

II.

SCOTLAND'S SUPPLICATION AND COMPLAINT AGAINST THE BOOK OF COMMON PRAYER (OTHERWISE LAUD'S LITURGY), THE BOOK OF CANONS, AND THE PRELATES, 18TH OCTOBER 1637. BY D. HAY FLEMING, LL.D., F.S.A.Scot.

This remarkable and important document would, in all probability, have crossed the Atlantic, and found a permanent home there, had it not been for the foresight of Mr George P. Johnston and the open-handed patriotism of Dr W. B. Blaikie. Thanks to the Secretary for Scotland, it was deposited in the Register House on the 7th of December 1925, and there it is safe for all time coming. Historical students will find the beautiful full-sized facsimile, which Dr Blaikie has generously had made, quite sufficient for working purposes; but the original itself is open to all reasonable inspection in the Register House.

The three grievances petitioned against were (1) *The Book of Common Prayer*, better known now as Laud's Liturgy, (2) *The Book of Canons*, and (3) the Archbishops and Bishops. To understand how in these the shoe pinched, it is necessary to look back to the early history and constitution of the Reformed Church of Scotland.

A *Confession of Faith* drawn up by the six Johns—Knox, Wynram, Spottiswoode, Willock, Douglas, and Row—was approved and ratified by Parliament on the 17th of August 1560—that is, four months before the meeting of the First General Assembly. The same six Johns drew up the *First Book of Discipline*, which, in the opinion of Professor Hume Brown, is "the most interesting and, in many respects, the most important of public documents in the history of Scotland."¹ The *Order of Geneva*, used in the English congregation at Geneva of which Knox was a minister, was adopted by the Reformed Church of Scotland, and, as enlarged, became its *Book of Common Order*. If not partly prepared by Knox, it was certainly sanctioned by him. Its prayers were optional; and, as David Laing has said, "in no instance do we find Knox himself using set forms of prayer."²

Neither in the *Confession of Faith*, nor in the *First Book of Discipline*, nor in the *Book of Common Order*, is Prelacy expressly condemned; but they leave no room for it. It is true that in that *Confession of Faith* this passage occurs: "Not that we think that ane polecie and ane ordour in ceremonies can be appointit for all aiges, tymes, and places,

¹ *History of Scotland*, 1902, vol. ii. p. 74.

² Laing's *Knox's Works*, vol. vi. p. 283.

for as ceremonies (sic as men have devysit) ar bot temporall, so may and aucht thay to be changeit, quhan thay rather foster superstitioun than that thay edifie the Kirk using the same." It has been argued that this left an open door for the introduction of Prelacy. Had I been an Episcopalian I would have resented this as derogatory, grossly derogatory, to the office of a bishop, as if he were merely a ceremony or point of policy.

The Commissioners of the Church of Scotland, when in London in 1644, wrote of our first Reformers: "They intended and designed from the beginning the government of the Church by assemblies and presbyteries, although they could not attain that perfection at first in the infancy of reformation, but gave place to necessity, which in such cases is universall."¹ And Bishop Maxwell put it more briefly thus: "The goodly order and government of the Church was shouldred out."²

There was a gradation of church-courts from the first. Of these the kirk-session was the earliest. In St Andrews a kirk-session was in full swing by October 1559—that is, ten months before Parliament abolished the papal authority and suppressed the mass. The deacons as well as the elders sat in the kirk-session; and, as prescribed in the *First Book of Discipline*, both deacons and elders were elected annually, a much more democratic arrangement than the present.³ The first meeting of the General Assembly was in December 1560, and for three-and-twenty years thereafter it usually met twice a year. There is no trace of a moderator in the first six Assemblies, and thus a love of parity, utterly inconsistent with Prelacy, was exemplified. When a moderator was chosen in December 1563, it was explained to be "for avoyding confusion in reasoning."⁴

Neither synods nor presbyteries are mentioned in the *First Book of Discipline*. But in December 1562 the General Assembly ordered the

¹ *The Reformation of Church-Government in Scotland cleared from some Mistakes and Prejudices*, 1644, p. 11. Principal Lee, who knew the history of the Reformed Church of Scotland as few have ever known it, could not "discover any just foundation" for the opinion that, in its early years, its affairs were "conducted as if a modified system of Episcopacy, instead of the strict Presbyterian discipline, had been intended to be established" (*Lee's Lectures*, 1880, vol. i. p. 301).

² *The Burden of Issachar*, 1646, p. 28.

³ The "Privie Kirk of Edinburgh," which met in private houses or in the fields, had elders and deacons (*Laing's Knox*, vol. ii. p. 151).

⁴ *Booke of the Universall Kirk*, vol. i. p. 38. In March 1573-4 it was claimed "that sen the tyme God blessed this cuntry with the light of the Evangell, the hail Kirk maist godlie appointit, and the same be Act of Parliament authorized, that twa godlie Assemblies of the hail General Kirk of this realme sould be ever ilk zeir, asweill of all members therof in all estates as of the ministers: the whilk Assemblies hes bein sen the first ordinance continually keipit in sic sort, that the most noble ther of the hiest estate hes joynt themselves be their awin presence in the Assemblies as members of ane body, concurreand, voteand, and authorizand in all things their proceeding with their brether" (*Ibid.*, vol. i. p. 292).

superintendents to hold their synods twice a year, in April and October, the minister with an elder or deacon from each congregation attending "to consult upon the comon affaires";¹ and in June 1563 it ordained that anyone deeming himself injured by the kirk-session could appeal to the superintendent's synod, and from it to the Assembly.²

The germ of the presbytery may be found in the weekly meetings known as "the exercise," which in the *First Book of Discipline* are characterised as "most necessarie for the Church of God this day in Scotland," and were deemed to be most expedient in every town where there were schools "and repair of learned men." The ministers of the neighbouring landward churches were to attend, and so were readers, within a circuit of six miles, if they had any gift of interpretation.³ Though primarily intended for Bible study, such gatherings could hardly take place week by week—as Professor Mitchell pointed out—without such cases as came before the kirk-sessions being occasionally discussed and advised on. And in March 1572-3 the General Assembly thought it necessary that a copy of the Acts of the Assembly should be given to every exercise, and that matters happening betwixt the meetings of the synods and of the assemblies should be "headed and notit at every exercise 20 dayes befor the Generall Assemblie, that the brethren may be ripely advised with the samine."⁴ When the country was regularly divided into presbyteries in 1581, "the exercises previously existing in particular towns were merged in and their work devolved on these."⁵

Our Reformers were greatly hampered by the dearth of ministers. Of the forty-two names on the roll of the first General Assembly, only six are entered as ministers. But the high standard of necessary qualifications was not lowered on that account; and so, in the *First Book of Discipline*, besides the three permanent offices of ministers, elders, and deacons, two temporary ones are recognised, namely, readers and superintendents. Readers were to be chosen from "the most apt men" who could distinctly read the prayers and the Scriptures; and, if they developed the necessary gifts and graces, they were to be promoted to the ministry.⁶

As for the superintendents, the framers of the *First Book of Discipline* say: "We have thocht it a thing most expedient for this tyme," that twelve or ten men should be selected and each set over a province "to plant and erect churches, to set ordour, and appoint ministeris." In their visitations they were to preach thrice a week at least, to examine "the life, diligence, and behaviour of the ministeris," the order of their churches,

¹ *Booke of the Universall Kirk*, vol. i. p. 29.

³ Laing's *Knox*, vol. ii. pp. 242-4.

⁵ Mitchell's *Scottish Reformation*, p. 160.

² *Ibid.*, vol. i. pp. 32, 33.

⁴ *Booke of the Universall Kirk*, vol. i. p. 265.

⁶ Laing's *Knox*, vol. ii. pp. 195, 196, 199.

and the manners of the people. When in residence in their principal towns, they were likewise to preach and edify the Church. Ten provinces or dioceses were designed,¹ but only five superintendents were ever appointed, and occasionally ministers had the same duties temporarily assigned to them.

Archbishop Spottiswoode, in his *History of the Church of Scotland*, when dealing with the *First Book of Discipline*, calmly wrote: "Because this will fall to be often mentioned, and serveth to the clearing of many questions which were afterwards agitated in the Church, I have thought meet, *word by word*, here to insert the same, that the reader may see what were the grounds laid down at first for the government of the Church, so we shall the better decern of the changes that followed."² Instead of reproducing it "word by word," he took grave liberties with it, so much so that, in Principal Lee's opinion, "his account might almost appear to have been intended for the purpose of misleading negligent inquirers."³ From his curtailed passages concerning the superintendents, it is by no means obvious that their office was intended to be temporary. It was not difficult to foresee, in 1560, that there would be a scarcity of ministers for a good many years to come, hence the directions for the choosing of superintendents after "thre yeiris be passed."⁴ In 1567 there were about 1080 churches and only 257 ordained ministers; in 1574 there were 988 churches and only 289 ministers;⁵ and in 1596 there were "above foure hundreth paroch kirks destitute of the ministrie of the Word, by and attour the kirks of Argyle and the Yles."⁶

Attempts have frequently been made to identify the office of a superintendent as substantially the same as that of a bishop. David Laing puts the matter very briefly: "This employment of superintendents was beyond all question only a temporary expedient. They were elected and admitted in the same manner as ordinary pastors; and while they were, equally with any other minister of the Church, subject to be censured, suspended, or deposed by the Assembly, the office itself conferred on them no precedence or superiority over their brethren. . . . Neither could they exercise any ecclesiastical jurisdiction without the consent of the provincial assemblies."⁷ Not only so, but they were subject to censure and correction by the ministers and elders of the provinces of which they were the overseers.⁸ Dr Grub, writing from the Episcopal

¹ Laing's *Knox*, vol. ii. pp. 201-8.

² Spottiswoode's *History*, Spot. Soc. ed., vol. i. p. 331.

³ Lee's *Lectures*, vol. i. p. 151. The principal alterations and omissions in Spottiswoode's version are pointed out in Laing's *Knox*, vol. ii. pp. 588, 589.

⁴ Laing's *Knox*, vol. ii. pp. 206, 208.

⁶ *Booke of the Universall Kirk*, vol. iii. p. 876.

⁸ Laing's *Knox*, vol. ii. p. 207.

⁵ *Wodrow Miscellany*, p. 326.

⁷ *Wodrow Miscellany*, p. 322.

point of view, says that, although the scheme had been fully carried out and regarded by its promoters as more than a temporary arrangement, "it bore only a faint external resemblance to the hierarchy."¹

In the autumn of 1566 Knox received a letter from Beza expressing a desire to obtain from the Church of Scotland its approbation of the *Second Helvetic Confession* then recently published. The ministers of the neighbourhood promptly assembled at St Andrews, read that *Confession*, considered it chapter by chapter, diligently examined everything, leaving nothing unexplored. In the reply to Beza, signed by all present and bearing the university seal, they say: "It is impossible to express the exceeding delight we derived from that work, when we clearly perceived that in your little book was most faithfully, holily, piously, and indeed divinely explained, and that briefly, whatever we have been constantly teaching these eight years, and still by the grace of God continue to teach. . . . We are, therefore, altogether compelled, as well by our consciences as from a sense of duty, to undertake its patronage, and not only to express our approval, but also our exceeding commendation."

The sincerity of this hearty approbation was emphasised by their taking exception "to what is written in the 24th chapter of the aforesaid *Confession* concerning the 'festivals of our Lord's nativity, circumcision, passion, resurrection, ascension, and sending the Holy Ghost upon His disciples,'" which festivals "obtain no place among us; for we dare not religiously celebrate any other feast-day than what the divine oracles have prescribed. Everything else, as we have said, we teach, approve, and most willingly embrace."²

Now, in the eighteenth chapter of that *Confession*, it is clearly laid down that all ministers are equal in power and commission, and that bishops and presbyters were originally the same in office.³ This cuts off Prelacy at the very roots.

Among those who signed this letter were John Douglas, Principal of St Mary's College, John Rutherford, Principal of St Salvator's College, John Duncanson, Principal of St Leonard's College, John Knox and his colleague John Craig, three of the superintendents, viz. Wynram, Erskine of Dun, and Spottiswoode, four professors, and other twenty-nine ministers including John Row of Perth, Robert Hamilton of St Andrews,

¹ Grub's *Ecclesiastical History of Scotland*, vol. ii. p. 99. Superintendents are mentioned in Article xxxii. of the *Confession of Faith* enacted by the first National Synod of the Reformed Churches of France in 1559 (Quick's *Synodicon*, vol. i. p. xiii). The National Synod, held at Gap in 1603, explained that the word superintendent in that article "is not to be understood of any superiority of one pastor above another, but only in general of such as have office and charge in the Church" (*Ibid.*, vol. i. p. 227); and that explanation was confirmed by the National Synod held at Rochell in 1607 (*Ibid.*, vol. i. p. 266).

² Laing's *Knox*, vol. vi. pp. 544-8.

³ Schaff's *History of the Creeds of Christendom*, vol. i. p. 412; vol. iii. p. 283.

David Fergusson of Dunfermline, William Christison of Dundee, Adam Heriot of Aberdeen, David Lyndsay of Leith, John Duncanson of Stirling, Andrew Simpson of Dunbar, and John Brand of Holyroodhouse.¹ When the General Assembly met in December it approved Pont's translation of that *Confession*, and ordered it to be printed; but with a note in the margin where the five festival days were mentioned.²

Although Parliament had no difficulty in formally ratifying the *Confession of Faith* in 1560, it did not ratify the *First Book of Discipline*. The nobles perused it many days. Some approved; others objected for various reasons. Sensualists dreaded the proposals for the suppression of vice. Those who had acquired church lands or revenues were loath to disgorge, as they would have had to do had the scheme been accepted for endowing the universities from the temporality of the Church, and sustaining the ministers, the schools, and the poor from the teinds. Those who signified their approval by their signatures did so on condition that the bishops, abbots, priors, and other beneficed men, who had already joined the Protestants, should enjoy the revenues of their benefices for life, they sustaining the ministers and ministry.³

On the 15th of February 1561-2, the Privy Council resolved that "the auld possessouris" of all the benefices should be allowed to retain two-thirds of the revenues of their respective benefices, and that the other third should be used for the Queen's expenses and for sustaining the preachers and readers.⁴ Knox denounced this scheme—"I see twa partis freely given to the devill, and the thrid maun be devidid betwix God and the devill: weill, bear witnes to me, that this day I say it, or [*i.e. ere*] it be long the devill shall have three partis of the thrid; and judge you then, what Goddis portioun shal be."⁵

Knox's prophecy or forecast was fulfilled. The ministers were so wretchedly paid that some of them gave up their work. Speaking for himself and other ministers in 1562, David Fergusson of Dunfermline said: "The greatest number of us have lived in great penurie, without all stipend some tuelf moneth, some eight, and some half-a-year, having nothing in the meanetime to susteane ourselves and our families but that which freindes have given us, and that which we have borrowed of cheritable persones until God send it us to repay them."⁶ On the 17th of September 1566, the Privy Council owned that, by a great number of "schiftis and inventionis," her Majesty's liberality had been "sa planelie abusit be unsaciabill and gredie askeris" that now of the "thridis of

¹ Laing's *Knox*, vol. vi. pp. 548-50.

² *Booke of the Universall Kirk*, vol. i. p. 90.

³ Laing's *Knox*, vol. ii. pp. 128-30, 218, 222, 257, 258.

⁴ *Register of the Privy Council*, vol. i. pp. 199, 201, 202.

⁵ Laing's *Knox*, vol. ii. p. 310.

⁶ Fergusson's *Tracts*, Ban. Club, p. 11.

benefices, commoun kirkis, freris landis, and rentis, lytill or nathing is left undisponit, owther to the sustentatioun of hir Hienes hous and uther neidfull effaris, nor yit to the sustentatioun of the ministeris," and therefore, with consent of her council, she formally revoked and annulled all these gifts.¹

Mr Patrick MacClane, who had royal letters for provision to be made to him of the bishopric of the Isles and of the abbacy of Icolmkill, realising his physical inability to discharge the duties, transferred his rights to John Carswell (the Superintendent of Argyle and the Isles), on condition that he gave him a yearly pension. The Queen, understanding that Carswell was hereby obliged "to paye the stipendis of the ministeris plantit within the boundis foirsaidis, and to releif the Quenis Majestie and hir comptrollare thairof," assigned and disponed to him for life all the rents, profits, teinds, etc. of the said bishopric and abbacy, and commanded her comptroller to desist from craving the thirds and from otherwise troubling Carswell "in brouking thairof." In this document, which is dated 12th January 1564-5, Carswell is not designated superintendent, but simply "Maister Johnne Carswell," and seven times merely "Maister Johnne."²

This arrangement seems reasonable as, according to Keith, MacClane's predecessor, John Campbell, had dilapidated most of the benefice of the bishopric in favour of his relations, and had conveyed some heritable jurisdictions to his own family of Calder.³ Under the Queen's signature of 12th January 1564-5, Carswell should have had ample power to deal with the revenues of the bishopric and abbacy; but he may have feared that his right was imperilled, if not reduced, by the Privy Council's Act of 17th September 1566. On 24th March 1566-7, the Queen made, constituted, and created him Bishop of the Isles and Abbot of Icolmkill, with power to deal with the lands, benefices, teinds, fruits, rentis, etc., in all respects, causes, and conditions as if he had been provided in the Court of Rome. Of course, from the ecclesiastical point of view, she could not make him either a bishop or an abbot, and consequently he was as much or as little of the one as of the other.⁴ In this creation there is no reference to Patrick MacClane; and Carswell's right for life is declared to date from all the years and terms that have elapsed since his first intromission, notwithstanding any acts, statutes, or revocation to the contrary. The comptroller was not to demand the thirds from him, and he was to use them for sustaining the ministers at their proper

¹ *Register of the Privy Council*, vol. i. p. 478.

² *MS. Registrum Secreti Sigilli*, vol. xxxii. fol. 126.

³ Keith's *Catalogue*, 1824 ed., p. 307.

⁴ See extracts quoted below from Erskine of Dun's letter to the Regent Mar.

churches.¹ In Bishop Keith's opinion, "all this provision was, no doubt, made with a view that he might dilapidate the temporality to the family of Argyle."² The date of this creation may lend some support to Keith's opinion, as it was exactly six weeks after Darnley's murder, and seven and a half before the Queen's marriage to Bothwell.

Carswell does not appear to have been a regular attender at the General Assemblies, but he was present in July 1569 and "was reproved for accepting the bishoprick of the Isles without making the Assembly forseen; and for riding at and assisting of the Parliament holden by the Queen after the murder of the King."³

In December 1567—that is, six months after Queen Mary was sent as a prisoner to Loch Leven—Parliament, considering that "the ministeris hes bene lang defraudit of thair stipendis, sua that thay ar becum in greit povertie and necessitie," ordained that "the hail thriddis of the hail benefices of this realme sall now instantlie, and in all tymes to cum, first be payit to the ministeris of the Evangell of Jesus Christ, and thair successouris."⁴ This was not given effect to; and as benefices became vacant, by the death or forfeiture of their Roman Catholic holders, they were frequently given by way of reward or favour to utterly unqualified men. In March 1570-1, the General Assembly sent commissioners to the Regent and Privy Council to plead "that no disposition of any benefice or presentation be made of any person, without the admission and collation of the Kirk following upon just presentations."⁵

It was after the Earl of Morton returned from his mission to England, in April 1571, that he was, on account of his expenses in the public service, "rewarded with the bishoprick of Sanct Andrewes now vacant by the death of Johne Hammiltoun."⁶ "Reserving to himself the profite," Morton transferred the title to John Douglas, Rector of St Andrews University and Provost of St Mary's College.⁷ Following Richard Bannatyne, Calderwood gives the 18th August as the date of Douglas's

¹ *MS. Registrum Secreti Sigilli*, vol. xxxvi. ff. 68, 69. On the 15th December 1564, the Queen, with the advice of the Three Estates, had ordained that all her future confirmations of infeftments of kirk-lands should be as lawful and of as great strength and avail "as gif the samin had bene obtenit and purchest fra the Pape or sate of Rome" (*Acts of Parliament*, vol. ii. p. 545). The infant James exercised the same right in 1570 (*Ibid.*, vol. iii. p. 418).

