland: James V-James VII* (Edinburgh, 1965), 204-5; M. Lee, *Government by Pen: Scotland under James VI and I* (Urbana, Ill., 1980), 48-55. Cf. also n. 19, p. 25 above.

The answers to the objections examined.

The prelates are the onlie representative church in this kingdome,¹⁹ for besides them none have place to sitt, or give voice in parliaments and general councils for the church, and they are the speciall office bearers in the same.

It is false that is said, that the office of the bishopes wes abolished. It never wes nor ever will be while kingdoms continue Christian and Christian princes rule.

The second answer is foolish—because presbiters have voices in ecclesiasticall meitings, therfore bishops are not the representative church. It is inconsequent, for we speik of the representative church in the meitings of the state and not in assemblies.

The third answer deserveth no reply as consisting of railing, to which we saie, nevertheles, that both the acts of the church and lawes of the cuntrie have allowed the bishops to represent the church in publick state meitings.

The fourth answer is to no purpose, for granting that the generall assemblie is the representative church in these meitings, it will not hold that in all other places they are such.

To the last answer of this comedy objection, we shortlie replie that the Booke of Service can represent to no man anie thing but what agrieth with true pietie and religion. It hath beine oft told them, that for the mater of the book, it shalbe justified in reasone against all the opponents liveing; and if for the maner of introduceing it ane thing can be excepted, his majestie's declarations²⁰ are more then sufficient for anie oversight committed that way.

As to the canons, they conceive ministers and church judicatories onlie for a direction to them in these proceedings. Nor is there anie of them which is not warranted by some speciall act of the generall assemblies one or other, or then in daylie observance [75r] and custome amongst the ministers themselves. And if by these two, the Service Book and the Canons, it shalbe conjectured what conclusions ar to be expected heirefter frome the prelats, we may saifelie say, that heirefter all things may be looked for to be decentlie and orderlie done in the house of God which is his church.

To the second objection. This reasoner frameth ane objection to himselfe, and therin committeth two errors. First, when he sayes that if the magistrate be not Christiane,²¹ the assemblies of the church must be kept without his consent. Surelie this is a divinitie which we never learned and a preposterous way to plant Christianitie where it is not received. In the time of persecution the church had there secret meitings for the worship of God, and no doubt tooke order for all things among themselves as they might best; but that agains the will of the

¹⁹ *Reasons*, A4r.

²⁰ 16 May 1638, RKS, 65-6; 28 June 1638, RKS, 70-1.

²¹ *Reasons*, A4v.

magistrate and contrarie to his prohibition they did or would publickly assemble themselves and exerce anie ecclesiastic jurisdiction, it will not be found.

Next, that he maketh the Christian magistrat a principall member of the church onlie; for we hold that he is more then so, to wit, supreme governour in all causes and over all persones within his dominions, and that he is the fountaine of all jurisdictions exerced within the same.

In the answer to this objection he cleirly discovereth himself what he wald be at—namelie that the church upon her necessities may conveye agains the will of the magistrate, and one reasone he giveth because the church being in herself a perfect republic, should not loose her priviledges liveing under a Christian prince, more then a republic becomming Christian should lose anie pairt of its civil libertie. For my pairt, I understand not what he meanes when he calles the church a perfect republic nor how he can make the church and comonewealth ane corporation as he did in forming his objection. That which we learned is that *ecclesia est in republica*, but that either the church should be *respublica*, or the republic the church, I conceive not and for the priviledges and Christian libertie he speakes of, I know no other but that the church should in all Christian humilitie and obedience to soveraigne princes serve God according to his Word and preserve herself²² in a decent and comelie order how long she is permitted so to doe. But if the case be such as that the prince will not permitt anie public assemble, I find no warrant to conveye against his will or to resist his prohibition. And for that he addeth that the wisdome of Jesus Christ the king of the church cannot have provideit sufficient supplies [75v] for all her necessities and fitting remedies for all her evils, unles he hade given power to the pastors of the church, when the indiction of assemblies is refused by the prince, to doe it by themselves. It is the same argument that Bellarmine and others papists uses for establisheing the pope's power above kings and princes. I am sure that the pope and presbiterie so jumpe so neir in these tenets, and must reply to both that Christ the king of his church hath provided sufficientlie for all her evils and will mainteine her not by making warre and insurrection agains princes, but by patient suffering or flieing frome there rage and anger. This wes the way wherby Christianitie grew, and if we take another, it is to be feared we shall [lose]²³ it and all.

The answer to the last objection examined. The objection²⁴ is made frome the act of parliament 1612 which declaireth the indiction of generall assemblies to appertaine to his majestie by the prerogative of his crowne,²⁵ wherin this

²² The text reads 'himself', but obviously 'herself' is intended.

²³ Conjectural addition to the text; a word is clearly missing.

²⁴ *Reasons*, B1r.-v.

²⁵ *The xxi Parliament of our most high and dread Sovereaine, James by the Grace of God, King of Scotland, England, France, and Ireland: Defender of the Faith* (Edinburgh, 1612), [1]: 'the foresaid assemble

reasoner purposelie omitteth the words that follow: 'and all convocations in that kind without his licence to be meereleie unlawfull',²⁶ which, [if] he had remembred, wold have shewde the follie of all his distinctions, his *via citationis* and *via admonitionis*; or *via publicae] authorizationis* and *via requisitionis*.²⁷ Whereof the former he saies belongeth to the king, the other is proper to the church her officebearers, and so proper as it cannot be taiken from her by anie act of parliament. Surelie to admonish and require things allowed by God to his church and to entreat the same at the hands of princes becommeth the officebearers of the church, but if there answer be negative, our refuge must be to God by prayer and teares. But the distinction heir is idle for all indictions in this kinde without his majestie's licence ar declared meirleie unlawfull, so both his *vias* are taiken away. And if tyme served to enlarge things, I should ask him and his subtle lawyer frome whome he had this distinction, wher he ever found ane indiction *per viam admonitionis*? The verie word of indiction naturalie importeth the appointing of place and time to whatsomever meiting. This he acknowledgeth in his last words to apperteine to the king, and sayes, howbeit untreulie following his owne imagination, that the act intendit no more.

But I will tell him what further wes intendit. The king who then lived and desired nothing more then a good and decent governement of the church, knoweing the busines of some factious ministers and how they went about to undoe in one assemblie that which he with exceiding great paines had established in manie, wold not have the [76r] power left in anie hands but his owne of calling ane assemblie. Nor was it the time and place he regairdeit. It wes the matter[s] to be treated and a right cariage of them, for that is the maine [which] should be lookt to for avoideing schisme and division in the church. I pray you, if his indiction *per viam admonitionis* should take place, as the time is now fitt, and the ministers of the Covenant make one indiction, the bishops and they who adhere to them make another, [what] should ensue but a miserable confusion frome w[hich we]²⁸ are not far off[f]. Therfore as God hath given, and the laws both of church and cuntrie declaired, let both the positive and privative power of calling assemblies remaine with our gracious soveraigne that now is, when he shall find it convenient, and that [when] the present troubles are quieted he will

acknowledgeth the Indiction of the generall assemblie of the Kirk to appertein to his Majestie, by the prerogative of his Royall Crowne'; *APS*, iv, 469.

²⁶ These words do *not* follow, whether in the acts of parliament or in the acts of the general assembly of 1610: *BUK*, iii, 1095–6.

²⁷ 'the way of proclaiming ... the way of admonition ... the way of public authorisation ... the way of examining'. 'Publica' is followed by ', which I take as shorthand for 'e', making the adjective genitive, hence agreeing with 'authorizationis'.

²⁸ The page has been damaged; this is a conjectural reading.

provide remedies for the evils both of church and state, which is and wilbe the desire of all good and obedient subjects.

John Guthrie, bishop of Moray, 'Life'

Mr John Guthrie, Bishop of Murray his Life. Transcribed from the originall, written and subscribed at Spiney Aprile 7. 1639. Communicat By The Laird of Guthrie, In whose Hands The originall Remains, Collated By Rt. Wodrow. Dec. 1727.

[1] 'My defense is in God who saveth the upright in heart. In him I put my trust and shall not be confoundit.'¹

Memento mori has been to me those many years past my special *memento* thereby to hold me in memory of my Creator, who had not only put into me a waking and warning conscience, but also appoynted to follow (as Phillip's page²) a quick and painfull gravell,³ joyned with other infirmitys, which spared neither morn nor even, midnight nor mid-day, to advertise me of my brittle condition and bid me make ready for God. And now when old age and gray hairs are come, having attained in the mercy of my God, to the age of sixty, they speak sensibly and tell that I shall die: young men may die, old men must die. *Mors seni in ianuis, adollescenti in insidiis*,⁴ said old Bernard. This warning cannot be unwelcome, nor the charge grievous to me to whom it is not come as a thunder clap, with 'O fool, this night will he fetch away thy soul from the[e]'.⁵ It neither can nor shall be so to me who, by the grace of God, am what I am, [2] and have long since comended my spirit into the hands of him who hath redeemed it, being fully perswaded that he is able to keep what I have committed to him till the appearing of our Lord and Saviour Jesus Christ, whom I love and whose comeing I wish. 'Even so come, Lord Jesus', come and tarry not.⁶ One thing rests as just and necessary (for fulfilling of all righteousness)—that I put my house in order. That which concerneth my private is done as I am able to do in this strait time, when man's hand hasteneth

¹ Psalm 7:10 GB. The second phrase is based on Psalm 25:2.

² See p. 24, n. 11 above.

³ This condition is discussed in Mullan, *Scottish Puritanism*, 32–4.

⁴ 'Death to an old man in doorways, to a youngster in ambushes.'