² Keith's *Catalogue*, p. 308.

³ *Booke of the Universall Kirk*, vol. i. p. 144. As Bishop of Sodor (or the Isles) he sat in the Parliament which met on the 14th April 1567 (*Acts of Parliament*, vol. ii. pp. 545-7).

⁴ *Acts of Parliament*, vol. iii. p. 24.

⁵ *Booke of the Universall Kirk*, vol. i. pp. 185-8.

⁶ Calderwood's *History*, vol. iii. p. 67. Randolph, the English Ambassador, was said to have used his influence on Morton's behalf (Sir James Melville's *Memoirs*, Mait. Club, pp. 236, 240). In October 1570 "the Erle of Glencarne, being in this toun, wald not assist to this Parliament, bot depairtit of Edinburgh, becaus my Lord Regent wald nocht give to him the archbishoprick of Glasgow" (*Diurnal of Occurrents*, p. 191).

⁷ Calderwood's *History*, vol. iii. p. 156.

presentation.¹ But the precept in his favour is dated, at Leith, 6th August 1571. By it he was to have, for life, the archbishopric, both temporality and spirituality, subject to a pension to James Halyburton, Provost of Dundee, or his cousins George or Andrew Halyburtons. The see was declared to be vacant as well by the forfeiture as by the death of John [Hamilton], the last archbishop, or by the forfeiture and death of Gavin [Hamilton], Commendator of Kilwinning, his pretended successor.² In September, Douglas sat in the Parliament at Stirling as Archbishop of St Andrews.³ Wynram, the Superintendent of Fife, forbade him, under pain of excommunication, "to voit as ane of the Kirke till he sould be admitted be the Kirke:" and "Mortoun commandit him to voit (as Bischopè of Sanct Androis) undir the paine of treasone."⁴

Writing from St Andrews, in August 1571, to the General Assembly at Stirling, Knox thus warned its members: "Unfaithfull and traitours to the flock sall ye be before the Lord Jesus, if that, with your consent, directlie or indirectlie, ye suffer unworthie men to be thrust in into the ministrie of the Kirk, under quhat pretence that ever it be. Remember the Judge befor quhom ye must make account, and resist that tyrrannie as ye wald avoyd hell's fyre. This battell, I grant, will be hard; bot in the second it will be harder; that is, that, with the lyke uprightnes and strenth in God, ye gainstand the mercilesse devourers of the patrimonie of the Kirk."⁵ That Assembly sent commissioners to plead the cause before Parliament.⁶ They did so on the 31st August. "But their petitions were rejected. The ministers were called proud knaves, and received manie injurious words from the lords, speciallie from Morton, who ruled all. He said he sould lay their pride, and putt order to them."⁷

While that Parliament was in session, the Regent Lennox was assassinated. To his successor, the Regent Mar, Erskine of Dun, Superintendent of Angus, wrote on the 10th November: "A greater offence or contempt of God and His Kirk can no prince doe than to sett

¹ Calderwood's *History*, vol. iii. p. 135; Bannatyne's *Memoriales*, p. 178.

² *MS. Registrum Secreti Sigilli*, vol. xxxix. fol. 117. Provost Halyburton's pension was £1000 a year, half of which was from the abbacy of Scone, and the other half from the bishopric of Moray when it should "vaik" by the death of Patrick Hepburn; but, on 5th September 1570, the latter half was made over to George and Andrew Halyburtons and was to be uplifted from the archbishopric of St Andrews (*Ibid.*, vol. xxxix. fol. 7). In two writs of 9th February 1571-2, reference is made to this pension, and to the contract and appointment between George and Andrew Halyburtons and John Douglas (*Ibid.*, vol. xl. ff. 94, 119). See *Acts of Parliament*, vol. iii. pp. 417, 418; *Booke of the Universall Kirk*, vol. i. p. 233. John Hamilton had been hanged at Stirling on 7th April 1571, and Gavin had been slain in a skirmish on the 16th of the following June.

³ *Acts of Parliament*, vol. iii. p. 65.

⁴ Bannatyne's *Memoriales*, p. 183.

⁵ Laing's *Knox*, vol. vi. p. 605; Calderwood's *History*, vol. iii. p. 134.

⁶ *Booke of the Universall Kirk*, vol. i. pp. 200, 201.

⁷ Calderwood's *History*, vol. iii. pp. 137, 138.

up by his authoritie men in spirituall offices, as to creat bishops and pastors of the Kirk. . . . They may be called bishops but are not bishops . . . for they enter not by the doore, but by another way, and therefore are not pastors, sayeth Christ, but theeves and robbers. I cannot but, lament frome my verie heart that great misorder used in Stirlin at the last Parliament, in creating bishops, placing them, and giving them vote in Parliament as bishops, in despite of the Kirk and high contempt of God. . . . I heare some were offended with the commissioners of the Kirk at that time, but without caus; for they passed not the bounds of their commission; and the whole Kirk will affirme their proceedings, and insist farther in that mater."¹ After that Parliament rose, a number of barons and other zealous Protestants remonstrated with the Regent and Privy Council: "Our poore ministers . . . with dolorous hearts see their wives, childrein, and familie sterve for hunger, and that becaus your Grace and greedie courteours violentlie reave and unjustlie consume that which just law and good order hath appointed for their sustentatioun; to witt, the thrids of benefices. . . . Erles and lords become bishops and abbots; gentlemen, courteours, babes, and persons unable to guide themselves are promoted by you to suche benefices as require learned preachers. When such enormiteis are fostered, we say, what a face of a Kirk sall we looke for ere it be long within this realme?"²

A scheme was now introduced, professedly to put the sustentation of the ministers on a secure basis and to obviate certain objections to recent procedure. A Convention of the Church, which met at Leith on 12th January 1571-2, after resolving that it should have the strength, force, and effect of a General Assembly, gave full power, on the 16th, to seven commissioners, or any four of them, to compear before the Regent and as many Lords of Privy Council as he deemed meet, to confer and conclude on certain articles, and to report to the General Assembly next March.³ On the same 16th January, the Regent nominated Morton and seven others, any four of whom might meet with the Church commissioners to advise, treat, and conclude with them, "anent all matters tending to the ordering and establishing the policy of the Kirk, the sustentation of the ministers, and support of the King's Majesty and common affaires of the realme, to continue in such order as shall be agreed upon while [*i.e.* until] his Highness' perfect age, or while the same be altered and abolished be the Three Estates in Parliament."⁴

The elaborate "articles and formes," doubtless drafted beforehand,

¹ Calderwood's *History*, vol. iii. pp. 158-61; Bannatyne's *Memoriales*, pp. 200-2; Wodrow's *Lives of the Reformers*, Mait. Club, vol. i. pp. 38-40.

² Calderwood's *History*, vol. iii. pp. 145, 146; Bannatyne's *Memoriales*, pp. 181, 182.

³ *Booke of the Universall Kirk*, vol. i. pp. 204, 205, 208.

⁴ *Ibid.*, vol. i. p. 207.

which they agreed upon, were approved by the Regent in the King's name on 1st February. They provide "for support of the scoles and increas of letters," for the support of the poor "in a part," for the names and titles of archbishops and bishops being retained, for the abolition of pluralities, for the exclusion of unqualified persons from benefices, for the sustenance of the ministry, for the deprivation of all claiming to be ministers of the Word, or possessing spiritual livings, who do not subscribe the *Confession of Faith*. They also provide that no one be admitted to the ministry under twenty-three years of age; that those found worthy and qualified to be ministers and preachers be planted throughout the whole realm; and that no one should leave that vocation or his appointed place above forty days in a year without a lawful impediment and permission. They further provide for the nomination of bishops and archbishops, who shall not be under thirty years of age, and, as far as may be, shall possess the qualities specified by Paul in his epistles to Timothy and Titus, and "sall exerce na farther jurisdiction in spirituall function nor the superintendentis hes and presently exerce quhill the same be agreit upoun." A register was to be kept of all signatures and other grants of spiritual promotion, or matters concerning the same; "and na letters to pas [the seals] with blankes." The commissioners for the Kirk agreed to certain sums from the thirds being assigned for the support of the King and common affairs of the realm, etc.¹

According to Calderwood, the lords who met the Church commissioners at Leith "were hunting for fatt kirk-livings."² And Morton, who wished to curtail the powers of the General Assembly,³ did not wait until the commissioners gave in their report to it, but at once took steps, by acting on these "articles and formes," to make his pecuniary interest in the see of St Andrews technically secure. He arrived in St Andrews on 28th January; and on 3rd February an edict, dated at Leith 24th January, was posted

¹ *Booke of the Universall Kirk*, vol. i. pp. 209-36. Erskine of Dun, in his letter to the Regent Mar, had said: "I understand a bishop or superintendent to be but one office; and where the one is the other is" (Calderwood's *History*, vol. iii. p. 160); and so, from his point of view, it was practically unnecessary to stipulate that the bishops should have no more jurisdiction in spiritual functions than the superintendents had. There was need for the stipulation regarding letters with blanks. In the *MS. Registrum Secreti Stigilli*, vol. xxxix. fol. 66, there is a precept of a letter of donation and provision of the archbishopric of Glasgow, as well temporality as spirituality, in favour of [blank] dated 26th January 1570-1. The bishoprics of Moray and Dunkeld were granted by Henry and Mary to persons unnamed in letters undated (*Ibid.*, vol. xxxv. ff. 85-7), and also the priory of Whithorn (*Ibid.*, vol. xxxiii. fol. 107). The order signed by Mary and Henry, commanding the Keeper of the Privy Seal to seal the Whithorn grant, although the person's name "be nocht expremit thairintill, nor zit the samin daitit," has been pasted into the Register, and is dated October 1565.

² Calderwood's *History*, vol. iii. p. 170.

³ James Melville's *Autobiography and Diary*, Wodrow Society, p. 61; Calderwood's *History*, vol. iii. pp. 306, 393, 394; R. Bannatyne's *Memoriales*, pp. 206, 207, 323.

on the church-door and on the abbey-yett, summoning certain ministers, appointed "to represent the chapter in the Reformed Kirke," to be present on 6th February, "to chuse ane uther archbischope and pastore; the seat now vacand be the *naturall* death¹ of the last archbischope." On the 6th John Douglas "gave specimen doctrine . . . in the oppin pulpet," Morton being present. On the 8th Patrick Constantine (*alias* Adamson) preached, and thereafter those who had been cited met in the abbey, and after "meikle ressoning," Douglas was elected, although many of "the godly ministeris wer against it." Morton was again present on the 10th when Knox, who was then living in St Andrews, preached, but "refused to inaugurat the said bischope."²

Wynram, however, on that day admitted him, and in doing so followed the "Forme and Ordour of the Electioun of the Superintendents."³ Douglas read his answers to the questions, and one of the bailies responded for the people. Robert Stewart (Bishop of Caithness and Commendator of St Andrews Priory), Spottiswoode (Superintendent of Lothian), and David Lyndsay (minister of Leith), "laid thair handis [on] and embraced" Douglas, in token of his admission. "Being asked, gif any simoniacall pactione was made or yit to be made with ony? Answered, that none was nor suld be made. Being requyred, gif he sould be obedient to the Kirke, and that he sould usurpe no power over the same? Answered, that he wald take no moir power nor the Counsall and Generall Assemblie of the Kirke sould prescryve." Morton left the city next day.⁴

In this way, what Bishop Keith called "a new kind of Episcopacy,"⁵ and William Scot (born 1558) called a "gallimaufrey,"⁶ was obtruded upon

¹ The form of the edict was that provided in the Leith Articles (*Booke of the Universall Kirk*, vol. i. p. 218). In one of the writs under the signet, dated at Leith on 9th February, the see is said to be vacant "*per mortem naturalem ultimi archiepiscopi ejusdem*" (*MS. Registrum Secreti Sigilli*, vol. xl. fol. 94). This was a mild description of hanging!

² R. Bannatyne's *Memoriales*, pp. 222, 223.

³ This Form and Order is in Laing's *Knox*, vol. ii. pp. 144-50.

⁴ R. Bannatyne's *Memoriales*, pp. 223, 224. In one of the two writs under the signet, dated at Leith 9th February, instructions are given that Douglas may be consecrated by the Bishop of Caithness, and the Superintendents of Angus, Fife, and Lothian, or other lawful bishops or superintendents within the kingdom, or any two of them (*MS. Registrum Secreti Sigilli*, vol. xl. fol. 94); but, in the other writ, it is any three of them (*Ibid.*, vol. xl. fol. 119). Robert Stewart, brother of the Regent Lennox, received the administration of the Church of Caithness from the Pope in January 1541-2, was elect and confirmed by 1544, does not appear to have ever received the priesthood, joined the Reformers, "and, though never consecrated, retained the title of Bishop of Caithness till his death in 1586" (Dowden's *Bishops of Scotland*, pp. 249, 250). In the *First Book of Discipline*, "the impositioun of handis" was judged unnecessary (Laing's *Knox*, vol. ii. p. 193). Ritual was disdained: "It is neathir the clipping of thair crownes, the crossing [greasing] of thair fingeris, nor the blowing of the dum doggis, called the bischopis, neathir yit the laying on of thair handis, that maketh thame treu ministeris of Christ Jesus" (*Ibid.*, p. 255).

⁵ Keith's *Catalogue*, 1824, p. 261.

⁶ Scot's *Apologetical Narration*, p. 24.

the Reformed Church of Scotland. Richard Bannatyne, Knox's devoted servitor, testifies that the inauguration of John Douglas was "altogether against the mynd of Mr Knox, as he at that tyme oppinly spake in pulpet, he gritlie invyed [*i.e.* inveighed] against sic *ordour* and doingis as then was uset." John Rutherford, Provost of St Salvator's College, alleged that Knox opposed the election "becaus he gat not the bischoprike himself." Next Sabbath Knox declared, in the pulpit, that he had refused a greater bishopric which he might have had with the favour of greater men; and that he opposed this election "for discharge of his conscience; and that the Kirke of Scotland suld not be subject to that *ordore* which then was used, considdering the Lordis of Scotland had subscrivrit, and also confirmed in Parliament, the *ordore* alreadie and long agoe appointed in the Buike of Discipline."¹

There may be differences of opinion as to what is implied in the word "ordour" or "ordore" in the above quotation, whether it refers to the order (or office) of a bishop, or merely to the order (or manner) of Douglas's appointment. James Melville, then a student at St Andrews, says: "I hard Mr Knox speak against it, bot sparinglie because he lovit the man; and with regrat, saying, 'Alas! for pitie to lay upone an auld, weak man's back that quhilk twentie of the best gifts culd nocht bear. It will wrak him and disgrace him!'"² William Scot of Cupar (who may be identified as one of James Melville's fellow-students)³ affirmed that Knox, "in open audience of many, . . . denounced 'anathema' to the giver, and 'anathema' to the receiver."⁴ As already mentioned, many of the nobles and barons had subscribed the *First Book of Discipline* in January 1560-1. And in December 1567 Parliament had approved of an article to the effect that all presentations, since August 1560, to benefices having the charge of souls, otherwise than is appointed by "the *ordoure* of the Buike of Discipline," should "vaik," so that "the Kirk may be deliverit frome unprofitable pastouris."⁵

Patrick Adamson now became a zealous preacher against bishops. James Melville heard him in a sermon, a week after the inauguration of Douglas, distinguish three kinds of bishops. "'My lord bischope,' said he, 'was in the Papistrie: my lord's bischope is now, when my lord gets the benefice, and the bischope serves for na thing bot to mak his tytyle sure: and the Lord's bischope is the trew minister of the Gospell.'"⁶

¹ Bannatyne's *Memoriales*, pp. 256, 257. Six months after the death of Edward the Sixth, Knox explained that he had refused the high promotions offered to him, because of his "foresight of trouble to come" (Laing's *Knox*, vol. iii. p. 122).

² Melville's *Diary*, p. 31.

³ *Early Records of St Andrews University*, Scot. Hist. Soc., p. 279.

⁴ Scot's *Apologetical Narration*, p. 25.

⁵ *Acts of Parliament*, vol. iii. p. 37.

⁶ Melville's *Diary*, p. 32.

A calf's skin stuffed with straw, placed beside a cow to induce her to give milk, was known as a "tulchan," and so the new bishops were contemptuously and appropriately called "Tulchans."¹ If Bishop Keith was right in his opinion concerning the motive behind Carswell's appointment as Bishop of the Isles, then that superintendent was really the first of the Tulchan line.

On 30th March, Douglas, as archbishop, took the oath prescribed in the Articles of Leith. The pope is not mentioned, but is included in "all forayne jurisdictionis, poweris, superioriteis and authoriteis" emphatically renounced, and the archbishopric and its possessions are avowedly held, "under God, onlie of his Majestie, and Croun Royall of this his realme."²

The General Assembly, which met on 6th March (1571-2) in St Andrews, had appointed a committee to convene in Knox's house to consider the Leith Articles and to report to the Assembly.³ No report is recorded. Perhaps the conference was not held. Of this March Assembly James Melville says: "Thair amangs uther thingis was motioned the making of bischopes, to the quhilk Mr Knox opponit himself directlie and zealuslie."⁴ It allowed Douglas to retain the provostship of the New College till next Assembly. In connection with this Richard Bannatyne has the heading—"Johne Knoxis protestatioune against this proceeding, especiallye against the electione of this bischope." Unfortunately, the protestation has not been copied into the MS.⁵

The Assembly, in August 1572, appointed a committee to "oversee and consider" the Leith Articles and to report "what they find therein either to be retained or altered."⁶

Objection was taken to the names—archbishop, dean, archdean, chancellor, and chapter, as appearing "to sound to Papistrie." The whole Assembly, including those who had been commissioners at Leith, protested that by such names they did not intend to consent to any kind of Papistry or superstition and wished the names changed to inoffensive ones. They also unanimously protested that the Articles should only be received "as ane interim untill farder and more perfyte *ordour* be obtainit at the hands of the King's Majestie's Regent and nobilitie; for the quhilk they will prease as occasion sall serve."⁷

To this Assembly Knox sent a short letter in which he says: "I have communicated my mind with thir two dear brethren [John Wynram and Robert Pont]. Hear them and doe as ye will answer before God." These

¹ Melville's *Diary*, p. 31.

³ *Booke of the Universall Kirk*, vol. i. p. 238.

⁵ R. Bannatyne's *Memoriales*, p. 228.

⁷ *Booke of the Universall Kirk*, vol. i. p. 246.

² *Register of Privy Council*, vol. ii. pp. 129, 130.

⁴ Melville's *Diary*, p. 31.