⁵ Luke 12:20 GB, except that it has 'they' where Guthrie has 'he'.

⁶ Revelation 22:20.

with the march of Jehu,⁷ threatning to tread my life down to the earth. There is a house man⁸ to be respected, the house of the living God, pitefully disordered in this land be the craft and malice of our old adversary. Of that house God is the owner, and it hath pleased him to grace me with some service therein, albeit most unworthy in myself. It concerns me to give accounts of my stewardship, for clearing myself to my Lord and master and giving satisfaction to my fellow servants, and others of the famely. The service that I have born these sixteen years has been in episcopacie, which, throughout as many centuries, has been esteemed a worthy [3] work, but now mightily maligned and loaded with a world of calumnies, whereby I am forced to speak for myself, being confident that the reverend prelates of this kirk are more able to plead for themselves and their integrity against all who have by word or write done what is in them to lay their honour in the dust. In this I must follow the example of that worthy bishop and glorious martir St Cyprian, when he had to do with Demetrianus the proconsul of Africk, who had imputed to the Christians all the evils whereby the world was plagued at that time, as of this time all the mischiefs in this land (which are now come to be far above anything that the inventors imagined) are by them rolled over upon the bishops. He said, and so do I: '... It is not fitting that I should be silent any longer, lest my silence should begin to be attributed to mistrust⁹ rather than to modesty; and while I am treating the false charges with contempt, I may seem to be acknowledging the crime.'¹⁰ His answer to him and them whom he had (happily) stirred to all hatred and cursings against the Christians was for this end, that he might be informed of the truth, hopping that he who had been moved to ill by seduceing lies might be much more induced to good by the force of truth. Therefore will I, in as few words as [4] possible I can, make simple and true relation of my course of life unto this time, as also of my present condition and resolution for the time to come, hopping that such as have not wedded themselves to their own will shall be moved to think that a man may be a bishop and a good man too,¹¹ and chainge the harsh opinion which they have conceived of us in this kirk.

And for giving satisfaction anent my course of life to all whom truth and reason will satisfie, I shall be glade to have my ways back tryed, even from my

⁷ 2 Kings 9-10.

⁸ Grammar would have 'man' read as 'much', though this would be irregular in Scots. 'Man' means 'must', but one must then convert the grammar accordingly.

⁹ i.e. lack of confidence.

¹⁰ *Treatise 5, An Address to Demetrianus*, in *Writings of Cyprian*, i, 425.

¹¹ In his *Speech delivered in the Starr-Chamber*, 6, Laud said: 'Our maine Crime is (would they al speak out, as some of them do) that we are Bishops; were we not so, some of us might be as passable as other men.'

beginnings. In that I am a bishop, I have been envied by some, and (of late only) hated of others, but may say of myself what the forenamed Cyprian said of Cornelius, bishop of Rome, first banished, then beheaded by the cruel persecutor Decius, both of them bishops and martyrs: 'He was not one who on a sudden attained to the episcopate; but, promoted through all the ecclesiastical offices, and having often deserved well of the Lord in divine administrations, he ascended by all the grades of religious service to the lofty summit of the priesthood. Then, moreover, he did not either ask for the episcopate itself, nor did he wish it....'¹² I came not to this bishoprick *per saltum*¹³ but by degrees in every one whereof, I thank God, that as I found his grace with me, so his [5] blessing was upon my labours.

Having past my course in grammar and philosophy in St Andrews, where I was born, and from whence I came in my tender years, with approbation of all, I entered my first charge in Arbroath, where I was schoolmaster and reader, and within few years thereafter was called to the ministry, first at Keneil,¹⁴ next at Arbirlot,¹⁵ in both which (I thank God) the fruits of my labours are yet in fresh memory. I sought not after those places, but was sought to them, and I am confident that in the space of twenty years, which was the time of my abode in Angus, as I studied to approve myself to God and man, so there are many yet living who can and will give testimony of my great pains taken in my calling, joyned with a life unbleamable [sic]. When I had resolved to spend my days there where I had contentment, by authority of those who had power over me, which I never learned to disclaim or decline, I mean King James of everlasting memory, and the present metropolitane, my most worthy ordinar, put to it by the earnest suit of the town of Perth, and their aged and reverend pastour¹⁶—who now rests with God, but his memory is precious to me—I was lifted from Angus and put in Bishop Couper¹⁷ his place, which had vaked some years. It is weel known how the work of God prospered, wherein both they [6] and I had such contentment that I had determined to fix my tabernacle there.

After some years spent happily in that station, I was by the like authority called to bear charge of the ministry of Edinburgh¹⁸ which I declined for the

¹² *Epistle 51*, in *Writings of Cyprian*, i, 137.

¹³ 'by a leap'. Guthrie protested that he rose to the episcopate without missing any of the steps, i.e. from layman to deacon to presbyter to bishop.

¹⁴ Kinnell, in the presbytery of Arbroath. Pastor 1599-1603. *FES*, v, 441.

¹⁵ Arbirlot, in the presbytery of Arbroath. Pastor 1603-17. *FES*, v, 421.

¹⁶ John Malcolm, minister of the East Church in Perth, 1591-1634. *FES*, iv, 230.

¹⁷ The Second Charge of Perth, in succession to William Cowper who became bishop of Galloway in 1612, and surrendered his pastoral charge in 1614. Guthrie was pastor here 1617-21. *FES*, iv, 233.

¹⁸ St Giles. Pastor 1621-3. *FES*, i, 54.

space of eighteen moneths, till the same motives which brought me to Pearth removed me from it, with grief both to them and me. Yet haveing learned always to obey my superiours, I yealded at last, and undertook that heavie chaarge, being at that time both perplexed in mind and weakned in body. Those removings from station to station were sore against my heart, not upon any respect worldlie, the Lord knows, but upon the consciousness of my own weakness and insufficiencie, with the bunden regaird I had to those who were committed to my chaarge. Yet now [I] must acknowledge in all those chainges a singular providence of the only wise God, whose gracious hand ever overruled the work. His voice I found calling me, his grace sufficient for me, and his blessing upon my poor labours: his name be glorified for ever. [7] It is not unkend what was in Edinburgh when I entered, which was in the year 1621, and how happily all the breaches were repaired in a short time, that in no town in the kingdom (yea, I may say farther) there could be found greater *harmonia* than betwixt the pastors and the people, and either of them amongst themselves,¹⁹ whereby the kirk flourished and reigning sins were severely punished, to the great joy of the godly and terror of evil doers. Herein I will ascribe nothing to myself who was but one, and the weakest amongst many; but gif all praise to God, who had not only freed me from the evils that I found and more that I feared, but had also wrought his work of mercy far above all that could be expected, stirring up in that people godly zeal toward him and lively charity, shown by their large supplies for the necessities of the saints. Those were to me a wholesome medecine whereby my mind was eased, yea, rejoyced, my body also brought to a farr better and firmer health than before. Such contentment I had that I had resolved to spend the rest of my days and lay my bones there. But unlooked for either be them or me, this seat of Murray was vacant, and thereto I was called, leaving Edinburgh behind me. As I take God witness, to the sincerity of my [8] heart, I will take them also to be witnesses, how holyly, justly, and soberly, both I and mine had our conversation with them, and ever since in my resort hither, where I found the same kindness and countenance as before, till of late, that all is turned over and nothing is in frame.

Now concerning my bringing to Murray. I know that there is no man (who is not acquaint with the business) but will think that I went the way which is thought to be most common, and that my preferment (as they term it) was by my procurement. But I take the Lord [as] my witness, that I did never so much as dream of it till it came to my door, and that his heavenly majesty who has yet reserved on life sundery who will testifie no less. That offer was as unexpected, so

¹⁹ This is a rosy view of the difficult situation in the wake of the introduction of kneeling at communion. But perhaps the presbyterian reports on the time suffer from a different type of exaggeration. Certainly William Forbes, who arrived in 1623, had a trying time. Mullan, *Scottish Puritanism*, 73.

unwelcome, not for any scrouple or doubt that I had anent the function in reverence whereof I was bred, and did always carrie all due respect to them who were cloathed with it, as is weel known to all them who have known me; but partly out of my natural loathness to chainge, which was fostered and entertained by the great contentment which I had in my present condition and partly by the manifold terrours which were before me. That was the year [9] 1623, which should not nor cannot be forgotten. O how fearfull were those times, and what thoughts were in men's breasts. Our gracious king and sovereign now, at that time Prince Charles, justly repute the breath of our nostrills, was in Spain. If anything had happened to him, *humanitus*, what should our case have been. His homecomeing was accounted a miracle by the wisest then living, and if the world continue long, will be put up among fables. But blessed be the God of heaven who preserved his going out and his comeing in. So be it from henceforth for ever.

At that time, this diocie was so farr disordered that I could forsee nothing but hot warr, and that not from one but many adversaries. It was pestered with papists who at that time had lift up their combs, promising to themselves great things. Simony, that damned and devilish heresie, had taken such root that (even in the opinion of the best) neither the giver nor the receiver could be found faulty. A great number of kirks were utterly demolished and no small number of the ministry not resident, the rent delapidate, and brought almost to nothing; that to reduce it to any competency and wrest it out of their hands, who had with great greed gripped the same, would crave [10] both intollerable envy, pains and charges. I thought with myself, what a task is this for me, considering that I am now come to age not so easie to be transplanted as before, my body subject to great infirmitys, the labour greater, my famely numerous, and they and I both shuffled out to the extremity of the kingdome to see new faces and new fashions and be put to new acquaintances, whereof I was never fain and to this hour repent me not with such thoughts. I had some days wrestling, but after conference and advice, with some of my old, wise, and noble friends and patrons of whom I thank God some are alive, I resolved to hearken and yeald to God's calling, and having once acknowledged the same, set all worldlie respects aside and made haste (as is weel known) to the work of God, whereof now (I thank him who has sustained me) I may and will make account for the glory of his great name, who has enabled me, and stopping of the mouths of the malicious who spare not to shoot their venomd arrows, to slay, at least to wound, the name of the innocent.