⁶ *Booke of the Universall Kirk*, vol. i. p. 244.

words appear to imply that Knox expected Wynram and Pont to state or explain his opinion orally; but they were also the bearers of a paper of ten articles which are usually understood to have been sent by him.¹ It has been held that, in these articles, he approved of the restoration of the bishops as proposed by the Leith Convention. On the other hand, Dr M'Crie, the ablest and most painstaking of his biographers, maintained that "all that can be fairly deduced from these articles is, that he desired the conditions and limitations agreed upon by that Convention to be strictly observed in the election of bishops, in opposition to the granting of bishoprics to laymen, and to the simoniacal pactions which the ministers made with the nobles on receiving presentations."²

In preaching before the Regent and nobility at Leith, in January 1571-2, at the time of the Convention or Assembly, David Fergusson complained that that which ought to maintain the ministers and the poor was being "gevin to prophane men, flattereris in court, ruffianes and hyrelingis," while the poor were oppressed with hunger, the kirks decaying, and the schools utterly neglected.³ And in July 1572, in a letter to Sir John Wishart of Pittarrow, Knox condemns both the Queen's party and the King's. Of the latter he says: "If they can have the kirk lands to be annexed to their houses, they appeare to tak no more care of the instructioun of the ignorant, and of the feeding of the flocke of Jesus Christ than ever did the Papists."⁴ In the circumstances it is hardly surprising that he should manifest anxiety that the conditions and limitations of the Leith scheme should be rigidly observed, so that as much good as possible might be got out of it. The oral message, of which Wynram and Pont were the bearers, may have been an expression of his dislike of the scheme.

In Principal Lee's opinion—"It is obvious, indeed, that the Church had this constitution forced upon it; and its acquiescence cannot fairly be construed into a voluntary acceptance of the scheme, which the Government had determined to impose. The new bishops had little power and little honour among their brethren."⁵

It does not follow that Knox was enamoured of Episcopacy because five of the best years of his life had been spent in England under bishops, for he did not attempt in the slightest degree to introduce them into the Reformed Church of Scotland when its foundations were being laid in

¹ *Booke of the Universall Kirk*, vol. i. pp. 247-9.

² M'Crie's *Life of Knox*, 1855 ed., p. 262. One of the articles desires "that all bishopricks vacand may be presented, and qualified persons nominat thereunto, within a year after the vaiking thereof, according to the order taken in Leith." By that order, be it remembered, bishops had no further jurisdiction in spiritual matters than the superintendents.

³ Fergusson's *Tracts*, p. 72.

⁴ Laing's *Knox*, vol. vi. p. 617.

⁵ Lee's *Lectures*, vol. ii. p. 7.

1560. That five years' service, despite his antipathy to the English Liturgy,¹ he might have justified on the ground that although the Church of England was not reformed up to his standard, it was tending to reformation.² And his later experience in Geneva no doubt influenced him.³

The Convention of Estates, on 5th March 1574-5, appointed a committee of sixteen (laymen and clergymen) to "confer, resson and put in forme the ecclesiasticall policie and *ordour* of the governing of the Kirk, as thay sall find maist aggreabill to the trewth of Goddis Word and maist convenient for the estate and people of this realme."⁴ The General Assembly, which met two days later, named seven of the brethren, any two of whom the Regent might accept to concur and reason with his committee. Andrew Melville, who had returned from the Continent in the preceding July, was one of the seven.⁵ Of this Assembly "James [Boyd] Bishop of Glasgow" was moderator. No other bishop had that honour conferred upon him until 1608.

At the Assembly, in August 1575, Boyd was exhorted to be diligent in preaching—a duty which he had neglected. John Durie thereupon protested that the trial as bishop should not prejudice the reasons which he and others had for opposing the office and name of bishop.⁶ At a later session of this Assembly, a committee of six, including Andrew Melville, was appointed to reason and confer upon the question—Whether the bishops, as they now are in the Kirk of Scotland, have their functions from the Word of God, or if the chapters for creating them ought to be tolerated in this Reformed Kirk.⁷ This committee, renewed from time to time, produced the *Second Book of Discipline* which was very largely due to the zeal and pains of Andrew Melville, who acquired the title of—"the Flinger out of bischopes."⁸

They were flung out in July 1580, when "the hail Assemblie of the Kirk in ane voyce" found and declared "the office of a bischop, as it is now usit and commounly takin within this realme," to be "unlauffull in the selfe, as haveand neither fundament, ground nor warrant within the Word of God"; and ordained "that all sic persons as bruiks, or sall bruik

¹ Laing's *Knox*, vol. vi. p. 12.

² For this distinction, see *Ibid.*, vol. ii. pp. 189, 255.

³ When Knox was one of the ministers of the English congregation at Geneva, Miles Coverdale, Bishop of Exeter, sat in the kirk-session as one of the four elders elected in December 1558 (*Livre des Anglois*, p. 50). After John Douglas had sat in Parliament as archbishop, he was re-elected an elder in the kirk-session (*Register of St Andrews Kirk-Session*, vol. i. p. 350).

⁴ *Acts of Parliament*, vol. iii. p. 89.

⁵ *Booke of the Universall Kirk*, vol. i. pp. 325, 326.

⁶ *Ibid.*, vol. i. p. 331.

⁷ *Ibid.*, vol. i. p. 340. Dr M'Crie, following James Melville, attributes the appointment of this committee to the preceding Assembly in March (*Life of Andrew Melville*, 1824, vol. i. p. 110).

⁸ Melville's *Diary*, p. 52.

heirafter, the said office sal be chargeit *simpliciter* to demitt, quyt and leave of the samein, . . . and siclyke to desist and cease from all preaching, ministratioun of the sacraments, or using any way the office of pastors, quhill they receive *de novo* admission from the Generall Assemblie, under the paine of excommunicatioun."¹ "Most of the bishops complied with the order; but the minutes containing their submission were afterwards torn out of the Register by the Archbishop of St Andrews."² When five volumes of the Register were produced in the General Assembly in June 1587, it was found that "a great part" had been "mankit;"³ and Patrick Adamson, who had succeeded John Douglas as Archbishop of St Andrews, afterwards owned that, with his consent, some leaves had been torn out, and things against the estate of bishops destroyed.⁴

In May 1578 the General Assembly had presented a MS. copy of the *Second Book of Discipline* to the King, then barely twelve years old, and to the supplication accompanying it he gave "a very comfortable and good ansuer";⁵ and on 28th April 1581 the Assembly resolved that, having been agreed to before in divers Assemblies, the Book should now be recorded in the Register of the Kirk, although it had not yet been approved by the Magistrate.⁶ And so now "an attempt was made, with consent of the Crown, regularly to divide the country into presbyteries. These, however, though marked out on paper in that year, were in point of fact only gradually set up."⁷

In the *Second Book of Discipline* it is stated that there are four ordinary functions or offices in the Church, viz. (1) the pastor, minister, or bishop, (2) the doctor, who may also be called prophet, bishop, elder, catechiser, (3) the presbyter or elder, and (4) the deacon; and four sorts of Assemblies, viz. (1) those of particular kirks and congregations, one or more, (2) those of a province, (3) those of a whole nation, and (4) those of all nations. It is explained that the National Assembly may be called "the Generall Elderschip of the hail Kirk within the realme," commonly called "the Generall Assemblies." It is a rather curious fact that there is only one reference to "the Presbyteries or Elderschippis," and one to "the Presbyterie," while there are eight to the Provincial Assemblies, one to the Synodal Assemblies, five to the Particular Eldership, two to the Common Eldership, and nearly a score to the Eldership or Elderships. It is also explained that "the woorde elder, in the Scriptouris, sumtyme is

¹ *Booke of the Universall Kirk*, vol. ii. p. 453.

² Lee's *Lectures*, vol. ii. p. 19.

³ *Booke of the Universall Kirk*, vol. ii. p. 697. For gaps, see *Ibid.*, pp. 405, 417, 424, 461, 465, 474.

⁴ Row's *History*, Wodrow Society, p. 123.

⁵ *Booke of the Universall Kirk*, vol. ii. pp. 409, 414.

⁶ *Ibid.*, vol. ii. pp. 487, 488.

⁷ Mitchell's *Scottish Reformation*, p. 229. For a list of the presbyteries, see *Booke of the Universall Kirk*, vol. ii. pp. 481-7. At the close of the list they are referred to as "elderships."

the name of aige, sumtyme of office"; and when it is "the name of ane office, sumtyme it is takin learglie, comprehending alsweill the pastouris and doctouris as thame quha ar commonlie callit seniouris and eldaris." "Bischoppis, gif the name *επισκοπος* be propirlie takin," "ar all ane with ministeris . . . for it is not the name of superioritie and lordschip, bot of office and watcheing;" and because "in the corruptioun of the Kirk this name, as utheris, hes bene abused, and zit is like to be, we cannot allow the faissoun of thais new chosin bischoppis, nather of the chapteris that are the electouris of thame." "Trew bischoppis sould addict thameselffis to ane particulare flok (quhilk sindrie of thame refuises); nather sould thay usurp lordschip ovr thair bretherine, and ovr the inheritance of Christ as these men do." The abusers of the patrimony of the Kirk should not have a vote in Parliament nor sit in the Council "under the name of the Kirk and kirkmen." Unmeet men, who do not intend to serve in the Church, should not be admitted to benefices; and in so far as, in the Order of the Leith Convention, it appears that such may be admitted if found qualified, "ather that pretendit *Ordour* is aganis all guid ordour, or ellis it must be understandit not of thame that be qualfeit to warldlie effearis to serve in Court, bot sic as ar qualefit to teache Goddis Woorde, haifand thair lauchfull admissioun of the Kirk."

The benefits that would be derived by all Estates, if this Book were acted upon, are set forth in its concluding chapter. These include ease and commodity to the whole of the commons, who would be relieved from the building and upholding of their kirks, building of bridges, and other similar works; to the labourers of the ground in the payment of their teinds; "and schortlie in all theis thingis, quhairunto thay have bene hitherto rigorouslie handlit be thame that wer falslie callit kirkmen, thair takkismen, factouris, [chamerlanes] and extortioneris."¹

By the death of James Boyd in June 1581, the see of Glasgow became vacant.² The Duke of Lennox having got the gift presented it to Robert Montgomery, minister of Stirling;³ who, according to Spottiswoode, had formerly been fervently opposed to bishops, but now accepted the offer, after it had been refused by several "because of the condition required," the condition being that he should dispone to the Duke and his heirs the lands and whatsoever else belonged to the see, for the yearly payment of £1000 Scots with some horse-corn and poultry. Spottiswoode righteously denounced this as "a vile bargain," "for which justly he ought to have been repulsed. But the Church, passing this point, made quarrel to him for accepting the bishopric, which the King would not acknowledge to

¹ *Booke of the Universall Kirk*, vol. ii. pp. 488-512; *Dunlop's Confessions*, vol. iii. pp. 759-805; *Calderwood's History*, vol. iii. pp. 529-55.

² *Keith's Catalogue*, 1824, p. 261.

³ *Calderwood's History*, vol. iii. p. 577.

be a reason sufficient."¹ In so acting, the Church was consistently carrying out the Act of the Assembly of July 1580; and the King's refusing to agree to this action was an additional proof of his dislike of that Act of Assembly.

As Professor Hume Brown puts it: "James now took up the ground from which he never, with his own consent, receded—that the Church should be ruled by bishops, and that it belonged to him to appoint them. . . . It was evident that his preference for Episcopacy was mainly dictated by the fact that, through the agency of bishops of his own choosing, he would be materially assisted towards the attainment of that extended prerogative which was his persistent aim from the moment he began to think for himself."²

Despite the King, the Duke, and the Privy Council, the Church excommunicated Montgomery. It was during the course of this contest that John Durie, for his freedom of speech in the pulpit, was ordered to leave Edinburgh, and that James Lawson, Walter Balcanqual, and David Lindsay, for the same, were also dealt with by the Privy Council.³ Under the guidance of the King's unworthy favourites, Lennox and Arran, the Privy Council sanctioned a royal proclamation in July 1582, threatening to punish such freedom with all rigour.⁴ In the following September the Ruthven-Raid Government, as Professor Masson terms it, issued an explanation, which, under the guise of being "a mere caution against misinterpretation" of the July proclamation, allowed the ministers liberty of speech enough.⁵ It was in June of that year that Andrew Melville, in his sermon before the General Assembly, "invyghed against the bloodie guillie of absolute authoritie, whereby men intended to pull the crown off Christ's head, and to wring the scepter out of His hand."⁶

The Ruthven-Raid Government lasted only ten months. In February 1583-4, Andrew Melville appeared before the Privy Council concerning some statements he had made in a sermon. He denied having used the words attributed to him; but affirmed that, although a minister's speech in the pulpit was alleged to be treason, he ought, in the first place, to be tried by the Church. On being charged to "enter his persoun in waird" within the Castle of Blackness, he fled to England.⁷ James Lawson and Walter Balcanqual made "the pulpit' of Edinbruche to sound mightelie in the praise of Mr Andro, and to the detestation of

¹ Spottiswoode's *History*, vol. ii. pp. 281, 282.

² *History of Scotland*, vol. ii. pp. 185, 186.

³ Calderwood's *History*, vol. iii. pp. 620-3.

⁴ *Register of Privy Council*, vol. iii. pp. 492-4; Calderwood's *History*, vol. iii. pp. 780-4.

⁵ *Register of Privy Council*, vol. iii. pp. lii, 513.

⁶ Calderwood's *History*, vol. iii. p. 622.

⁷ *Register of Privy Council*, vol. iii. pp. 631, 632; Calderwood's *History*, vol. iv. pp. 3-14.

the fact [*i.e.* the deed] of the Counsall that haid sa proceedit against him; also, they prayit for him in particular, at all thair ordinar sermontes, quhilk moved the peiple verie mikle, and gallit the Court."¹

An unsuccessful attempt was made in April 1584 to hold a General Assembly in St Andrews.² Next month Parliament passed several Acts which cut very deep. One confirmed and ratified the royal power and authority "over all statis, alsweill spirituall as temporall," and ordained that the King and his Council should be judges competent to all his subjects without exception in all matters, which competency could only be declined under pain of treason. Another discharged "all jugementis and jurisdictionis, spirituall or temporall," not approved by the King and Parliament, until allowed by them, and ordained that none of his subjects should convocate "for halding of counsellis, conventionis, or assembleis," to consult and determine in any "mater of estate, civill or ecclesiasticall (except in the ordinarie jugementis)," without his special command or express license. Another was directed against slanderous speeches, in private or public, "in sermonis, declamationis or familiar conferences," to the reproach of the King, his Council and their proceedings, or to the dishonour of his Majesty or his progenitors; and it forbade all meddling "in the effairis of his Hienes and his estate." By another, Archbishop Adamson, the bishops and the King's commissioners in ecclesiastical causes were empowered to "direct and put ordour to all materis and caussis ecclesiasticall within their dioceissis." And still another annulled the excommunication of Bishop Montgomery.³

When these Acts—known as the Black Acts—were proclaimed at the market-cross of Edinburgh, on 25th May, Robert Pont and Walter Balcanqual, by appointment of the brethren, protested with all legal formalities against them, in so far as they prejudged the former liberties of the Church.⁴ Through dread of them, kirk-sessions were afraid to meet without special warrant;⁵ and the General Assembly did not meet again until May 1586. On 2nd November 1585—that is, two days before they were allowed to enter Stirling Castle—the Exiled Lords said in their declaration: "Of the whole ancient forme of justice and policie, receaved from our antecessors, remaineth nothing, nather in spirituall

¹ Melville's *Diary*, p. 145.

² *Ibid.*, p. 166.

³ *Acts of Parliament*, vol. iii. pp. 292, 293, 296, 303, 311, 312. Patrick Adamson was credited with being a chief deviser of these Acts. For his declaration of their intention and meaning, see Calderwood's *History*, vol. iv. pp. 254-69; and for Andrew Melville's answer, see *Ibid.*, vol. iv. pp. 274-94.

⁴ Calderwood's *History*, vol. iv. p. 65.

⁵ *Ibid.*, vol. iv. pp. 72, 73; *Register of St Andrews Kirk-Session*, vol. ii. pp. 529, 530. The archbishop assured St Andrews kirk-session that the King and Parliament intended "onlie to inhibit the new erectit presbittreis." He signed the minute, and promised to obtain the King's warrant.

nor temporall estat, but the naiked shadow and counterfoote maske therof."¹

When the Assembly met in the Royal Chapel of Holyrood in May 1586, and before a moderator had been elected, the King explained that "he thought good to call that Assembly," that he might manifest his perseverance and soundness in religion, satisfy those who suspected him, and get the judgment of the ministers concerning the discipline of the Kirk, adding that "he purposed to establish that throughout his realme, which, by conference amongst them, should be found most agreeable to the Word of God." Robert Pont, who as Moderator of the previous Assembly presided, said to him: "Sir, we praise God that your Majestie, being a Christian Prince, hath decored our Assembly with your own presence, and we trust your Majestie speaketh without hypocrisy."²

It was not until June 1592 that Parliament abolished all the Acts contrary to the true religion, and established Presbytery, with its general assemblies, provincial assemblies (or synods), presbyteries, and kirk-sessions. Although the *Second Book of Discipline* is not mentioned in this Act, several of its leading propositions are ratified and embodied.³ Presbytery thus established was gradually undermined and at length overthrown by trickery, treachery, tyranny, and bribery.

In the General Assembly which met at Dundee on 7th March 1597-8, the King "declared what great care he had to adorne and benefit the Kirk, and to restore to her her patrimony: [and] that, for the effectuating of this, it was needfull that ministers have vote in Parliament, without which the Kirk could not be vindicat from poverty and contempt. 'I mind not,' said the King, 'to bring [in] Papisticall or Anglican bishops, but only to have the best and wisest of the ministry, appointed by the Generall Assembly, to have place in Counsell and Parliament, to sit upon their own matters, and not to stand always at the door like poor supplicants, despised and nothing regarded.'"⁴ The King might not have carried his point had Andrew Melville been present, but he was debarred and ordered to leave the town under pain of horning.⁵ "When the roll was called, Mr Gilbert Bodie, a drunken Orkney asse, was first called on; a number of Northland ministers followed, all for the belly and the body; yet the negative voters were overcome only by ten voices, and had overcome the affirmative, if barrons wanting

¹ Calderwood's *History*, vol. iv. p. 383.

² *Booke of the Universall Kirk*, vol. ii. p. 646.

³ *Acts of Parliament*, vol. iii. pp. 541, 542. This Act also ratified all the liberties and privileges previously granted to "the trew and haly kirk presentlie establishit within this realme," and specially the Act of 1581 and all the Acts therein mentioned.

⁴ Scot's *Apologetical Narration*, p. 102.

⁵ *Ibid.*, p. 100. Horning is outlawry.

commission had not voted with them."¹ And so "the said questioun. being at verie great lenth reasonit and debaittit *in utramque partem*, . . . the Generall Assemblie . . . concludis that it is necessar and expedient for the weill of the Kirk, that the ministrie, as the thrid Estate of this realme, in name of the Kirk, have vote in Parliament."²

On the 16th of the preceding December, Parliament had statute and declared that such pastors and ministers as at any time his Majesty "sall pleis to provyid to the office, place, title and dignitie of ane bischoip, abbott or uther prelat, sall at all tyme heirefter haif voitt in Parliament, siclyk and als frelie as ony uther ecclesiasticall prelat had at ony tyme bigane."³ One of the many cautions or regulations, adopted by the General Assembly in March 1600, for controlling the ministers appointed to vote in Parliament was that they were to be called commissioners.⁴ "Thus," says Calderwood, "the Trojan hors, the Episcopacie, was brought in busked and covered with caveats, that the danger and deformitie might not be seene."⁵ Archbishop Spottiswoode avows that "it was neither the King's intention nor the minds of the wiser sort to have these cautions stand in force; . . . but to have matters peaceably ended, and the reformation of the policy made without any noise, the King gave way to these conceits."⁶ At a conference or convention in Holyrood Palace, in October 1600, three ministers, David Lindsay of Leith, Peter Blackburn of Aberdeen, and George Gladstanes of St Andrews were nominated to vote in Parliament.⁷ Soon afterwards they were appointed bishops respectively of Ross, Aberdeen, and Caithness.