My first yeeking [sic] was with the papists, who were at that time out of measure, presumptuous [sic], and bold. To compass²⁰ them was a large and dangerous

²⁰ curb or restrain.

[11] task, such as would not be entered without great hazard, and not within few years. But by God's goodness and our sovereign Lord's favour, giving chaarge to prosecute the laws against them, with speciall comission to the then Lord Gordon, now marquess of Huntlie, to execute the same, they were for the most pairt brought to conformity. Some had oversight of his majesty, not without good and weighty considerations, and promising that their domesticks should keep order, which was done indeed. By this means I am able to give accounts that comparing the rolls of avowed papists at my entery in this diocie, with the rolls as they were at that time when those woefull ruptures entered in the kirk and kingdome, one of six should be found, and those pursued by the laws of the kingdome. As few as I could excommunicate, put to the horn, some of their houses taken by heraulds upon my expences, and summonds raised with arrestments upon the escheat-goods of the rebels, and what else could be done by me. The process of this sort giffen in by me to his majesty's advocate will verify this. It is not unknown what pains and art this put me to, in many dangerous journeys toward the south, as the lords of his highness's most honourable privy council will remember. But that was not all. My death was designed by those malicious papists who both thought and said they would have no rest so long as I was living, therefore laid for my life [12] oftentimes, putting forth divers to take it by divers means, as was weel known to the most honourable lords and sunderys in this country who had the same from the mouths of them who were put to that bloody work. Blessed be the Lord who assisted me and streightened²¹ me, who also delivered me out of the mouths of the lyons.²² That same Lord (I trust) will deliver me from every evil work and preserve me to his heavenly kingdome.

My nixt encounter was with symonie, wherein, haveing to do with patrons accustomed to get and intrants willing to give, it was hard for me to judge which of the two were most grieved at me—the patrons loath to lose their commodity, as they esteemit, and the intrants grumbling at the least delay, many those not carring by what means they enter, if so be they may get a kirk and stypend. I stood to my mark and, not regarding their thoughts, resolved to make this kirk free of that plague, which I thank God has taken full effect. Shall I not marvel, then, that any black-maithd chush²³ durst say at Glasgow²⁴ that I had received moneys or good deed from ministers at their entery, when I had [13] casten that devil, with much difficulty, out of others, could I harbour him in my own breast? God forbid. Examine all whom I have admitted to the ministry, or transported,

²¹ strengthened?

²² allusion to Psalm 22:21.

²³ 'black-mouthed chush'; I have not identified the final word.

²⁴ i.e., the Glasgow general assembly, 1638. *RKS*, 27; Mullan, *Episcopacy in Scotland*, 191–3.

which (in my reckoning) shall be twenty-four or thereby. Some of them are strong covenanters and will not conceal what they know, or can search of that sort. And if I be found to have done that thing or that wickedness be in my hands, let the enemy persecute my soul and take it; yea, let him tread my life down upon the earth and lay my honour in the dust. But if I be free (as I thank God I am), I will not use imprecations, but pray to the righteous God who tryeth the hearts and reins, even to him who judgeth the people, that he will judge me according to my innocencie, and make the malice of my adversaries come to an end.

By painful yet pleasant visitations I saw indeed and visited the kirks of my diocie, even the most remote, which were never visited by any bishop before nor since the Reformation of religion. What was done for bringing them to order, my reverend brethren and others who were with me in the most barbarous highlands can relate. And the [14] kirks (not within fourteen in number) builded from the ground, or reared up from estate litle better, if those could speak, would testify no less. But (as it is) there is no man looking on them, who will not see what a reformation is there.

With those who had filled their hands with the rents of this seat, I had much business, but not so much as I feared, having resolved to deal easily with all, and not to be grievous to any who would have peace with me, in reasonable terms. There is not one of the vassals who payed that which was due without hearing or wrangling that can say that ever I burdened him with farthing over that and it is known that what I recovered of teinds was from such as were tacksmen of the teinds of other men who groaned under their burden. And in this I dealt with such moderation that no action intended by me came to any decreet but was amicably composed, as much, if not more, to their advantage as mine.

My conversation in all the time of my being here is known. I will be bold to say that no man has any personall [15] imputations to me, my wife, or children.²⁵ Such as have happened in my house—as what house, though not so numerous, can be always free of offences and offenders—it is known that I was never patron or fautor of such, but the offenders found (upon the first notice) their reward at my hand and were removed from me, with a note of my indignation, for purging my famely.

My dealing with my brethren was ever in great love as they cannot deny—not demeneaning dominiering, but supporting to my power the weakest, and stirring up all both by exhortation and example to do what beseemed them in their place. All will bear me record what care I had to hold the discipline on foot, that nothing in that sort should be inlacking.

²⁵ See the allegations in *RKS*, 171–2.

I will say with a confidence that there is no man in the country, great or small, who can alledge that I have defrauded or wronged him: for I have always lived justly among them.

And concerning the publick and that which was for the weel of the country, wherein I have lived this space, this much I will averr, and am sure that none shall oppose me: that although I had no pleasure to meddle in civil affairs, yet the love which I carried to [16] the country and desire I had to their peace and prosperity made me that I spared not myself, my pains, nor means, to do them good. The force of truth will make them say that I was never hindermost, if not foremost, in a good errand. And it pleased God to bless my travels²⁶ in many particulars, so that it was said, as it was seen, that I did good, and the country, as the kirk, was bettered by me; none will be so impudent as to deny it. It was said by one and all (so far as ever I could learn) that I was a good bishop, a good man, and a good country man.

Let no man think that I am now playing the pharisee, justifying myself. I am far from that.

Against the[e], O Lord, against thee, have I sinned. If thou should enquire of me, I could not answer one of a thousand. If thou shall strickly marke my iniquitys I cannot stand and cannot be justified if thou enter into judgement. But blessed be thy great and glorious name, who have not left me to myself, nor suffered presumptuous sins to reign over me, nor given advantage to my adversarys, that they may reproach me justly. I fold my feet before the[e], and with bowed knees cry the[e] mercy, ten thousand times. O Lord, [17] have mercy upon me. And now [I] have recourse to thee, who try off the hearts and reigns,²⁷ and art witness to my innocencie, begging humbly at thy hands that thou will bring forth my righteousness as the light and my judgement as the noon day. I plead against the calumnies of man, concerning whom I thought, as sometime the wise Socrates, that I needed no appologie against his accuser, haveing done the same in the whole course of his life by striving to do weel. That hath not done the turn, and therefore, with the prophets of old, Samuel, Jeremiah, and David, with many others, Jesus Christ the most innocent, his blessed apostles, and famous confessors and martyrs, most²⁸ plead for my innocencie and the innocencie of my cause, which I beseech the[e], O Lord, to plead with them that strive against me. I thank thy heavenly majesty who has not to this hour suffered me to chainge to the worse, but has set my heart to follow more earnestly the way that may be acceptable to thee. No base chainge being in me, I have found great and sudden chainges in many from whom I would not have feared or suspected the same, both far and near. Thou hast seen it, O Lord; I have laboured in vain and spent my strength in vain and for nought; but my judgement is with the Lord and [18] my work is with my God.²⁹

Such has been my course of life, I thank God, known to all. My present estate and condition is not unknown, O Lord, how are mine adversarys increased,

²⁶ travails.

²⁷ i.e., reins, kidneys.

²⁸ must.

²⁹ This prayer contains at least seven different biblical texts, whether quoted precisely or more loosely: Psalm 51:4, 130:3, 19:13, 7:9, 37:6, 35:1, and Isaiah 49:4.

how many rise against me. I am not to expostulate with those of my brethren who have forsaken me, some of them against their oath, which was neither unlawful nor extorted, but just and lawfull in itself and taken of them willingly.³⁰ The Lord lay it not to their chairage. Nor am I to complean on those in this country who have turned my enemys, without cause, yea, not on them who have rewarded me evil for good. My just regrate is that in the meeting at Glasgow they have given sentence against me of deprivation which cannot carrie weight, seeing it is known that upon good and relevant causes the same was declined and protested against by the most part of the bishops, as also their proceeding against me was after his majestie's comissioner had by authority commanded them to rise and dissolve.³¹ And giving, but not granting, that it had been a lawfull assembly, I was never summoned either personallie or in such form as is prescribed by law. Doth our law judge a man before he be [19] heard? As also their conclusions want approbation from his majesty, who has not only not authorized, but by his heraulds dischaired all his good subjects from acknowledgeing the same. I rest in the resolution given by the Reverend Beza in his answers to six questions, propounded by the Lord Glams, then chancellor of Scotland: not once but often, he strickes on this string.

Response to the 2d question: 'Furthermore it is chiefly required that if all the laws of the church be established of the king's Christian majesty, it followeth that the councils are to be assembled by his commandment and direction and not otherwise.'