The King's desire to have Prelacy established in Scotland was whetted by the obsequious reverence paid to him by the English bishops. He had not been King of England ten months when he declared at the Hampton-Court Conference: "It is my aphorism, 'No bishop, no king,'"⁸ and alleged that Scottish Presbytery "agreeth as well with monarchy as God and the devil."⁹ Taking off his hat, he said: "Blessed be God's gracious goodness, who hath brought me into the promised land, where religion is purely professed, where I sit amongst grave, learned, and

¹ Scot's *Apologetical Narration*, p. 103. James Melville (*Diary*, p. 440) and Calderwood (*History*, vol. v. p. 695) also apply that opprobrious designation to Bodie. He was minister of Homle from 1590 until he was drowned in 1606 (Scott's *Fasti*, vol. iii. p. 383).

² *Booke of the Universall Kirk*, vol. iii. p. 945.

³ *Acts of Parliament*, vol. iv. p. 130.

⁴ *Booke of the Universall Kirk*, vol. iii. p. 956.

⁵ Calderwood's *History*, vol. vi. p. 20. The caveats are in the *Booke of the Universall Kirk*, vol. iii. pp. 955-6, 959; Calderwood's *History*, vol. vi. pp. 18-21; Spottiswoode's *History*, vol. iii. pp. 74-5; Scot's *Apologetical Narration*, pp. 108-10.

⁶ Spottiswoode's *History*, vol. iii. p. 75.

⁷ Scot's *Apologetical Narration*, pp. 116, 117.

⁸ Fuller's *Church History of Britain*, 1845, vol. v. p. 280.

⁹ *Ibid.*, vol. v. p. 296.

reverend men; not as before, elsewhere, a king without state, without honour, without order, where beardless boys would brave us to the face."¹

As Dr M'Crie has pointed out, a careful comparison of King James' *Trew Law of Free Monarchies* (1598) and his *Basilicon Doron* (1599) not only throws much light on the history of the time, but reveals the real ground of his strong antipathies to the Presbyterian ministers, and explains the meaning of his favourite aphorism, "no bishop, no king."² His own idea of the power he was entitled to wield is summed up in his phrase "a free and absolute monarche"; and the duties of his people, in "fearing him as their judge; loving him as their father; praying for him as their protectour, for his continuance if he be good, for his amendment if he be wicked; following and obeying his lawfull commaunds, eschewing and flying his fury in his unlawfull, without resistance but by sobbes and teares to God."³ If, he reasoned, parity were "once established in the ecclesiasticall government, the politicke and civill estate should be drawn to the like"; and therefore he instructed Prince Henry (then a mere child), as his successor, that he should not allow the principal Puritans to remain in the land if he wished to be at rest; but, as a "preservative against their poison," should "entertaine and advance the godly, learned and modest men of the ministerie, whom of (God be praised) there lacketh not a sufficient number; and by their provision to bishopricke and benefices . . . yee shall not onely banish their conceited partie, . . . but ye shall also re-establish the olde institution of three Estates in Parliament, which can no otherwise be done. But in this I hope (if God spare me dayes) to make you a faire entrie, alwayes where I leave, follow ye my steps."⁴

Before the second edition of *Basilicon Doron* was published in 1603, James had begun to make his "faire entrie." The conscientious refusal of the five Edinburgh ministers to entirely endorse his version of the Gowrie conspiracy furnished an excuse for banishing Robert Bruce for a time and harassing the other four.⁵ At the Assembly held at Montrose, in March 1600, Andrew Melville, although he had been sent as a representative of his presbytery, "was commanded to keep his lodging."⁶ For a letter which he wrote to the General Assembly at Burntisland in May 1601, John Davidson of Prestonpans was confined to his house

¹ Fuller's *Church History of Britain*, vol. v. pp. 267, 268.

² M'Crie's *Life of Andrew Melville*, 1824, vol. ii. p. 79.

³ *The Workes of the Most High and Mighty Prince, James, by the Grace of God, Kinge of Great Brittain, France and Ireland*, 1616, pp. 194, 200, 201.

⁴ *Ibid.*, pp. 160-1.

⁵ *Register of Privy Council*, vol. vi. pp. xxiii-xxviii, xxxvii. On 12th August, 1600, all the five were forbidden to preach or speak publicly in any part of the realm under pain of death, and were ordered, under the like penalty, to quit Edinburgh and its neighbourhood (*Ibid.*, p. 149).

⁶ Scot's *Apologetical Narration*, p. 113.

and "his owne yaird adjacent thereto."¹ In July 1602 Andrew Melville, for speaking of the corruptions of the Church, was confined to the precincts of the New College, until, on the Queen's intercession, the limit was extended to a radius of 6 miles from St Andrews. Thus, in November 1602, neither could attend the Assembly at Holyrood.² When in April 1603 the King left for England, he refused to relax the confinement of Davidson and Melville, or to allow Bruce to re-enter Edinburgh.³

The Act of Parliament of 1592 declared that it should be lawful for the General Assembly to meet at least once a year, and oftener when required, providing that the King or his Commissioner, when present, should, before the dissolving, nominate the time when and appoint the place where the next should be held; and, if neither the King nor his Commissioner was in that town when it was held, then the Assembly itself should nominate the time and appoint the place for the next.⁴ The King did not allow this Act to stand in his way when he realised that, in order to carry out his schemes, he must be able to control the Assemblies.⁵ The Assembly which was to have been held at Aberdeen in July 1599, he altered, by proclamation, to Montrose in March 1600; the next he altered from St Andrews in July 1601, to Burntisland in May 1601; the next from St Andrews in July 1602, to Holyrood House in November 1602; and the next, which was to have been in Aberdeen on 31st July 1604, he postponed, apparently *sine die*. The three representatives from St Andrews duly appeared in St Nicholas' Parish Church, Aberdeen, on 31st July, presented their commission from the presbytery, and formally protested.⁶

This action of the St Andrews representatives incited ministers in other parts to move in the matter. To put a stop to this agitation, the King by proclamation, in September 1604, forbade all extraordinary meetings, "speciallie of the ministrie," under pains to be inflicted "with all rigour and extremetie."⁷ Acting on alleged instructions from the King's Commissioner and from the Moderator of the Holyroodhouse Assembly of 1602, presbyteries sent representatives to an Assembly at Aberdeen in July 1605. The missives directed to the North gave the 2nd

¹ Calderwood's *History*, vol. vi. pp. 125, 126; *Register of Privy Council*, vol. vi. pp. xxxiii, 243.

² James Melville's *Diary*, p. 545; Calderwood's *History*, vol. vi. pp. 157, 186, 222.

³ Scot's *Apologetical Narration*, p. 124; Calderwood's *History*, vol. vi. p. 223. Bruce lived until 1631, but was never allowed to reside near Edinburgh or to preach in it again.

⁴ *Acts of Parliament*, vol. iii. p. 541.

⁵ For this action, Scot blames "the plotters for Episcopacie," because they were accountable to the Assemblies (*Apologetical Narration*, pp. 126, 127).

⁶ *Booke of the Universall Kirk*, vol. iii. pp. 948, 962, 973, 1008-12; Calderwood's *History*, vol. vi. pp. 264-8; James Melville's *Diary*, pp. 560-5.

⁷ *Register of Privy Council*, vol. vii. pp. 13, 14.

July as the day of meeting, while those directed to the South gave the 5th. Only nineteen ministers were present when the Assembly opened on the 2nd; but John Forbes of Alford was elected moderator and a clerk was appointed. Sir Alexander Straiton of Lauriston, the King's Commissioner, produced a letter from the Privy Council urging those present to "suffer this meeting to desert" and to appoint no new meeting of Assembly without first acquainting the King. In deference to his Majesty the Assembly agreed "to dissolve for the present," but ordained presbyteries to be warned to send commissioners to an Assembly at Aberdeen on 24th September. Straiton thereupon protested that the present meeting was not a lawful assembly; and on Forbes protesting, in name of the brethren, that it was a lawful assembly, Straiton charged those present to suffer it "to desert under the paine of horning." Nine ministers from the South, who, in spite of spates of water, arrived by the 5th, approved of what their brethren had done.¹

Before the end of July, John Forbes and John Welsh of Ayr (Knox's son-in-law) were in Blackness dungeon, and in a few days other four ministers were with them.² These six and other eight gave in a joint declinator to the Privy Council, on the 24th of October, denying the competency of any civil court to try them in such a purely ecclesiastical matter as the holding of a general assembly.³ The King held that this was high treason;⁴ and so the six from Blackness were tried on that charge at Linlithgow⁵ on 10th January 1606. Twenty of the Lords of Privy Council assisted the Justice as assessors.⁶ Before the jury retired to consider their verdict, Forbes, addressing the Earl of Dunbar, who had come from England to superintend the trial, adjured him, by the living God, to remind the King of the punishment which fell upon Saul and his house for violating the oath which the Gibeonites had deceitfully obtained,⁷ and to warn him of the heavy wrath and judgment of God which would assuredly fall upon him and his posterity and the whole land, if he were induced, and their lordships and the land consented, to the violation of the great oath they had all made to stand by the truth and to maintain the discipline of the Kirk. James Melville, who was

¹ *Booke of the Universall Kirk*, vol. iii. pp. 1013-7; Calderwood's *History*, vol. vi. pp. 279-85, 437-44; Scot's *Apologetical Narration*, pp. 131-6; Forbes' *Certaine Records*, pp. 380-97.

² Calderwood's *History*, vol. vi. pp. 286-8. Bishop Lindsay declared that Forbes and Welsh were being more straitly used than Jesuits or murderers (*Register of Privy Council*, vol. vii. p. 105). They were kept in separate rooms (*Certaine Records*, p. 406).

³ Calderwood's *History*, vol. vi. p. 347; Melville's *Diary*, pp. 615, 616.

⁴ *Register of Privy Council*, vol. vii. p. 164 n.

⁵ When brought to the Palace, the Countess of Linlithgow, although then "an obstinat Papist, . . . received them verie courteouslie, and, after good interteanement, caused convoy them to a chamber" (Calderwood's *History*, vol. vi. p. 375).

⁶ Pitcairn's *Criminal Trials*, vol. ii. p. 496.

⁷ Joshua ix. 3-27; 2 Samuel xxi. 1-9.

present, said that the way in which Forbes applied this to the King, and the terrible threatening, astonished the hearers and made their hair stand on end.¹

By a majority of three the jury found them guilty. In Professor Masson's opinion this "was one of the greatest constitutional trials in Scottish history."² Lord Balmerino, the Secretary of the Privy Council, in reporting the result to the King, said: "Yf the Erll of Dunbar had not bene with us, and pairtlie by his dextertie in advyseing what wes fittest to be done in everie thing, and pairtlie by the authoritie he had over his freindis, of whome a greate many past upoun the assise [*i.e.* the jury], and pairtlie for that some stood [in] aw of his presence, knowing that he wald mak fidell relation to your Majestie of every manis parte, the turne had not framed so wele as, blissit be God, it hes."³ Sir Thomas Hamilton, the King's Advocate, in writing to his Majesty the day after the trial, also praised Dunbar for his management of this most difficult case, and expressed the earnest hope that there might be as few more cases of that kind as might possibly stand with the King's service.⁴ Despite these warnings the King, in his letter to the Privy Council, thus refers to the other eight ministers, "it is absolutelie oure will that, with all convenient speede, thay be putt to the lyke tryale."⁵ The Privy Council did not positively refuse to do this, but they urged the difficulties that would have to be overcome and the dangers that might arise if they tried to do so. Some members of Privy Council would not have been present at the trial had they known the errand; and the jury had incurred so much odium that they would not willingly serve again. This fire, "kendlit amangs a few," was overspreading the whole country, and subjects of all degrees were discontented with the result of the trial. The Council practically advised the King to be satisfied with their having proved by the verdict that the Act of Parliament of 1584 had not been limited by the Act of 1592 as had been supposed.⁶

Next month, by proclamation, all the lieges were forbidden, under pain of death, to utter, either publicly or privately, "ony sclanderous speiches" against the Privy Council or Justice for the trial of these

¹ Forbes' *Certain Records*, pp. 490-2; Melville's *Diary*, p. 625; Calderwood's *History*, vol. vi. pp. 386, 387; Row's *History*, Wodrow Society, p. 239.

² *Register of Privy Council*, vol. vii. p. 164 n.

³ *Ibid.*, vol. vii. p. 480.

⁴ Hailes' *Memorials and Letters, Reign of James, 1766*, pp. 1-4. Of this letter Lord Hailes says: "We see here the prime minister, in order to obtain a sentence agreeable to the King, address the judges with promises and threats, pack the jury, and then deal with them without scruple or ceremony." The letter is also printed in *The Melros Papers*, Abbotsford Club, vol. i. pp. 10-12; and in *Original Letters relating to the Ecclesiastical Affairs of Scotland*, Bannatyne Club, vol. i. pp. 31-3.

⁵ *Register of Privy Council*, vol. vii. p. 483.

⁶ *Ibid.*, vol. vii. pp. 483-6.

ministers.¹ And in September the King authorised another proclamation, forbidding all ministers, under pain of death, to refer, either in their sermons or prayers, to the Aberdeen-Assembly imprisoned ministers "except it be in disallowing of thair proceedingis."² On 23rd October the six, in accordance with explicit instructions from the King, were condemned to banishment from his dominions; and if they did not depart within a month, wind and weather serving, they were to suffer death as traitors; and if they returned without the King's licence, they were "to incur the pane of death, and all uther panes usuallie inflictit upone persones convict of tressone."³ Before they embarked at Leith, Welsh prayed on the pier. His prayer "bred great motioune in the heartis of all the heareres"; and as the ship receded from the shore, friends were cheered by the comforting strains of the 23rd Psalm.⁴ The punishment of the other eight had, on 24th October 1605, been specially reserved to the King;⁵ and on the 26th of the following September he ordered them to be confined in certain remote islands and districts of Scotland and not to depart therefrom under pain of death. There they were "to keip waird and exerce the functioun of thair ministerie."⁶

In March 1586-7 the King, with consent of the Privy Council, had rehabilitated James Betoun,⁷ and at a Convention of the nobility and estates in June 1598 he was restored "to his heritagis, honoris, digniteis, benefices, offices, lands," etc., which "at ony tyme evir perteinit to him of befoir within the realm of Scotland."⁸ When the King was on his way to London to be crowned he heard of Betoun's death, and to the archiepiscopal see of Glasgow, thus rendered vacant, he nominated John Spottiswoode, then minister of Calder-Comitis.⁹ At a meeting of the Synod of Lothian in August 1604, Spottiswoode and James Law, then minister of Kirkliston, were "charged for their indirect dealing to overthrow the discipline of the Kirk. They purged themselves in oppin assembleie, protesting they had no suche intentioun, but onlie to recover the kirk-rents, and thereafter they sould submitt the same unto the Assembleie." They again subscribed with the brethren the *Confession of Faith* of 1580-1, printed by Henry Charteris in 1596.¹⁰ Law was afterwards Bishop of Orkney, and succeeded Spottiswoode in Glasgow.

¹ *Register of Privy Council*, vol. vii. p. 181.

² *Ibid.*, vol. vii. pp. 257, 258.

³ Pitcairn's *Criminal Trials*, vol. ii. pp. 503, 504.

⁴ Melville's *Diary*, pp. 669-70; Calderwood's *History*, vol. vi. pp. 590, 591.

⁵ *Register of Privy Council*, vol. vii. p. 137.

⁶ *Ibid.*, vol. vii. pp. 261, 262.

⁷ *Registrum Magni Sigilli*, vol. v. No. 1168.

⁸ *Acts of Parliament*, vol. iv. p. 170. It was provided that "the said archibishop sal nawyis be subject to the making of the confessioun of his faith."

⁹ Keith's *Catalogue*, 1824, p. 263; Scott's *Fasti*, vol. i. p. 174.

¹⁰ Calderwood's *History*, vol. vi. pp. 268, 269; Scot's *Apologetical Narration*, p. 126.

As the stipends of these titular bishops were insufficient to maintain their families, far less to bear the charges of their rank in Parliament and General Councils, Parliament in July 1606 repealed the Act of 1587 by which the temporalities of their benefices had been annexed to the Crown.¹ A protest against this "restitution of the estate of bischoppis" was signed by Andrew Melville and other forty-one ministers. Andrew Melville with difficulty got access; but when he rose to protest he was commanded to depart, which "he did not till he made all that saw and heard him understand his purpose." It was earnestly hoped that the caveats of March 1600 would be inserted in the obnoxious Act, but this was not obtained.²

In a long list of reasons drawn up in 1606 against this restitution of the bishops, one was that they would be more easily misled by "an evill prince" than the other Estates—"Beaus they have their lordship and living, their honour and estimatioun, profite and commoditie of the King by [*i.e.* more than] others. The King may sett them up and cast them down, give them and take from them, putt them in and out at his pleasure. And therefore they must be at his directioun, to doe what liketh him; and, in a word, he may doe with them by [*i.e.* without] law, beaus they are sett up against law."³ Six years afterwards Archbishop Gladstones provided a striking confirmation of this. In a letter to the King he declared that "no Estate can say that they ar your Majestie's creatures as we may say, so there is none whose standing is so slipperie, when your Majestie shall frowne, as we, for at your Majestie's nodd we either must stand or fall."⁴

Towards the end of May 1606 the King had sent missives to eight of the staunchest Presbyterian ministers (including both the Melvilles and Scot of Cupar), to repair to him by 15th September, to treat with others of their brethren concerning the peace of the Church of Scotland. By the end of August they were in London. The brethren they met there included both archbishops (Gladstones and Spottiswoode), James Law (Bishop of Orkney), Andrew Lamb (afterwards Bishop of Galloway), and Straiton of Lauriston. After being kept there for eight months, Andrew Melville, for daring to write a Latin epigram on the ornaments of the altar in the King's chapel, was, as Dr Hume Brown modestly expressed it, by "a monstrous stretch of the prerogative," thrown into

¹ *Acts of Parliament*, vol. iv. p. 231-5.

² Calderwood's *History*, vol. vi. pp. 485-94. Three of those who signed the protest became bishops afterwards (Scot's *Apologetical Narration*, p. 159).

³ Calderwood's *History*, vol. vi. pp. 530, 531; *The Course of Conformitie*, 1622, p. 45.

⁴ *Original Letters*, Ban. Club, vol. i. p. 295. In an earlier letter he calls the King his "earthly creator" (*Ibid.*, vol. i. p. 206); and he thought that a man should be hanged for speaking "undewtfullie and irreverendlie" of his Majesty (*Register of Privy Council*, vol. ix. p. 302).

the Tower; and he was kept therein for four years before he was allowed to go into exile! In May James Melville was ordered to Newcastle-on-Tyne to stay there and not to go more than 2 (? 10) miles from it under pain of rebellion. The other six were permitted to return to Scotland, four of them to be confined to their own parishes, one to be confined at Cockburn's Path, and another at Lauder.¹

Having so many of the leading Presbyterians under restraint, the King summoned a conference or assembly to meet at Linlithgow in December 1606. In his missives to the presbyteries he named the ministers who should be sent.² At this Assembly it was explained that it was his Majesty's desire that, until "Papists were repressed and jarres removed out of the Kirk, a constant moderatour might be appointed for everie presbitrie," and that "the moderation of the provinciall assemblie . . . be committed unto the bishop." Even with such an Assembly as this, it was found necessary, as a contemporary said, "to gull the simple." It was declared that "it was not in any wayes his Majesties purpose and intention to subvert and overthrow the present discipline of the Kirk of Scotland"; and the bishops "declarit that it was not their intention to usurpe and exerce any *tyrannous and unlawfull* jurisdiction and power over the brethren, nor to ingyre themselves any wayes unlawfullie in the Kirk's government." Thirteen cautions or caveats were introduced into the Act before it was adopted by this convention.³ The King's commissioners attributed the unlooked-for success to their declaration of his "constant favour to the Kirk and all godlie and dewtifull ministers"; "the unexpected weill offered to thame in your Majesties name"; and his "most gracious letter directed to the Assemblie."⁴

"Many blinded before did see, immediately after that convention, that the constant moderators were (as was sayd at that time) the little theeves entring at the narrow windowes, to make open the doores to the great theeves."⁵ On 3rd January 1607 the King instructed the Privy Council

¹ Two of these confessors wrote accounts of their experiences. James Melville's is in his *Diary*, pp. 634-7, 644-6, 653-68, 672-83, 688-700, 705-11. William Scot's is in his *Apologetical Narration*, pp. 165-78, 194. Calderwood gives many details. And Dr M'Crie, in his *Life of Andrew Melville*, does ample justice to the sufferers. The missive which Scot received is in *Original Letters*, Ban. Club, vol. i. pp. 48-50. Dr Hume Brown says that Andrew Melville was kept in the Tower for three years (*History of Scotland*, vol. ii. p. 246). It was four years. Not only does Scot say four years (*op. cit.*, p. 194), but his imprisonment began on 26th April 1607 (Melville's *Diary*, p. 708) and terminated on 19th April 1611 (M'Crie's *Melville*, 1824, vol. ii. p. 276).

² *Booke of the Universall Kirk*, vol. iii. pp. 1020, 1021.

³ *Ibid.*, vol. iii. pp. 1027-35; *The Course of Conformitie*, pp. 49, 50.

⁴ *Original Letters*, vol. i. p. 72. It was alleged that 40,000 merks were distributed by the Earl of Dunbar amongst the most needy and clamorous of the clergy, and that his accounts proving this were shown to Charles the First in 1639 (Balfour's *Historical Works*, vol. ii. pp. 18, 19). Unfortunately, there is a gap in the Treasurer's Accounts between July 1606 and May 1610. I have found nothing in the surviving Treasury Papers relating to this alleged payment.

⁵ *The Course of Conformitie*, p. 50.

to charge the presbyteries to accept these constant moderators under pain of horning, and those nominated to accept under the same penalty.¹ Sturdy opposition was evoked; and although strenuous efforts were made to enforce the Act, its precise terms were kept secret until the following August. When it did appear, its accuracy was challenged. It was alleged that the words *tyrannous and unlawfull* had been afterwards inserted, as also the provisions, that bishops should be moderators of the provincial assemblies (or synods), and that the moderators of presbyteries should be members of the General Assemblies.²

Early in 1610 the King, by his royal prerogative, erected two Courts of High Commission, one for the province of St Andrews, the other for that of Glasgow. Spottiswoode and his fellow-prelates had been pressing him for some time for the establishment of machinery of this kind. In the words of Professor Masson: "It was the most extensive advance that the new Episcopal system had yet made in Scotland, empowering as it did either of the two archbishops, with any four of those clergymen or laymen associated with him in the Act, to be a court for the trial of all kinds of ecclesiastical offences, whether among the clergy or the laity, superseding all other courts hitherto concerned with such offences, and to punish such offences not only with the spiritual censures of suspension, deprivation, excommunication, etc., but also with fine and imprisonment, the Privy Council itself to aid and serve in carrying out the sentences."³

According to Archbishop Spottiswoode it was because "the King by his letters was now daily urging the bishops to take upon them the administration of all Church affairs, and they, unwilling to make any change without the knowledge and approbation of the ministers, an Assembly to this effect was appointed to hold at Glasgow,"⁴ in June 1610. The King's missive and a letter of Archbishop Gladstones prove that presbyteries were instructed whom to appoint as members.⁵ In his letter to the Assembly, the King stated that he had imparted his pleasure and mind to the Earl of Dunbar and the Archbishop of St Andrews, to whom credit should be given; and that he intended, on the reports which these two gave him, "to take special notice of every one's affection, and forwardness in this service, and thereupon to acknowledge and

¹ *Register of Privy Council*, vol. vii. pp. 299-302.

² Calderwood's *History*, vol. vi. p. 624; Scot's *Apologetical Narration*, p. 193; *Register of Privy Council*, vol. vii. pp. lxi-lxviii.

³ *Register of Privy Council*, vol. viii. pp. 417-22. After Spottiswoode became Archbishop of St Andrews, the King (December 1615) united the two Courts (*Booke of the Universall Kirk*, vol. iii. pp. 1108-13). "So the Acts of unlawfull Assemblies are violentlie obtruded upon the Kirk by a judicatorie which is not a Kirk judicatorie; and the bishops overrule the Kirk by a power never given them by the Kirk" (Calderwood's *History*, vol. vii. p. 210).

⁴ Spottiswoode's *History*, vol. iii. p. 205.

⁵ *Booke of the Universall Kirk*, vol. iii. pp. 1083, 1084.

remember them hereafter, as any fit occasion for their good shall occurre.”¹ Besides these promises of future preferment there was downright bribery. Scot says: “Money was given largely to such as served the King and the bishops, under pretence of bearing their charges. The constant moderators got their 100 pounds which was promised at the pretended Assembly holden at Linlithgow, *anno* 1606. To some was promised the augmentation of their stipends. He that voted *non liquet* got nothing, because he had done no service. Mr John Hall, for his service, got a pension.”²

Spottiswoode, who, as moderator and otherwise, really knew what was done, puts it thus: “These conclusions taken [*i.e.* After the Acts had been carried], it was complained in behalf of the moderators of presbyteries, who had served since the year 1606, ‘that notwithstanding of the promise made at their accepting the charge, they had received no payment at all of the stipend allowed.’ Which the Earl of Dunbar excused by his absence forth of the country, affirming, ‘that unto that time there was never any motion made thereof to him, and that before the dissolving of that Assembly he should cause satisfaction to be given to them for the time past.’ . . . Which he did also see performed, some five thousand pounds Scots being distributed by the treasurer’s servants among those that had borne the charge. Certain of the discontented did interpret it to be a sort of corruption, giving out ‘that this was done for obtaining the ministers’ voices’; howbeit the debt was known to be just, and that no motion was made of that business before the foresaid conclusions were enacted.”³

This statement of the Archbishop’s is worse than disingenuous. It implies that the money which was distributed was given only to the constant moderators of presbyteries, and to them in payment of the stipends which had been promised, and that the matter was only brought before Dunbar after the Acts of that Assembly had been enacted. Now, the last of these Conclusions or Acts recorded by Spottiswoode was not enacted until the afternoon of 11th June; and the very next day he signed an acquittance, attested by two witnesses, acknowledging that he had “ressavit fra Mr William Broun, servitour to the richt nobill and potent Lord, George Erll of Dunbar, Heigh Thesaurer of Scotland, in his lordship’s name and be his command, the sowme of sevin thousand fyve hundrieth thrie score and ten merkis, Scottis

¹ *Booke of the Universall Kirk*, vol. iii. pp. 1094, 1095.

² Scot’s *Apologetical Narration*, p. 224. The charge is corroborated by Calderwood (*History*, vol. vii. pp. 97, 98) and by Row (*History*, pp. 274, 276, 281), who give other details. The King disposed on 20th November 1611 a yearly pension of 1000 merks Scots to Mr John Hall, minister at Edinburgh (*Treasury Papers, Precepts and Receipts*, in the Register House).

³ Spottiswoode’s *History*, vol. iii. p. 207.

money, quhilk his Majestie ordanit to be distributit for the moderatouris bipast feis, and for the support of the chairgeis of *certane utheris of the ministrie* that convenit at the Generall Assemblie of Glasgw."¹ Of course, in those days (when there were no telegraphs, telephones, or wireless), to send word from Glasgow to his Majesty on 11th June and have his reply on the 12th was utterly impossible. But there was no need to send word to his Majesty, for on the 8th of the preceding May, in a letter to Dunbar, he had given "expres command, that aganis this ensewing Assemblie, to be kept at oure citey of Glasgow, you sall haif in reddynes the sowme of ten thousand markes, Scottis money, *to be devydeit and dealt amonge such personis as you sall holde fitting by the advyise of the Archbishoppis of St Androis and Glasgowe.*"² The words that I have italicised are very suggestive.

In the King's letter (or warrant) there is not the slightest reference to the stipends of the constant moderators, which the Archbishop would fain make it appear was the destination of the five thousand pounds Scots "distributed by the treasurer's servants." It is quite likely that Dunbar agreed to allow part of the 10,000 merks to go to the constant moderators, whose services in the Assembly doubtless deserved to be rewarded; but Spottiswoode's acquittance shows that the £5046, 13s. 4d. which was distributed by him (not by Dunbar's servants) did not all go for that. In the unprinted *Treasurer's Accounts*, 1610-1, this payment to him is on a page (35 *verso*) headed—"The expensis debursit in his Majestie's effairis, and directionis of his Hienes Counsall, in the moneth of Junii 1610." On another page (42 *recto*) under a similar heading for October 1610 there is this entry: "Item be his Majesties warrand to James, Bischop of Orknay, moderator of the Generall Assemblie at Linlithgow, in the moneth of [blank] 1608, to be distributit be the said reverend father to certane constant moderatouris of presbiteris and uthers ministers, according to his Majestie's directioun gevin theranent, as the samyn warrand producit beiris, iii^m x lib." And so, this £3010 was distributed by Bishop Law, not by Dunbar's servants. These two sums, distributed by Spottiswoode and Law, amount to 12,085 merks—that is, 2085 more than the King's warrant of 8th May authorised. Perhaps it was the extra amount that was given to the constant moderators. A letter, dated Whitehall, 24th October 1610, addressed to the "Auditouris of our Exchecker of our Kingdome of Scotland," intimates that the Earl of Dunbar has, "by speciall warrand and directioun frome us, deliverit unto the reverend father in God, James, Bischop of Orknay, moderatour of the Generall Assemblie of

¹ *Treasury Papers, Precepts and Receipts*, in the Register House.

² *Original Letters*, vol. i. p. 425; *Register of Privy Council*, vol. viii. pp. xxvii, 844.

the Church, convenit at Linlithgow," in 1608, "the sowme of three thousand ten punds, money of that our kingdome, to be distributit by the said reverend father to certane constant moderatouris of presbiteries, and otheris ministeris, according to our directioun geven theranent," and directs the auditors to "defease and allow" the said sum to the treasurer in his next accounts.¹

It was for an obvious reason that in his *History* Spottiswoode ignored the other ministers mentioned in his own acquittance, in the *Treasurer's Accounts*, and in the King's letter of 24th October.

Dunbar managed this Assembly with great dexterity. By an overwhelming majority it acknowledged that the calling of General Assemblies pertained "to his Majestie be the prerogative of his royall crowne." It resolved that no sentence of excommunication or absolution therefrom should be pronounced without the approval of the bishop of the diocese; that all presentations should in future be directed to the bishop; that every minister at his admission should "swear obedience to his Majestie and his Ordinar"; that any minister who absented himself from the visitation of the Diocesan Assembly, without just cause and lawful excuse, should be suspended, and, if he amended not, deprived; that the bishop, if present, should preside at the weekly exercise of the ministers; and that no minister, in preaching or in the public exercise, speak or reason against the Acts of this Assembly or disobey the same, or treat in the pulpit "the questioun of equalitie and inequality in the Kirk," under pain of deprivation.² Dr Cook pointed out that, in his *History*, Spottiswoode, though moderator of this Assembly and with full access to the official record, not only misrepresented some of the articles and suppressed some clauses, but entirely omitted two of the articles, and that "this was not the effect of accident or of negligence is evident from the nature of the alterations and omissions." The two articles omitted are:

"Item, The bishops sal be subject, in all things concerning thair lyfe, conversatioun, office, and benefice, to the censures of the Generall Assemblie; and being found culpable, with his Majestie's advyce and consent, to be deprivit.

"Item, That no bischop be electit but quho hes past the age of fourtie zeirs compleit, and quho at the leist hes bein ane actual teaching minister for the space of ten zeirs."³

Dr Cook proceeded to say: "If we suppose that the *History* was printed exactly as it was written by the author, the conduct of Spottiswoode cannot be too severely reprobated; for he was attempting to

¹ *Royal Letters, 1579-1624, Exchequer*, in the Register House.

² *Booke of the Universall Kirk*, vol. iii. pp. 1095-8, 1101.

³ *Ibid.*, vol. iii. pp. 1097, 1098.

mislead posterity, and to support, by an unfair or false representation, the authority and the powers of the Scottish prelates."¹ Fully thirty years after Dr Cook wrote, Spottiswoode's *History* was printed for the Spottiswoode Society from the manuscript "which the Archbishop himself prepared for the press." On this matter the authentic text does not help the Archbishop's reputation in the slightest degree; and of course Dr Grub knew this when he candidly said: "The suppression of those portions which limited the powers of the episcopate deserves the severe censure which Dr Cook has bestowed upon it."²

Eight days after the Assembly rose a royal proclamation was issued, inhibiting all his Majesty's subjects, but "speciallie all teicheing or preicheing ministeris and lecturing reidaris, within this kingdome, that none of thame presome or tak upoun hand, ather in thair sermonis publictlie, or in privat conferenceis, to impugne, deprave, contradict, condemne, or utter thair disallowance and dislyke of ony point or article of those most grave and wyse conclusionis of that Assembly, endit with suche harmonie, as thay will answer to the contrary at thair heichest perrell and charge."³

"Thus," says Dr Grub, "after an interval of forty years, a polity similar to that which had been agreed to at Leith during the regency of Mar was again established. . . . But there was yet wanting that without which, so far as the Church was concerned, all the rest was comparatively unimportant." And so Archbishop Spottiswoode, Bishop Lamb of Brechin, and Bishop Hamilton of Galloway "were consecrated, according to the form in the English *Ordinal*, in the chapel of London House, on Sunday the twenty-first day of October, 1610, by the Bishops of London, Ely, Rochester, and Worcester." Soon after their return to Scotland the three Scotch prelates imparted the consecration to their fellow-bishops.⁴

On 23rd October 1612 Parliament ratified "the Acts and Conclusionis set downe and agreed upoun in the Generall Assemblie of the Kirk, kept in Glasgow in the moneth of June 1610; together with ane explanatioun [made] by the Estates of some of the articles of the same." In this ratification the Acts and Conclusions of the Assembly are professedly only given in "substance and effect"; and the two articles

¹ Cook's *History of the Church of Scotland*, 1815, vol. ii. pp. 235-7.

² Grub's *Ecclesiastical History*, 1861, vol. ii. p. 294.

³ *Register of Privy Council*, vol. viii. pp. 472-3. A goodly number of the proclamation must have been issued, for Robert Charteris received £5 for printing it in June 1610 (Unprinted *Treasurer's Accounts*, 1610-1, fol. 35 verso).

⁴ Grub's *Ecclesiastical History*, vol. ii. pp. 294-8. For Principal Lee's views on this, see his *Lectures*, vol. ii. pp. 185-7. Cf. Calderwood's *History*, vol. vii. p. 152; *Original Letters*, Ban. Club, vol. i. p. xxvii.

omitted by Spottiswoode are ignored. Some of the explanations are lengthy. Everything ratified is to be obeyed and observed by all the subjects "as inviolable lawis in all tyme cuming." The Act of 1592 is expressly annulled and rescinded, and also all other Acts of Parliament, laws, sentences, and customs, in so far as they are contrary to or derogatory of any of the articles hereby ratified. On the day that this ratification was passed, two archbishops and eight bishops sat in Parliament.¹ Scot says that by this ratification the Acts of the Glasgow Assembly were perverted rather than ratified.² Calderwood, who quotes the ratification, gives a collation of it with the Acts of that Assembly.³

Six years after that Glasgow Assembly the bishops petitioned the King for leave to hold another, as they "found that nothing is more expedient" for "preventing and suppressing" the "grouth of Popery, and for reforming of the disorders and abuses flowing therefra"; and therefore he ordered one to meet on 13th August 1616 at Aberdeen.⁴ In accordance with the instructions that he gave to his Commissioner, the Earl of Montrose, this Assembly ordained that hereafter, throughout the whole kingdom, all shall be bound to swear and subscribe the new *Confession of Faith*, especially the clergy on accepting office, and students at colleges; that "ane uniforme ordour of Liturgie or Divyne Service be sett down, to be red in all kirks on the ordinarie dayes of prayer, and every Sabbath day befor the sermoun"; and that "a Booke of Canons be made, published in wryte, drawin foorth of the bookis of former Assemblies, and, quher the same is defective, that it be supplied be the Canons of Counsellis and Ecclesiasticall Conventiouns in former tyme."⁵ When the Acts were "put in form" and presented to his Majesty, he directed five articles to be inserted among the Canons of the Church. In a "humble letter" Spottiswoode let him know that that could not be done, as the articles had "at no time been motioned in the Church, nor proponed in any of their meetings." The King forbore to press their adoption for a time, but only for a time.⁶

In the address to the reader prefixed to *Basilicon Doron*, the King had said: "I exhort my sonne to be beneficiall unto the good men of the ministrie; praising God there, that there is presently a sufficient number of good men of them in this kingdome; and yet are they all knowne to be against the forme of the English Church."⁷ Now it was very different.

¹ *Acts of Parliament*, vol. iv. pp. 467, 469, 470.

² Scot's *Apologetical Narration*, p. 237.

³ Calderwood's *History*, vol. vii. pp. 166-73.

⁴ *Booke of the Universall Kirk*, vol. iii. p. 1115.

⁵ *Ibid.*, vol. iii. pp. 1123, 1124, 1127, 1128. This new *Confession of Faith* is engrossed in the *Booke of the Universall Kirk*, vol. iii. pp. 1132-9.

⁶ Spottiswoode's *History*, vol. iii. pp. 236-8.

⁷ *The Workes of King James*, p. 144.

Professor Masson says: "The battle had been sharp and vehement; but the King, by adhering to his system of always marking out his individual opponents, striking them down with a strong hand, and inflicting punishment on them till they yielded or the sight of their sufferings made others yield, had been conspicuously victorious."¹ His Majesty, however, had not entirely relied on force and tyranny. He had worked upon the nobles by lavish gifts of Church-lands,² and, as shown above, had bribed the baser section of the clergy.

Not content with having entirely changed the government of the Church, he was now determined to assimilate its worship to that of the Church of England. In the General Assembly, in 1590, "his Majesty praiseth God that he was born in such a time as in the time of the light of the Gospell, to such a place as to be King, in such a Kirk, the sincerest Kirk in the world. The Kirk of Geneva, said he, keepeth Pasche and Yuile [*i.e.* Easter and Christmas]. What have they for them? They have no institution. As for our neighbour Kirk in England, it is ane evill said messe in English, wanting nothing but the liftings. I charge you . . . to stand to your purity, and to exhort the people to do the same; and I forsooth, so long as I brooke my life and croun, shall maintain the same against all deadly."³ By a proclamation, of 26th September 1605, he had denounced the "malicious spiriteis," who had affirmed that he intended to suddenly lay upon his native country "the rittes, cerimoneis, and [hail ecclesiasti]call ordour" of the Church of England.⁴ These exhalations may have conveniently escaped his memory before his "salmonlyke instinct" brought him back to Scotland in the summer of 1617; but in his letter of 15th December 1616 to the Privy Council, he assured them that he would be loath to trouble himself and his good subjects with alterations in the civil or ecclesiastical government which were not to "the generall lyking and applause" of his people.⁵

The arrival of the organs for the Chapel-Royal roused suspicion, and the carved images of the apostles and evangelists caused consternation. "The people murmured, fearing great alterations in religion."⁶ It was a current saying—"The organs came first, now the images, and ere long they should have the mass." The Bishop of Galloway, who was dean of the chapel, entreated his Majesty, "for the offence that was taken," to stop the erection of the statues. The King gave way, but in anger.⁷ On Friday, 16th May 1617, he arrived in Edinburgh with Laud in his train, and next day "the English service was begunne in the

¹ *Register of Privy Council*, vol. viii. p. xviii.

³ *Booke of the Universall Kirk*, vol. ii. p. 771.

⁵ *Register of Privy Council*, vol. x. pp. 685, 686.

⁶ Calderwood's *History*, vol. vii. pp. 242, 244.

⁷ Spottiswoode's *History*, vol. iii. p. 239; *Original Letters*, vol. ii. pp. 497-9.

² *Ibid.*, vol. i. 2nd series, pp. cxliv-cxlvii.

⁴ *Register of Privy Council*, vol. vii. p. 126.

Chappell-Royall, with singing of quirstours, surplices, and playing on organes." Ten days later Parliament met, and the nobles, counsellors, and bishops in town were commanded to repair to the Palace on Whitsunday, "where the communion was to be celebrate after the English forme." Some communicated kneeling. Three nobles who were present and did not communicate were warned to do so next Lord's day. Of the nobles in town barely one-half complied.¹

One of the Acts of this Parliament, "to be keipit in all tyme to cum," gave permission to the dean and chapter of a cathedral kirk, when the see became vacant, to convene "for chusing of ane bischope to the same"; but they were to "chuse the persoun quhome his Majestie pleased to nominat and recommend."²

It was proposed to the Lords of the Articles that Parliament should enact "that whatsoever conclusion was taken by his Majesty, with advice of the archbishops and bishops, in matters of external policy, the same should have the power and strength of an ecclesiastical law." Fifty-five ministers agreed to a protestation against this. Two of them were deprived, and one (David Calderwood) was both deprived and exiled. The article was modified, but the King caused it to be passed by "as a thing no way necessary, the prerogative of his crown bearing him to more than was declared by it."³ The motive of this article soon became apparent. At the King's desire the bishops and some six-and-thirty ministers met him in St Andrews on 13th July, when he reverted to the five articles which he had in the previous year arrogantly ordered to be inserted among the canons of the Church, and now desired to know what their scruples were, and their reasons, if they had any, why these articles should not be admitted. He told them plainly that unless they gave him a reason which he could not answer, he would not regard their opinion. The ministers most meekly besought him to let them have a General Assembly, where the articles might be discussed and received by common consent. He reluctantly consented to an Assembly being held on the 25th of the following November.⁴ The articles briefly were (1) kneeling at the receiving of the sacramental elements at the communion, (2) private communion, (3) private baptism, (4) confirmation, (5) commemoration of Christ's birth, passion, resurrection, ascension, and the sending down of the Holy Ghost.

This Assembly met at St Andrews. "After the reading of the King's letter, wherein he willed them to conform to his desire, otherways

¹ Calderwood's *History*, vol. vii. pp. 246, 247, 249.

² *Acts of Parliament*, vol. iv. p. 529.

³ Spottiswoode's *History*, vol. iii. pp. 241-7; Calderwood's *History*, vol. vii. pp. 251-82.

⁴ Spottiswoode's *History*, vol. iii. pp. 246, 247; Calderwood's *History*, vol. vii. pp. 271, 272.

declared he would use his own authority, the brethren of the conference were chosen. There was some reasoning, but the King and bishops' purpose was withstood, both in the privy conference and in the publick assembly."¹ According to Spottiswoode there was much calmness and formal reasoning; but on a motion to delay the decision to another Assembly, "that the ministers might have time to inform the people of the equity of the articles, the greater part went that way, and almost all cried for a delay."² Two reports of the proceedings were promptly sent to the King, one by Lord Binning, the other by the two archbishops and three bishops. The latter confessed that, owing to the absence of the Bishops of Moray and Orkney, and of ministers and commissioners from the far North and West, they were afraid to put much to the vote. Lord Binning explained that a great part of the ministers wished the matter deferred, so that they might have leisure, by reading the Fathers and Councils, to decide whether, "with gude conscience and without scandall of inconstancie to the Kirk and thameselfis, thay might yeild to the alterations and novelties which they imagined the articles to imply." He also stated that Spottiswoode's fear of the King's displeasure by delay made him "so passionatlie instant, as he could scaircelie be induced be any persuasion to accept any dowtfull or dilatorie ansuer, and moved him to threaten thame with your Majestie's resolution to ordane, be actis and penall proclamations aganis the contravenars, to have all these articles undelayedlie obeyed."³

His sacred Majesty was furious. To the archbishops he wrote: "We will have you know that we are come to that age as we will not be content to be fed with broath, . . . and think this your doing a disgrace no less than the protestation." Under pain of his highest displeasure, he commanded them to "keep Christmas day precisely, yourselves preaching and chuseing your texts according to the time." They were also to discharge the modification of stipends to ministers,⁴ save to those who had tried to further the acceptance of the five articles. In his own hand-writing he added the words: "Since your Scottish Church hath so far contemned my clemency, they shall now find what it is to draw the anger

¹ *Booke of the Universall Kirk*, vol. iii. p. 1140.

² Spottiswoode's *History*, vol. iii. p. 248.

³ *Original Letters relating to the Ecclesiastical Affairs of Scotland*, Ban. Club, vol. ii. pp. 520-3.

⁴ Spottiswoode says that, at the same time, the King wrote to the Privy Council, "inhibiting the payment of stipends to any of the rebellious ministers refusers of the said articles, either in burgh or landward, till they did show their conformity, and that the same was testified by the subscriptions of the primate or ordinary bishop" (*Spottiswoode's History*, vol. iii. p. 250). This letter is not in the *Register of Privy Council*. His Majesty thus beat them "by the belly" is Heylyn's way of putting it (*Life and Death of Laud*, 1719, part i. p. 47). James had tried this plan with some success in 1584 (*Register of Privy Council*, vol. iii. pp. 701-704).

of a king upon them." His wrath was increased rather than appeased, when he received from the clerk of the Assembly an extract of its resolutions concerning private communion and the form to be used at receiving the sacrament. These two Acts, he intimated on 11th December, were to be "altogether suppressed."¹ And on 14th January he enjoined the Privy Council to issue a proclamation "commanding all people, . . . in all tyme comeing, to absteene frome all kynd of husbandrie and handie labour on the holie dayis of Christmas, Goode Fryday, Easter, Whitsonday, and Ascensiou-day, to the end thay may the better attend the holie exercises quhilkis we, by advise of the bishoppes, will appoint to be kept at those tymes in the Churche; with certificatioun to the contraveneris, that thay sal be punished with all rigour as disobedient and rebellious personis."² Shortly before Good Friday the Edinburgh magistrates were commanded by the King to see that the inhabitants observed that day in conformity with the proclamation.³

The bishops prevailed upon the King to call another General Assembly to adopt the five articles. It met at Perth on 25th August 1618. Means were taken to pack the Assembly. At the synod held at St Andrews on 14th April "it was thocht expedient that such men sal be nominat furthe of evrie presbyterie as ar wyse and discreit, and wil give his Majestie satisfaction anent theis articles proponed be his Highnes' commissioners in the laitt Generall Assemblie haldin at St Androis."⁴ Writing to John Murray of Lochmaben, of his Majesty's bed-chamber, five days after the close of this Perth Assembly, Archbishop Spottiswoode says: "Many of the noblemen and barons his Majestie sent letters to, for assisting the service, cam not, excusing tham selfis by sicknes and il dispositioun; but I think thair myndes wer moir seik than thair bodyis, and ar so stil. . . . But if his Majestie be not plesit to set sum note upon thame and remember it, he provydis il for the service of tymes followinge. At the least I wil pray yow that I may haif letters of thankis to suche as cam and attendit, qhair of I haif gifen the Dean of Winchester a memorandum."⁵ The Dean was the bearer of the King's letter to the Assembly. In that letter his Majesty was pleased to say: "Wee will not have you to thinke, that matters proponed by us, of that nature whereof these articles are, may not without such a generall consent be enjoyed by our autoritie; this were a misknowing of your

¹ *Original Letters*, vol. ii. pp. 524-6. In Professor Masson's words, "The Assembly had evaded the first article, nibbled cautiously at the second, and postponed the rest" (*Register of Privy Council*, vol. xi. p. 271 n.).

² *Original Letters*, vol. ii. p. 542. The proclamation was duly made (*Register of Privy Council*, vol. xi. pp. 296, 297).

³ Calderwood's *History*, vol. vii. p. 297.

⁴ *Selections from the Minutes of the Synod of Fife*, Abbotsford Club, p. 88.

⁵ *Original Letters*, vol. ii. p. 530.

places, and withall a disclayming of that innate power which we have by our calling from God. . . . Wee will content ourselves with nothing, but with a simple and direct acceptation of these articles in the forme by us sent unto you now a long time past.”¹ After the royal letter had been twice read, Spottiswoode, who had taken the chair without being elected, “resumed the heads of the same, shewing how acceptable their acceptance would bee, and, on the other side, what inconvenients their refuse might bring upon the Church: hee declared also unto them how they should bee well advised before they thrust themselves wilfully in danger, because . . . after they had tasted of the troubles of banishment a little, [they] would, as others had done, seeke home againe, and acknowledge their oversights.”²

Lord Binning begins his report thus: “At oure cumming to this towne, finding that the most precise and wilfull Puritanes wer chosin commissionerars be manie of the presbiteries, speciallie of Lowthain and Fyfe, I wes extreamlie doubtfull of the succes of your Majestie’s religious and just desires.” For the result he gives great credit to Spottiswoode, who, in every way, “expressed great wisdome, learning and autoritie, well beseiming his place; delayed the voting the secund day, that he and his brethren might have sum tyme to dispose thingis to ane wished end”; and “ordaned this proposition onlie to be voted, Whether the Assemblie wald obey your Majestie, in admitting the articles proponed be your Majestie, or refuse thame. Sum insisted to have thame severallie voted, bot both he and the Deane of Winchester . . . declaired that your Majestie wald ressave none, if all wer not granted; and so, being put to voting in these termes, fourescoir and sex allowed the articles, fourtie and one refused thame, and three wer *non liquet*.”³

William Scot of Cupar, who was one of the minority, says of the five articles: “Their best defence was taken from the authority of the King’s sword, which was of greater weight than his Majestie’s judgment.” And he records that Spottiswoode “certified those that were present, that whosoever voted against the articles, his name should be marked and sent up to his Majesty.” Further, he alleges that some voted who lacked commissions; that, through the way in which the roll was called, some voted twice, and some were pretermitted; and expresses the opinion that, if none had been allowed to vote except those who were entitled, “the sincerer sort had prevailed.”⁴

¹ *Original Letters*, vol. ii. p. 569.

² Bishop Lyndesay’s *True Narration*, 1621, part i. p. 54.

³ *Original Letters*, vol. ii. pp. 573-6; Hailes’ *Memorials, Reign of James*, 1766, pp. 87-92. As the Assembly which passed the obnoxious articles met at Perth they have been called The Five Articles of Perth.

⁴ Scot’s *Apologetical Narration*, pp. 261-4. There is no official record of the proceedings of this Assembly. That given in the *Booke of the Universall Kirk* (vol. iii. pp. 1143-67) is compiled from Bishop Lyndesay’s *True Narration*, and from Calderwood’s *Perth Assembly* and his histories. Principal Lee gives a trenchant account of it in his *Lectures*, vol. ii. pp. 198-213.

On 21st October, by the King's instructions, the Privy Council issued a proclamation ratifying and confirming the five articles agreed upon at Perth Assembly, and ordaining "the same to have the force and strength of lawis in all tyme comeing, and to have effect and execution in all placeis of this kingdome; and in speciall that thair sal be a cessatioun and abstinence frome all kynd of labour and handiworke upoun the fyve dayis abone writtin, quhilkis are appointit to be dedicat to Godis service"; and that contraveners shall be punished "in thair personis and guidis with all rigour and extremitie to the terrour of utheris."¹

"In spite of the royal proclamations and the episcopal admonitions, the people in general refused to conform. . . . The citizens of Edinburgh at Christmas would not desist from their common employments. . . . The churches of those who adhered to the ancient mode of worship were crowded, while those of the conformists all over the country were almost completely deserted. In some places . . . the people after being seated at the communion-table, and being required to kneel, remonstrated with the minister, and, when he would not satisfy them, rose from the table and went home. . . . Some of the recusants were summoned before the High Commission, and a few were removed from their ministry and put in close confinement."²

On 4th August 1621 Parliament ratified the five articles.³ There were seventy-eight votes for and fifty-one against.⁴

Eight days afterwards the triumphant King wrote to the archbishops and bishops: "The greatest matter the Puritanes had to objecte against the church-government there was that your proceeding with them was warranted by no law, which now by this Parliament is cutte shorte. . . . It resteth therefor in yow to be encouraged and comforted by this happie occasion, and to lose no more time in procuring a setled obedience to God and us. . . . The sword is now putte in your handes; go on therefor to use it, and lett it ruste no longer til yow have perfited the service trusted unto yow; for otherwise we muste use it both against you and them. If anie or all of you be false or fainte hearted, wee are hable aneugh (thankes be to God) to putte others in your places."⁵

As Principal Lee has said, the Church of Scotland has little cause to

¹ *Register of Privy Council*, vol. xi. pp. 454-6.

² Lee's *Lectures*, vol. ii. pp. 213-4. For the measures adopted to enforce conformity, see *Register of Privy Council*, vol. xi. pp. lxxviii-lxxiv; vol. xii. pp. lx-lxxviii.

³ *Acts of Parliament*, vol. iv. pp. 596, 597.

⁴ *Original Letters*, vol. ii. p. 661. Professor Masson makes the numbers 85 to 59 (*Register of Privy Council*, vol. xii. pp. 558-9).

⁵ *Original Letters*, vol. ii. p. 663. For the continued pressing of the five articles, see Lee's *Lectures*, vol. ii. pp. 217, 218; *Register of Privy Council*, vol. xii. pp. lxxxix-xciii; vol. xiii. pp. lxix-lxxx.

revere the memory of James the Sixth.¹ After his death (27th March 1625) it was rumoured that his successor intended to make some alteration on the form of church-government established by his father, and was not inclined to urge the observance of the five articles. To dispel these "foolishe rumours," as he called them, Charles, on 3rd July, instructed the Privy Council to have it proclaimed at the market-crosses of all the chief burghs, that he was resolved to maintain that government and policy, and, so far as the laws allow, he would "punish ony persone that dar seik to disturbe the peace ather of relligioun or præsent church-government."²

When "the communion was given in the Great Kirk" of Edinburgh at Easter (25th March) 1627 "there were not above six or seven persons in all the toun that kneeled, also some of the ministers kneeled not." At Easter (13th April) 1628 "the communion was not given in Edinburgh at all." The ministers' letter to the King, beseeching him "to give them leave to celebrat the communion without kneeling," greatly displeased him.³ On 21st April he wrote to Spottiswoode, bidding him convene these persons before him, and to inflict such condign punishment upon the chief authors as would "mak all others forebeare to doe the like heirefter."⁴

On Saturday 15th June 1633 the King arrived in Edinburgh, and Laud, one of the two bishops in his "goodlie traine of attendents," was that day "sworn counsellor of Scotland." Charles was crowned at Holyrood on the 18th, and Laud enters in his *Diary*: "I never saw more expressions of joy than were after it."⁵ At his coronation the King swore, with "a willing harte," that he would "defend his bischopes" and maintain the clergy and the churches committed to their charge, in their "hail rights and previlidges according to law and justice."⁶

In reconstituting the Privy Council in March 1626, his Majesty had included both Archbishops and the Bishops of Dunkeld, Aberdeen, Ross, Dunblane, and Winchester; and in the list of forty-seven members "Johnne Archbishop of St Androis" stands first.⁷ Sir James Balfour states that the King, in his letter of 12th July 1626 to the Privy Council,

¹ James manifested his zeal for Prelacy in another way. In November 1612 he granted five thousand merks "to be payit oute of his Majestie's coffers, for help of reparatioun of the Cathedrall Kirk of Glasgw." Payment was to be made to the archbishop, "to be employed be him to the necessair use foirsaid." And on 4th May 1616 Spottiswoode, who was then Archbishop of St Andrews, signed an acquittance for five thousand merks Scots, which he had received "for reparatioun of the Castell of Sanctandros," which was his official residence (*Treasury Papers* in the Register House).

² *Register of Privy Council*, 2nd series, vol. i. p. 92.

³ Row's *History*, Wodrow Society, pp. 343, 345, 346.

⁴ Earl of Stirling's *Register of Royal Letters*, vol. i. pp. 271, 272.

⁵ Balfour's *Historical Works*, vol. ii. pp. 193-95; *History of Laud's Troubles*, 1695, p. 48.

⁶ Balfour's *Historical Works*, vol. iv. p. 393.

⁷ *Register of Privy Council*, 2nd series, vol. i. p. 249.

commanded that Spottiswoode should have precedence "befor the Lord Chancellor of Scotland, and so consequently befor all others."¹ Of this, Professor Masson says: "That such a letter must have been sent to the Privy Council seems indubitable on Lord Lyon King Balfour's authority; but it is remarkable that no record of it is extant in the Council's own Register."² A copy of the letter, however, has been preserved.³ Notwithstanding the King's order, "the Lord Chancellor Hay, a gallant, stout man," would never condescend to or give place to Spottiswoode. On the coronation morning, his Majesty sent the Lord Lyon to the Chancellor (who barely a month before had been created Earl of Kinnoull) to ask him to cede his place to the Archbishop for that one day. He gave the "verey bruske ansuer," that, as "his Majesty had beine pleased to continew him in that office of Chancellor, . . . he was redey in all humility to lay it doune at his Majestie's feete; bot since it was his royall will he should enjoy it with the knowen prævilidges of the same, never a ston'd preist in Scotland should sett a foote befor him so long as his blood wes hotte."⁴ In the same month that he reconstituted the Privy Council, the King appointed Spottiswoode to be President of the Exchequer—"the first and last president," says Balfour, "that ever the Exchequer of Scotland had."⁵

The day after his coronation the King rode in state, with his nobility and estates, from Holyrood to Parliament.⁶ The way in which the Lords of the Articles were chosen gave a preponderance of influence to the prelates.⁷ The ministers of the old school prepared a paper of grievances; but it never got beyond the Lords of the Articles, if it got that length.⁸ When it came to the voting on the Acts in Parliament, the King "taketh a pen and with his awin hand (an uncouth practise) noted the votes, whereby (no doubt) many were afraid to vote as otherwise they intended to doe."⁹ Not only so, but "he expressed now and then a grate deall of spleene; this unseimly acte of his Majestie's bred a grate hearte burning in maney against his Majestie's proceidinges and government."¹⁰ "Fifteen earls and lords, and forty-four commissioners for buroughs, with some barons, have voted for our Kirk, in face of a King

¹ Balfour's *Historical Works*, vol. ii. p. 141.

² *Register of Privy Council*, 2nd series, vol. i. p. 345 n.

³ The Earl of Stirling's *Register of Royal Letters*, vol. i. p. 62.

⁴ Balfour's *Historical Works*, vol. ii. pp. 141, 142.

⁵ *Ibid.*, vol. ii. p. 134.

⁶ *Ibid.*, vol. ii. p. 199.

⁷ Scot's *Apologetical Narration*, pp. 337, 338; Stevenson's *History*, 1753, vol. i. pp. 85, 86; Hill Burton's *History*, revised edition, vol. vi. pp. 86-8.

⁸ Balfour's *Historical Works*, vol. ii. pp. 206-16; Scot's *Apologetical Narration*, pp. 330-6.

⁹ Row's *History*, p. 366.

¹⁰ Balfour's *Historical Works*, vol. ii. p. 200.

who, with much awe and terror, with his own hand, wrote up the voters for or against himself."¹

In the opinion of the Lyon King, this Parliament was led on by "the Episcopall and courte faction," which "proved to be that stone that afterwarde crusht them in pieces, and the fewell of that flame wich sett all Brittane a-fyre not longe thereafter." Nearly all its Acts, he thought, "wer most hurtefull to the liberty of the subjecte." Two he specially mentions as causing most displeasure—Act III., "Anent his Majesties royall prerogative and apparrell of kirkemen"; and Act IV., "Ratificatione of all Actes made in former Parliaments touching religion"; and he believed that it was "to bind the subjects the more to observe these" that "his Majestie's General Revocation was ratified."²

William Haig, a brother of the Laird of Bemerside, penned a petition to the King entitled—"The Humble Supplication of a great number of the nobility and others, commissioners in the late Parliament." It expressed dislike of Acts III. and IV., and informed him that if he made use of these Acts to introduce any novelties in matters of religion, he might lose the hearts of many of his subjects; and that his taking note of the names of those who opposed the Acts, and refusing to hear the reasons of those who dissented, made them very apprehensive of innovations being introduced into the Church. Lord Balmerino gave this petition to the Earl of Rothes, that he might present it to the King, who, however, declined to accept it. Balmerino afterwards gave a copy to a Dundee notary, who made another copy and lent it to Peter Hay of Naughton, which he "furthwith caried" to Archbishop Spottiswoode, who "imediately sent ane expresse with it to the Courte, exaggeratting to his Majesty that if he suffred suche ane affront and indignity, he might not only become ridiculous to his subjects, bot his government wold assuredly be vilipendit." Haig escaped to Holland. Balmerino was thrown into Edinburgh Castle, and after a long confinement was tried, and by a majority of one found "guilty of the hearing of the said infamous libel, and the concealing and not revealing of the said Mr William Haig." He was sentenced to death; but the execution was delayed until the King's pleasure was known. Balfour says that the

¹ Samuel Rutherford's *Letters*, 1863, vol. ii. pp. 142, 143. The King's noting the votes is also referred to by Scot in his *Apologetical Narration*, p. 339; by Bishop Burnet in his *History of his Own Time*, 1823, vol. i. p. 37; and in the supplication to the King penned by William Haig.

² Balfour's *Historical Works*, vol. ii. pp. 199, 200. See *Acts of Parliament*, vol. v. pp. 20, 21, 23-7. The King's General Revocation of grants, made by himself in his minority or by his predecessors, has been very fully discussed by Professor Masson (*Register of Privy Council*, 2nd series, vol. i. pp. xx, xxi, xli, xlii, xlvii, civ-ccliii). In his Majesty's name it was emphatically denied that the Revocation was procured by "the present prelates, who in this were as innocent as the thing itselfe" (*The King's Large Declaration*, 1639, p. 7).

delay was carried sore against the bishops' will, who "raged lyke a tempestuous sea therat," and that the King, by the mediation of the Earl of Traquair and others, granted a pardon.¹ Bishop Burnet alleges that Traquair's mediation was due to the knowledge that the populace were determined to force the prison, and, failing that, to revenge Balmerino's death on the judges and convicting jurymen. "The ruin of the King's affairs in Scotland was in a great measure owing to that prosecution."² "The people had long felt that the administration of justice was partial and corrupt; but the nobility now discovered that there was no protection for themselves from the resentment of the prelates and the power of the Crown."³

In 1610 James the Sixth had appointed Archbishop Spottiswoode an extraordinary Lord of Session; and the Lord Chancellorship having become vacant, by the death of the Earl of Kinnoul, Charles bestowed it upon him, on 14th January 1635. This, the greatest office, had been held by no churchman since the Reformation;⁴ and Spottiswoode's exaltation did not make him more popular with the nobles.

So little was heard of the doings of the committee appointed by the General Assembly, in 1616, to revise and supplement the *Book of Common Order*, that Scot of Cupar was under the impression that it never completed its work.⁵ On the other hand, it is emphatically affirmed that it was framed, and sent to King James, who, with the advice and help of some persons in England, made "additions, expunctions, mutations, accomodations," before returning it to Archbishop Spottiswoode, and that it would undoubtedly have been accepted by the Scottish Church had the King lived longer.⁶ It was probably well advanced by the end of June 1619, when a license to print it for nineteen years was granted

¹ *Tryals for High Treason*, 1720, vol. i. pp. 184-93; Balfour's *Historical Works*, vol. ii. pp. 216-20; cf. Row's *History*, pp. 375-90. According to Row, although the bishops had in this prosecution the help of Laud, he became a chief instrument in procuring Balmerino's liberty. In the memoir of matters to be "proponed" to the King and Laud, written and subscribed by Spottiswoode, one was "anent Balmerinloch and his lybell" (Laing's *Baillie's Letters*, vol. i. p. 429).

² Burnet's *History of his Own Time*, vol. i. p. 43.

³ Malcolm Laing's *History of Scotland*, 1804, vol. iii. p. 113. The risk that Balmerino had run sank deep into the hearts of his party, "and exasperated them against the bishops more than before" (Bishop Guthrie's *Memoirs*, 1702, p. 11).

⁴ Crawford's *Officers of the Crown*, 1726, pp. 167, 177. In recording Spottiswoode's appointment as a Lord of Session in 1610, Calderwood says that it was directly contrary to an article given in by his father to the Assembly—"that the preaching of the Word, and administratioun of civill justice, were not compatible in one man's person" (Calderwood's *History*, vol. vii. p. 54). But sons do not always walk in their fathers' footsteps.

⁵ Scot's *Apologetical Narration*, p. 245.

⁶ The King's *Large Declaration*, pp. 16, 17. Dr Spratt edited two previously unprinted liturgies as "Scottish Liturgies of the Reign of James VI." The larger of the two was, he thought, "the draft completed in the reign of James." If so, it must have been altered subsequently, as one of the prayers is for "King Charles," and one for the Queen, that she may be made "a happie mother of successfull children."

to Gilbert Dick, an Edinburgh bookseller.¹ Laud also appears to have drafted a liturgy for the Church of Scotland, for, in speaking of him to Archbishop Williams, King James said: "He hath a restless spirit, and cannot see when matters are well. . . . I speak not at random . . . for when, three years since, I had obtained of the Assembly of Perth to consent to five articles of order and decency in correspondence with this Church of England, I gave them promise, by attestation of faith made, that I would try their obedience no further anent ecclesiastic affairs nor put them out of their own way . . . with any new encroachments. . . . Yet this man hath pressed me to invite them to a nearer conjunction with the liturgy and canons of this nation; but I sent him back again with the frivolous draught he had drawn. . . . For all this he feared not mine anger, but assaulted me again with another ill-fangled platform, to make that stubborn Kirk stoop more to the English pattern."²

According to Clarendon, although James returned from Scotland in 1617 "without making any visible attempt" to introduce the English Liturgy there, he retained that intention till his death.³ Bishop Guthrie alleges that it was in deference to the bishops that it was not pressed in King James' time; because the Articles of Perth "proved so unwelcome to the people, that they thought it not fit nor safe at that time to venture upon any farther innovations."⁴ Unfortunately, Charles was much more under the influence of Laud than his father had been.

Clarendon testifies that he "proposed nothing more to himself than to unite his three kingdoms in one form of God's worship and public devotions"; and that there is "great reason to believe" that, in his journey into Scotland to be crowned, "he carried with him the resolution to finish that important business in the Church at the same time." Laud, who was then Bishop of London, went with him for that purpose. The bishops, however, "applied all their counsels secretly to have the matter more maturely considered; and the whole design was never consulted but privately, and only some few of the great men of that nation, and some of the bishops, advised with by the King and the Bishop of London." Even those who heartily wished to have a liturgy, and who approved of the English ceremonies, "had no mind that the very liturgy of the Church of England should be proposed to or accepted by them." Laud, "who was always present with the King at these debates, was

¹ Lee's *Memorial for the Bible Societies*, App. No. xx. Cf. *Register of Privy Council*, vol. xi. p. 455.

² Bishop Hacket's *Serinia Reserata*, 1693, p. 64. The promise made by the Marquis of Hamilton, in the King's name, when Parliament ratified the five Articles of Perth, in 1621, may be seen in the *Melros Papers*, vol. ii. p. 415, and more fully in Calderwood's *History*, vol. vii. p. 496. Dr Grub doubts the Williams story (*Ecclesiastical History of Scotland*, vol. ii. p. 376).

³ Clarendon's *History*, 1826, vol. i. p. 145.

⁴ Guthrie's *Memoirs*, 1702, p. 16.

exceedingly troubled at this delay." To obviate the objection that to press the liturgy without any alteration "would look like an imposition from England," the King "committed the framing and composing such a liturgy as would most probably be acceptable to that people, to a select number of the bishops." Before leaving he "erected Edinburgh into a bishopric," but "the people generally thought that they had too many bishops before, and so the increasing the number was not like to be very grateful to them. The bishops had indeed very little interest in the affections of that nation."¹

The *Book of Canons*, also projected by the General Assembly in 1616, was ready before the Liturgy, and was printed by Raban of Aberdeen in 1636. It is a quarto pamphlet of 43 pages, entitled: "Canons and Constitvtions Ecclesiasticall gathered and put in forme, for the Governament of the Church of Scotland. Ratified and approved by his Majestie's Royall Warrant, and ordained to be observed by the Clergie, and all others whom they concerne. Published by Authoritie." The royal warrant bears that the canons, orders, and constitutions are ratified and confirmed "by our prerogative royall, and supreme authoritie, in causes ecclesiasticall"; and that "wee command by our authoritie royall . . . the same to bee diligentlie observed and executed." And the clergy are straitly charged to see to this, "not sparing to execute the penalties."

In this little manual it is decreed and ordained that: Whosoever shall impeach in any part the "royall supremacie in causes ecclesiasticall" is to be excommunicated. Whosoever shall affirm that the form of worship in the *Book of Common Prayer*; the rites and ceremonies of the Church; its government, "under his Majestie," by archbishops, etc.; the form of making and consecrating archbishops, etc., as now established; "doe contayne in them anie thing repugnant to the Scriptures, or are corrupt, superstitious, or unlawful in the service and worship of God," is to be excommunicated. "No person shall hereafter bee receaved into holie orders, nor suffered to preach, catechise, reade divinitie, minister the sacramentes, or execute anie other ecclesiasticall function, unlesse hee first subscribye to bee obedient to the canons of the Church." Every presbyter, either by himself or by another person lawfully called, shall "reade or cause divine service to be done, according to the forme of the *Book of Common Prayer*, before all sermons."² The

¹ Clarendon's *History*, vol. i. pp. 146-54. Sir Walter Scott puts it more strongly: "James had, with infinite difficulty, after long intriguing, and by never letting slip a favourable opportunity, established in Scotland the order of bishops, who, conscious that they were detested by the inferior clergy and the common people, clung for support to the King, who had raised them to their tottering dignity" (*Secret History of the Court of James the First*, 1811, vol. ii. p. 83).

² Chapter III. provides that all presbyters and preachers shall move the people to join with them in prayer, "using some fewe and convenient wordes: and shall alwayes conclude with the Lord's Prayer." And, by Chapter XI., none were to be permitted "to reade or conceave publicke

Lord's Supper shall "bee received with the bowing of the knee."¹ No secret meetings shall "bee kept by presbyters, or anie other persons whatsoever, for consulting upon matters ecclesiasticall";² ecclesiastical contraveners to be suspended for the first offence, excommunicated for the second, deprived for the third; lay offenders for the first fault to be admonished, for the second excommunicated, for the third to be proceeded against by the laws of the kingdom. Any person affirming that a National Synod, called by his Majesty's authority, "ought not to be obeyed," shall be excommunicated. Canon 4 of Chapter VIII. merits special attention. Whosoever shall affirm that it is lawful for any presbyter or layman, jointly or severally, to make rules, orders, or constitutions in causes ecclesiastical, or to add or detract from things now established, without the royal authority, shall be excommunicated. "But forasmuch 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 successoures, what they conceive fit to bee taken in farther consideration, in and concerning the premisses. And if the King shall thereupon declare his lyking and approbation, then both clergie and lay shall yeeld their obedience. . . . But it shall not bee lawfull for the bishops themselves, in a National Synod, or otherwyse, to alter any rubricke, article, canon doctrinall or disciplinarie, whatsoever; under the payne above mentioned, and his Majestie's farther displeasure."

"Lastlie: In all this *Booke of Canons*, wheresoever 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, as the ordinarie shall thinke fittest."

Among the documents which afterwards fell into the hands of the Covenanters were fourteen of Laud's letters to Adam Bannatyne (or Bellenden), Bishop of Dunblane;³ letters of Laud, of Juxon, Bishop of London, and of the Earl of Stirling, to Maxwell, Bishop of Ross; two memoirs by Archbishop Spottiswoode; and two manuscript copies of the *Book of Canons*. Effective use of these was made in "The Charge of the prayers in the Church, unlesse hee bee in holie orders and lawfullie authorised by the bishop." Chapter IX. provides "that in all meetings for divine worship before sermon the whole prayers according to the Liturgie bee deliberatelie and distinctlie read." And that neither "any presbyter or reader bee permitted to conceive prayers *ex tempore*, or use anie other forme in the publicke Liturgie or service than is prescrybed; under the payne of deprivation from his benefice or cure."

¹ Few of the Lords of Session appear to have obeyed the King's order by communicating in the Royal Chapel; and so, on 13th May 1634, he instructed them to prepare themselves, their advocates, clerks, and writers, to participate there twice a year, "for we will not suffer you, who should precede others by your good example, to be leaders of our other subjects to contemn and disobey the orders of the Church" (Hailes' *Memorials, Reign of Charles*, pp. 1, 2).

² This included meetings "for the expounding of Scripture."

³ Of the letters to Bannatyne, one at least was written after he became Bishop of Aberdeen.

Scottish Commissioners against Canterburie," presented to the English Parliament, in which they said that they were ready to exhibit all these documents, and so "put the matter out of all debate."¹ One of the MS. copies of the *Book of Canons* was "written upon the one side onely, with the other side blanke, for corrections, additions, and putting all in better order." Laud's alterations were "by interlinings, marginalls, and filling up of the blanke page with directions sent to our prelates." The other copy was a clean one in Spottiswoode's handwriting, carefully embodying all Laud's alterations and additions; and had been sent to England to procure the King's warrant, which was obtained, but with some canons added, and a paper of other corrections.² The spirit of Laud's alterations is pointed out under eight heads. "4. Our prelates in divers places wnesse their dislike of Papists. . . . But, in Canterburie's edition, the name of Papists and Popery is not so much as mentioned. 5. Our prelates have not the boldnesse to trouble us in their canons with altars, fonts, chancels, reading of a long leiturgie before sermon, etc. But Canterbury is punctuall and peremptory in all these." He seems to have been specially well pleased with Canon 4 of Chapter VIII., the true meaning of which, he said, "remaines still under the curtaine." It kept the door open for further innovations. The original title of the Book was—"Canons agreed upon to be proponed to the severall synods of the Kirk of Scotland." But that did not please Laud. He it was, too, who introduced the arbitrary penalty. And he was blamed for the taking down of "galleries and stone-walls in the kirks of Edinburgh and Saint Androis, for no other end but to make way for altars and adoration towards the east, which, besides other evils, made no small noise and disturbance amongst the people, deprived hereby of their ordinary accomodation for publique worship." He denied that he commanded the galleries to be taken down in St Andrews; and, as for Edinburgh, what was done there was done by the King's command.³

¹ This charge was drafted by Robert Baillie, and abridged and polished by Alexander Henderson (Laing's *Baillie's Letters*, vol. i. p. 280). It was printed, with the charge against Strafford, etc., as a quarto pamphlet, in London, in 1641; and reprinted by Prynne, in that year, in the *Antipathie of the English Lordly Prelacie*, part ii. chap. vii. pp. 344-55. Laud had been translated to the archbishopric of Canterbury on 19th September 1633. When he was impeached of high treason in the House of Lords in December 1640, the Scots charge against him (which had been completed a few days before) was read, and he was "committed to the Black Rod" (White-locke's *Memorials*, 1732, p. 39; Laud's *Diary*): and on the 1st of next March he was lodged in the Tower.

² Nine of the letters which survive, and a memorandum, are printed in the Appendix to Laing's *Baillie's Letters*, vol. i. pp. 428-40. For an inventory of them, see *Ibid.*, vol. ii. p. 474. They were partly printed by Lord Hailes in his *Memorials and Letters, Reign of Charles*, pp. 3-19. The statement about Bellenden's preaching, to which Hailes drew attention (p. 6), was doubtless based on one of the missing letters. See also Rushworth's *Collections*, part ii. p. 206.

³ The alterations in St Giles were by the King's orders of 6th October 1633 (Earl of Stirling's *Register of Royall Letters*, vol. ii. p. 684); but Laud, no doubt, was the instigator. In the course

Laud was able to deliver a printed copy of the *Book of Canons* to the King on 16th February 1636;¹ but the *Book of Common Prayer*, which it enjoined, was not published until fully a year later.² On 20th December 1636, acting on the King's instructions of 18th October, the Privy Council ordained that by public proclamation all the lieges should be commanded "to conforme thameselffes to the said publict forme, quhilk is the onelie forme quhilk his Majestie, having taken the counsell of his clergie, thinkes fitt to be used in God's publict worship heir"; and that the clergy should take special care that it was duly observed and contraveners condignly censured and punished; and that every parish should procure at least two copies before next Easter. His Majesty, who doubted not that all his subjects, "both clergie and others, will receive the same with such reverence as apperteanneth,"³ was doomed to be deeply disappointed. On the 13th June 1637, the Privy Council deemed it necessary to ordain letters to be issued, "charging the whole presbyters and ministers within this kingdome, that they and everie ane of thame provide and furnishe thameselffes for the use of their parishes with twa of the saidis bookes of publict service or commoun prayer, within fyftene dayes nixt after the charge, under the pane of rebellion," etc.⁴

When King James wished to introduce innovations, he tried to make it appear that he was carrying the Church with him. There was

of his long and elaborate defence against the Charge of the Scottish Commissioners, he says: "His Majesty having, in a Christian and princely way, erected and indowed a bishoprick in Edinburgh; he resolved to make the great church of St Giles in that city a cathedral; and to this end gave order to have the galleries in the lesser church, and the stone-wall which divided them, taken down. For of old, they were both one church, and made two by a wall built up at the west end of the chancel; so that that which was called the lesser church was but the chancel of St Giles with galleries round about it; and was for all the world like a square theater, without any shew of a church" (*History of Laud's Troubles and Tryal*, 1695, pp. 96, 97). By the King's orders referred to above, "the east wall in the said church" was to be razed to the ground, and also "the west wall therin," before Lammas 1634. "In the beginning of the yeare 1634, the magistrates of Edinburgh, as they were commanded, did cause demolish the partition wall betuix the Great and Little Kirk" (Row's *History*, p. 370). In a letter of 13th May 1634, the King says that he had given orders for "decoring St Geill's, by dimolishing of the wester wall and the walls of the yles therof, the goldsmyth chopes and song schooll, with the walls of the vesterie, wher it is disjoyned from the church, and restoreing the vesterie therunto" (Earl of Stirling's *Register of Royal Letters*, vol. ii. p. 751). These extracts completely upset the idea that merely the choir was fitted up as a cathedral (cf. *Registrum Cartarum Ecclesie Sancti Egidii*, p. lv).

¹ Laing's *Baillie's Letters*, vol. i. p. 439.

² Baillie says that "the books were not printed till Aprile [1637] was past, and a while thereafter" (Laing's *Baillie's Letters*, vol. i. p. 16); and, again, "it was well near May thereafter ere the books were printed: for, as it is now perceived by the leaves and sheets of that booke, which was given out athort the shoppes of Edinburgh, to cover spyce and tobacco, one edition at least was destroyed: hot for what cause we cannot learne" (*Ibid.*, vol. i. pp. 31, 32).

³ *Register of Privy Council*, 2nd series, vol. vi. pp. 352, 353.

⁴ *Ibid.*, pp. 448, 449.

no pretence of that now. The General Assembly had not met for nineteen years; and there is not the slightest reason to believe that the synods were consulted concerning either the *Book of Canons* or the *Book of Common Prayer*. Clarendon thought that "it was a fatal inadvertency that these canons, neither before nor after they were sent to the King, had ever been seen by the Assembly or any convocation of the clergy, which was so strictly obliged to the observation of them." Moreover, "there was the same affected and premeditated omission" concerning the Liturgy, "the clergy not at all consulted in it, and which was more strange, not all the bishops acquainted with it."¹ Bishop Guthrie alleges that this provoked even most of those ministers who favoured Episcopacy.² What the people thought of it soon became apparent.

It was resolved to introduce it in Edinburgh on 23rd July. The result was the tumult which, for more than two centuries, has been associated with the immortal name of Jenny Geddes.³ Five weeks later, William Annand, for defending the Liturgy in a synod sermon at Glasgow, was assailed with railing and cursing by thirty or forty of "our honestest women," in presence of the archbishop and magistrates, as he left the church; and in the evening "some hundredths of intraged women, of all qualities," attacked him "with neaves, and staves and peats," beat him sore, and rent his cloak, ruff, and hat. "This tumult was so great that it was not thought meet to search, either in plotters or actors of it, for numbers of the best qualitie would have been found guiltie."⁴ In November, when Bishop Whitfurd was using the Service-Book in his own church of Brechin, "the people gat up in ane mad humour detesting this sort of worschip, and perseuit him so scharplie that hardlie he escaipit out of there handis onslayne, and forsit for saiftie of his lyff to leave his bishoprik and flie the kingdome."⁵

The path of the prayer-book was not smoothed by the Act of the Privy Council of 14th March 1637, forbidding the printing and importing of "the old psalmes," to make way for the revised version,⁶ attached to the new prayer-book, and bearing the misleading title—"The Psalmes

¹ Clarendon's *History*, vol. i. pp. 185, 186, 191. That some of the Scotch bishops had not seen the Liturgy before it was published is mentioned by Laud with disapproval (Rushworth's *Historical Collections*, part ii. p. 398).

² Guthrie's *Memoirs*, pp. 18, 19.

³ For this tumult, see Rothes' *Relation*, pp. 198-200; Gordon's *History of Scots Affairs*, vol. i. pp. 7-11; Bishop Guthrie's *Memoirs*, pp. 19, 20; Wariston's *Diary*, p. 265.

⁴ Laing's *Baillie's Letters*, vol. i. p. 21.

⁵ Spalding's *Memorialls*, Spald. Club, vol. i. p. 82.

⁶ *Register of Privy Council*, 2nd series, vol. vi. pp. 409, 410. The Act was in accordance with a warrant from the King; but the marginal note in the printed Register wrongly summarises it as "forbidding the use of the old Psalms and ordering that the new Psalms be sung in all the churches." This error is repeated in the Introduction, p. ix.

of King David: translated by King James.”¹ One objection to the new version was, that “the people hath beene so long acquainted with the old meeter, that some can sing all or at least many of the Psalmes without buik.”² The popularity of the old version had been strikingly manifested by the huge crowd accompanying John Durie, on his return to Edinburgh, in September 1582, singing, from the Nether Bow to St Giles, in four parts the 124th Psalm—“Now Israel may say.”³

Here are two entries from Laud's *Diary* (anno 1637): “Junii, 14. This day Jo. Bastwick, Dr of Physick, Hen. Burton, Batch. of Divinity, and Will. Prynne, Barrister-at-law were censured for their libells against the hierarchy of the Church, etc.” “Junii 30. Friday, the above-named three libellers lost their ears.”⁴ Besides having “their eares close cut off,” each of the three was fined £5000, and Prynne was branded on both cheeks with a hot iron. They were kept close prisoners, and deprived of pen, ink, and paper. In Prynne's opinion, this star-chamber procedure was a moving cause of the Jenny Geddes tumult. “This transcendent new kinde of Prelaticall tyranny, wherewith Canterbury imagined to terrifie and appale the Scots, comming to their eares, wrought quite contrary effects, stirring them up with greater animosity to resist the prelates' encroachments both upon their consciences, lawes, liberties, and established discipline.”⁵ According to Rushworth, the news of this brutal treatment of Bastwick, Burton, and Prynne “flew quickly into Scotland,” and the Scots expected that they too would be getting a star-chamber to strengthen the power of the bishops.⁶

On 24th July (the day after the tumult in St Giles), the Privy Council ordained the Lyon Herald to proclaim at the market-cross of Edinburgh that if any one tried to raise any tumult in the churches or churchyards, or railed and spoke against the Service-Book, the penalty of death would be executed upon them without favour or mercy.⁷ On the 27th and 28th, the Privy Council took steps to secure, through the provost and magistrates of Edinburgh, the “peaceable exercise of the Service-Booke, and securitie of the persons imployed or who sall be present and assist at the practise thair of.”⁸ On the 29th, Spottiswoode reported that he and the other bishops thought that there should be “a surceasse of the Service-Book,” until the King signified his pleasure as to the punish-

¹ Laing's *Baillie's Letters*, vol. iii. p. 531.

² *Bannatyne Miscellany*, vol. i. p. 243.

³ Calderwood's *History*, vol. iii. p. 647.

⁴ *History of Laud's Troubles and Tryal*, p. 54.

⁵ Whitelock's *Memorials*, p. 26; Prynne's *Antipathie of the English Lordly Prelacie*, part ii. chap. vii. pp. 341, 342.

⁶ Rushworth's *Historical Collections*, 1680, part ii. p. 385. By a sentence of the star-chamber, Prynne's ears had been cut off in 1633; the stumps were now rather sawn off than cut off (*Ibid.*, p. 382). It vexed Laud that the victims were allowed to speak freely in the pillory, and thousands permitted to greet them on their way to prison (Strafford's *Letters*, vol. ii. p. 99).

⁷ *Register of the Privy Council*, 2nd series, vol. vi. p. 483.

⁸ *Ibid.*, pp. 486, 487, 489.

ment of the authors of the tumult; and that the bishops had appointed that, in the interim, neither the old service nor the new should be used.¹ On 4th August, the Privy Council received the King's letter of 30th July ordering them to endeavour to discover and punish those who took part in the tumult; and to help the clergy in settling the service in Edinburgh and elsewhere when required. The majority of the bishops present at the Council, on 5th August, reported that the use of the Service-Book could not, until the 13th, be conveniently resumed in Edinburgh; but on the 9th the bailies declared that, even by the 13th, they could not provide competent clerks and readers. The Privy Council ordained that the magistrates, and their successors in office, should protect the bishop and ministers of Edinburgh and others officiating in the divine service now prescribed, by keeping them, their wives, servants, and families "harmlesse and skaithlesse" from all danger, peril, and trouble, at all times until the discontentment of the people was removed.²

Laud, whose connection with the Service-Book did not end with its publication, wrote, on 7th August, a lengthy letter to the Earl of Traquair, Lord High Treasurer, expressing the King's displeasure, and criticising what had been done, not forgetting "the interdicting of all divine service" till his Majesty's pleasure was further known.³ He was somewhat mollified by the letter which the Edinburgh bailies sent to him on the 19th, lamenting the tumult "in our churches, that day of inbringing of the Service-Book"; telling him that "although the poverty of this city be great, . . . yet we have not been wanting to offer good means, above our power, to such as would undertake that service," and assuring him "of obedience upon our part."⁴

The Register of Privy Council shows who were present at its meeting on the afternoon of 23rd August; but gives no indication of the nature of the business before it. From a letter to the King, however, dated 25th August, and signed by nineteen of the members, it is learned that the meeting was expressly held to consider the best means of advancing the Service-Book. They explain that "wee found ourselves, farre by our expectation, surprised with the clamours and feares of your Majestie's subjects from almost all the partes and corners of the kingdome; and that even of these who otherwayes hes heretofore lived in obedience and conformitie to your Majestie's lawes, bothe in ecclesiastical and civile bussinesse." The "urging of the practice of the Service-Book" had caused such a general murmuring and grudging "in all sortes of

¹ *Register of Privy Council*, 2nd series, vol. vi. p. 490.

² *Ibid.*, pp. 509-15.

³ Rushworth's *Historical Collections*, part ii. pp. 389, 390.

⁴ *Ibid.*, part ii. pp. 393, 394.

people" that the Council did not dare to hide it any longer from him, or to dive further either into the cause or the remedy, until he should "prescribe the way after hearing of all the particulars, either by calling some of your Majestie's Councill, bothe clergie and laitie, to your Majestie's owne presence," or otherwise.¹ In a letter of 27th August to the Marquis of Hamilton, the Earl of Traquair recommended that, if the King wished to consult any of the clergy in this matter, the wisest and calmest should be selected, for "some of the leading men amongst them are so violent and forward, and many times without ground or true judgment, that their want of right understanding how to compass business of this nature and weight does often breed us many difficulties."²

It was at this afternoon meeting of the Privy Council, on 23rd August, that three Fife ministers—Alexander Henderson of Leuchars, George Hamilton of Newburn, and James Bruce of Kingsbarns—gave in their supplication. Each of the three had been willing to receive a copy of the Service-Book to see what it contained before promising to practise it; but had been charged by letters of horning to buy two. Their petition embodied five reasons why the charges should be suspended, and was accompanied by a paper of information.³ Although neither the petition nor the information is mentioned in the Register, the result is, for, on the 25th, the Council graciously explained that the letters, and the Act of Council on which they proceeded, extended "allanerlie to the buying of the saids bookes, and no farther."⁴ In other words, the petitioners were only bound to buy, not to practise.

Laud, in a letter of 4th September to Spottiswoode, criticises him for relying too much on his clerical brethren, ignoring the lay lords of the Privy Council; and conveys to him the King's permission to use the sharper measures he desired with non-compliant ministers. From his epistle of the 11th to Traquair, it is learned that it was the hated Bishop of Ross who proposed the temporary "interdiction" of the Service-Book; that Laud had shown the "very fair, discreet letter" of the Edinburgh bailies to the King, who bade him thank them very heartily; that his Majesty had "carefully looked over and approved every word in this

¹ Laing's *Baillie's Letters*, vol. i. pp. 451, 452. The subscribers of this letter include Spottiswoode and the Bishops of Edinburgh, Galloway, Ross, and Brechin; but Sir James Balfour omits the two last (*Historical Works*, vol. ii. p. 231).

² Burnet's *Memoires of the Dukes of Hamilton*, 1677, p. 31. Traquair was not singular in his estimate. "Some other lords spoke favourably in Council of the supplicants, and passionately rebuked the bishops" (Bishop Guthrie's *Memoirs*, p. 23).

³ *Roths' Relation*, Ban. Club, pp. 5, 45-47.

⁴ *Register of Privy Council*, 2nd series, vol. vi. pp. 521, 694. There were other petitioners to the Council that day besides the three ministers from Fife (Laing's *Baillie's Letters*, vol. i. p. 19); and many noblemen by letters, and gentlemen orally, canvassed the members of Council (*Ibid.*, vol. i. pp. 19, 20; *Roths' Relation*, pp. 5, 6, 11).

Liturgy," and that, therefore, in Laud's opinion, "it would mightily dishonour the King" to amend it.¹

When the Privy Council met on 20th September, it derived little guidance from the King's reproachful letter of the 10th. It was not fit, he thought, to send for any of the Council, but it was his pleasure that each of the bishops should cause the Service-Book to be read in his own diocese, as Ross and Dunblane had already done; that the burghs should not choose magistrates for whose conformity they could not answer; and that a sufficient number of the Council should remain in or near Edinburgh during the vacation "till the Service-Book be settled."² The perplexed Council delayed giving an answer to the many petitions presented that day, until his Majesty signified "his gracious pleasure thereanent," and intreated the Duke of Lennox, who was repairing to Court, "to remonstrat to his Majestie the trew estat of the bussines with the manie pressing difficulteis."³ In the letter sent to the King, it is plainly stated that the general dislike has this day "beene more fullie evidenced by the numerous confluence of all degrees and ranks of persones," who, earnestly and humbly, in sixty-eight petitions, opposed the acceptance of the Service-Book. Copies of three were forwarded to the King; one from nobles, barons, and gentlemen; one from the ministers of the exercise of Auchterarder in the diocese of Dunblane, "where your Majestie is informed the service is practised"; and one from the city of Glasgow. A list of the other sixty-five was also sent.⁴ Of the supplicants present that day there were a score of nobles, a great many barons, commissioners from the West, and over eighty ministers.⁵ In an interview at this time with Rothes, Spottiswoode, banteringly no doubt, said: "What neidit this resistance? If the King wold turne Papist: we behoved to obey: who could resist princes?"⁶

On 23rd September, the Privy Council recommended the magistrates of Edinburgh to consult the Town Council "anent the most conduceable meanes for satling the Service-Booke within thair kirks in a peaceable way," and to report their resolution on Monday next. They did not report on Monday, and therefore the Lords recommended them "to

¹ Rushworth's *Historical Collections*, part ii. pp. 397-9. Later, the King proclaimed that there was nothing in the *Book of Common Prayer* that he had not seen and approved "before the same was either divulged or printed" (*Large Declaration*, p. 48). Cf. *Sale Catalogue of the Hamilton Library*, May 1884, lot 316.

² Laing's *Baillie's Letters*, vol. i. p. 452. The Lyon King described the King's letter as "peremtorey and bitter" (Balfour's *Historical Works*, vol. ii. pp. 231, 232).

³ *Register of Privy Council*, 2nd series, vol. vi. pp. 528, 529.

⁴ Laing's *Baillie's Letters*, vol. i. p. 453. For the three petitions sent to the King, see Rothes' *Relation*, pp. 47-9. In the first of the three, the phrase "a neidless noise" was borrowed from the King's letter of 10th September, and was probably suggested by Traquair (*Ibid.*, p. 9).

⁵ *Ibid.*, pp. 7-10; Laing's *Baillie's Letters*, vol. i. p. 33.

⁶ Rothes' *Relation*, p. 10.

advise upon a dewtifull and satisfactorie answer." Next day (the 26th), impelled by the importunity of the citizens, they handed in a petition desiring that they should not be pressed to receive the Service-Book until his Majesty signified his pleasure. On the same day they wrote to Laud, excusing themselves and begging his "grace's favour and intercession with his Majestie."¹

When the Privy Council met on 17th October, it must have been sadly chagrined by the King's curt letter of the 9th. He thought it "not fitt to answer, at this time," either its letter or the petitions, and was "not resolved for the present when to doe it"; but commanded that this meeting of Council should be dissolved, in so far as it concerned that business; and that, by proclamation, all who had come to attend to that business should be commanded to return to their own dwellings under pain of horning, except those who could show "just caus of stay for thair particular affaires." And the Council was to use its best endeavours to find out and punish the stirrers-up of the late tumults in Edinburgh and Glasgow. His Majesty also sent warrants for other two proclamations; one removing the meetings of Council and Session from Edinburgh, and the other ordering all those who had copies of the book entitled—"A Dispute against the English-Popish ceremonies obtruded upon the Kirk of Scotland," to bring them in, in order to be publicly burned.²

The petitioners, having learned that this meeting of Council was to be held, hurried to Edinburgh in great numbers. "Beside the increase of noblemen, who had not been formerly there, there were few or no shires on the south of the Grampion Hills, from which came not gentlemen, burghers, ministers and commons."³ Wariston states that, on the 17th, he and Craig of Riccarton, as commissioners, gave in a supplication for Currie against the Service-Book, and that there was a "huge number of uthers."⁴ Baillie puts the number of commissioners of parishes who

¹ *Rothes' Relation*, p. 12; *Register of Privy Council*, 2nd series, vol. vi. pp. 532-4; The King's *Large Declaration*, pp. 29, 30, 32. The Edinburgh citizens did not rest long satisfied with this mild petition. On 18th October they mobbed Bishop Sydserf, who was believed to wear a crucifix, and successfully insisted on their magistrates petitioning for the restoration of their ordinary prayers (*i.e.* the *Book of Common Order*), and of their two ministers and reader who had been silenced. Sir Thomas Hope calls it "a greter tumult" (*Diary*, p. 66); Traquair says, "the like has never been seen in this kingdom" (*Hardwick's State Papers*, vol. ii. p. 96). Cf. *Ancram and Lothian Correspondence*, vol. i. pp. 95, 96; *Large Declaration*, pp. 34-8; *Rothes' Relation*, pp. 15, 19, 20. For the reader's ordinary service, see Bishop Cowper's *Workes*, 1626, p. 680.

² *Register of Privy Council*, 2nd series, vol. vi. pp. 536-8; Rushworth's *Historical Collections*, part ii. pp. 401, 402. It was much easier to burn than to answer this book of George Gillespie's, of which there are three editions, 1637, 1660, and 1844. "The effects of this proclamatione wer non other, as to the booke itself, but for to macke evry one the mor curiouse to know the contents therof, and consequently to macke the mercatt the better for the stationer" (*Gordon's History of Scots Affairs*, Spalding Club, vol. i. p. 20).

³ Guthrie's *Memoirs*, p. 24.

⁴ Wariston's *Diary*, 1632-9, p. 270.

gave in supplications as "above two hundreth." The petitioners now proceeded to deliberate on the situation; the nobles in one house, the gentry in another, the ministers in a third. The ministers were asked one by one if they disapproved of the Service-Book. "All did, both for matter and manner of imposing it." While thus engaged, they were informed that, by proclamation, they were commanded to leave the town within twenty-four hours.¹ Those who failed to comply were to be denounced as rebels, put to the horn, and all their movable goods escheated to the King's use.² The nobles resolved to meet this by drawing up "a formall complaint against the bishops, as authors of the Book and all the troubles that had and was like to follow on it." Lord Balmerino and Alexander Henderson were instructed to pen the complaint, and so were Lord Loudon and David Dickson. "That night," says Baillie, "these four did not sleep much." Next day, of the two forms, the nobles preferred the one by Loudon and Dickson, which was immediately subscribed "by some twenty-four earles and lords, some two three hundred gentlemen of quality," and in the afternoon was taken to the ministers, some of whom signed it without either reading it or hearing it read. Baillie would have had less difficulty in signing if its terms had been more general. He thought that "the penners were much more happie than wise."³

In the "Historicall Informatioun" drawn up by Rothes and revised by Wariston, the formal complaint is designated the "supplication," and is said to have been drawn up by Mr David Dick[son] and only looked upon by Loudon. "It was done hastilie, and so could not be done ornatlie and so advysedlie. They did draw up one copie in paper for the Counsell, and another in parchment to subscrieve, that our hands being at it mycht testifie who joyned with that petitione. Ther was 500 hands at it that same nycht." A covering letter was drawn up by Loudon, showing that many of them had other business in the town, and referring to the supplication.⁴ In his *Diary*, Wariston puts it more briefly: "The nobilitie apairt, the gentry apairt, the burroues apairt, the ministerie apairt, met, advysed, and consulted, and at the last subscribed every on[e] the supplication against the Service-Book, canons, and bishops themselves, and presented it to the Counseil."⁵

The Council read the letter "and gave twentie-four hours more for convenient dispatche of the petitioners out of toun"; but when they

¹ Laing's *Baillie's Letters*, vol. i. pp. 34, 35.

² *Register of Privy Council*, 2nd series, vol. vi. p. 537. Those were excepted who should make known to the Lords of Council "just caus of thair stay for thair particular affaires."

³ Laing's *Baillie's Letters*, vol. i. pp. 35, 36.

⁴