Response to the 3d question: 'But whatsoever shall be set down in those councils is to be established by the authority of the king's Christian majesty, as, next after God, the keeper and defender of the churches.'³²

Yet have they past by all these and intend to proceed against me, so far as they who are cloathed with comission from them are able, either by pretext of ec[c]lesiasticall censure or otherways. I received some days since a ticket informall and imperfect chairging me to compear before the presbetry of Edenburgh this same day, and at this instant I am uncertain at what hour of the day the army directed by them shall lay seige to this house, they haveing been (as I was informed yeesternight) within six miles of me. Let God and man judge of this their dealing. May I not [20] ask, what hath the righteous man done? Remember, O Lord, the rebuke of thy servants, which I bear on my bosom, by the mighty of the people. And thou who art my Lord and my God, save me from all that persecute me and deliver me. Have mercy upon me, O God, have mercy

³⁰ 'The Oath of Canonick Obedience', in *Miscellany of the Wodrow Society*, ed. D. Laing (Edinburgh, 1844), 607.

³¹ Hamilton, the king's commissioner at the Glasgow assembly, dissolved the assembly on 28 Nov. 1638, but it continued to sit. RKS, 116-22.

³² 'Lord Chancellor Glamis and Theodore Beza', ed. G. Donaldson, *Scottish History Society Miscellany*, viii (1951), 106-7, 109. This is a tendentious use of Beza, who was no friend to the kind of episcopacy Guthrie represented. Mullan, *Episcopacy in Scotland*, 47-8.

upon me, for my soul trusteth in the[e], and in the shadow of thy wings will I trust till those afflictions overpass. My sole resolution is to wait on the[e], my God, whose ways are all mercy and truth to them that fear thee. Being perswaded of my innocencie and the equity of the causes which I stand to, I have resolved and shall crave streignth and grace of God for that effect, to continue unmoved to the end, not fearing my adversarrys, but hoping that he who has given me to believe, if he call me to suffer, shall give me also to suffer, and furnish me with patience and courage. That God whom I serve is able to deliver me from the rage and out of the hands of men. But if he will not, my heart shall not swerve from the way of truth. If I fall in the hands of man, I shall not think that I am forsaken of God, seeing I suffer not as an evil doer but as a faithfull martyr, a loyall subject, and good patriot. The saints and martyrs perished not, although it seemed so to the world. It is a comfortable observation that St Augustine [21] has, that he who saves the three young men from the fire, forsook not the seven martyrs that suffered under the cruel Antiochus *et hos servavit et illos*,³³ the one by a bodyly deliverance to confound the unbelievers, the other by a spirituall, to confirm the believers. I refer the manner to my wise Father. Haveing lived the life of the righteous, I wish and hope to die the death of the righteous. God comfort the hearts of them who suffer in the same cause, and the Lord pity his poor torn and dismembred kirk and kingdome, and repair the breaches thereof for his Christ's sake.

Correct us, O Lord, but with judgement, not in thy anger, lest thou bring us to nothing; in wrath, which we have deserved, remember thy undeserved mercy. Lighten our darkness, thou Lord who brings light out of darkness, and out of those fearfull combustions produce thou a work of mercy, whereby glory may be to thy great name, and joy to them who are upright in heart. Spare thy people, O Lord, and make us not a reproach unto our enemys. In those, O Lord, I poured out my heart to thee. Lord, let thy servant depairt in peace. And hereby I chaarge them into whose hands these presents shall come, as they shall answer to the great God of heaven, that they keep not up but let it be seen for manifesting to the world what is therein contained. Lord Jesus, receive my spirit.³⁴

All the premisses I have written and subscribed with heart and hand at Spynie the seventh day of Aprile 1639, the great God and his holy angels witnesses. *Sic subscribitur*,

Jo: B. of Moray.

³³ 'and he delivered both the former and the latter'.

³⁴ But not in fact for ten years; he died in 1649. The prayer contains at least four biblical texts: Jeremiah 10:24, Habakkuk 3:2, Psalm 125:4, Luke 2:29.

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1997-98

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*Membership of the Scottish History Society
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*For an annual subscription of £15.00
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*Enquiries should be addressed to
the Honorary Secretary, whose address
is given overleaf.*

SCOTTISH HISTORY SOCIETY

111th ANNUAL REPORT

*Presented to the Annual General Meeting
by the Council, 13 December 1997*

The delayed 1995 volume will be *The Political Poetry of George Buchanan*, edited by Arthur Williamson and Paul McGinnis; it will be issued to members early in 1998. Other volumes in an advanced state of preparation are *Clan Campbell, 1550-1583*, edited by Jane Dawson; *The Black Book of Coldingham, 1298-1430*, edited by Joseph Donnelly; and *Miscellany XIII*, including a number of items from the thirteenth to the seventeenth centuries. It is hoped to issue two of these in the course of 1998; these will be the 1997 and 1998 volumes (that for 1996 has already been issued).

Other volumes in preparation are: *Scotland and the Americas, c. 1680-1939*, edited by Allan MacInnes, Linda Fryer and Marjory Harper; *Minutes of the Mid and East Lothian Miners' Association, 1894-1914*, edited by Ian MacDougall; *The Scots and the French Army, 1548-1559*, edited by Elizabeth Bonner; *The Diaries of General Patrick Gordon of Auchleuchries, 1635-1699*, edited by Paul Dukes and Graeme Herd; *The Duke of Montrose's Buchanan Estate, Stirlingshire, c. 1680-1787*, edited by Alexander Gibson; *Letters of Sir Donald MacDonald of Sleat, c. 1665-1718*, edited by Donald William Stewart; and *Scottish Planned Villages, 1740-1914*, edited by Douglas Lockhart.

The Society's financial position is satisfactory and it has been possible to hold the subscription at £15 (£18 for joint members) for another year.

The four members of Council to retire by rotation are Mr Terry Brotherstone, Dr Tristram Clarke, Ms Elaine Finnie and Dr Mike Spearman. To replace them Council recommends the election by the Annual General Meeting of Dr Malcolm Bangor-Jones, Dr Mike Brown, Dr John Cairns and Mr James Robertson.

The membership of the Society stands at 456 individual and 198 institutional members.

SCOTTISH HISTORY SOCIETY
REGISTERED SCOTTISH CHARITY NO. 005043

INCOME & EXPENDITURE FOR THE YEAR TO 30TH SEPTEMBER 1997

1996 £		1997 £
9153.32	Subscriptions	7935.97
396.01	Income Tax on Covenants	400.00
553.65	Sales of Past Publications	700.25
-95.00	Less: Insurance	-95.00
-150.00	Honorarium	-150.00
3099.58	Interest on Bank Premier Account	2610.93
293.45	Interest on Bank Current Account	166.28
<hr/>		<hr/>
13250.01	NET INCOME	11568.43
	Costs of Year's Publication	-652.00
-32028.00	Printing	0.00
-200.33	Typing & Photocopying	-606.00
-131.50	Literary Editor's Expenses	-46.00
-3180.68	Postage and Packing	0.00
-197.50	AGM Expenses	-305.50
-123.18	AGM Postage	0.00
-152.53	Other expenses	-71.75
<hr/>		<hr/>
-22763.71	CURRENT ACCOUNT DEFICIT(-)/SURPLUS	10539.18
 2767.33	 Bequests & Donations	 0.00
<hr/>		<hr/>
-19996.38	NET DEFICIT(-)/SURPLUS FOR YEAR	10539.18

BALANCE SHEET AS AT 30TH SEPTEMBER 1997

1996 £		1997 £
1.00	Stocks of Unsold Publications	1.00
1400.00	Income Tax Recoverable (estimate)	1800.00
3153.50	Other Debtors (receipts after date)	303.65
46632.58	Bank—Premier Account	58743.51
1276.78	Bank—Current Account	2154.88
-150.00	Creditors (payments after date)	-150.00
<hr/>		<hr/>
52313.86	NET CURRENT ASSETS	62853.04

CAPITAL ACCOUNT

72310.24	Balance at 1st October 1996	52313.86
-19996.38	Deficit(-)/Surplus for Year	10539.18
52313.86	Balance at 30th September 1997	62853.04

SCOTTISH HISTORY SOCIETY
REGISTERED SCOTTISH CHARITY NO. 005043

ABSTRACT ACCOUNT OF CHARGE AND DISCHARGE OF THE
INTROMISSIONS OF THE HONORARY TREASURER
from 1st October 1996 to 30th September 1997

CHARGE

£

1	Cash in Bank at 1st October 1996		
a)	Sum at credit of Premier Account		
	with Bank of Scotland	46632.58	
b)	Sum at credit of Current (Treasurer's)		
	Account with Bank of Scotland	<u>1276.78</u>	
			47909.36
2	Subscriptions received		9120.97
3	Donations received		2000.00
4	Past publications sold		830.10
5	Interest on Premier Account		2610.93
6	Interest on Current (Treasurer's) Account		166.28
7	Tax Recovered on Covenants		0.00
8	Sums drawn from Bank Premier Account	0.00	
9	Sums drawn from Bank Current Account	11239.25	
			<u>62637.64</u>

DISCHARGE		£
1	Subscriptions refunded	465.00
2	Cost of publications during year	606.00
3	Literary editor's expenses	46.00
4	Stockholder's Honorarium	150.00
5	Costs of insuring stock of unsold books	95.00
6	Costs of AGM	305.50
7	Costs of postage re AGM	0.00
8	Office bearers' expenses	71.75
9	Sums lodged in Bank Premier Account	12110.93
	Sums lodged in Bank Current Account	12117.35
		<hr/> 1739.25
10	Funds at close of this account	60898.39
a)	Sum at credit of Premier Account with Bank of Scotland	58743.51
b)	Sum at credit of current (Treasurer's) Account with Bank of Scotland	<hr/> 2154.88
		<hr/> 62637.64

Stirling, 19th November 1997

I have audited the Account of the Honorary Treasurer of the Scottish History Society and certify that I am satisfied that proper records appear to have been kept and that the above Account is a correct statement of the transactions recorded during the year.

H.B. PEEBLES

C.A.





X

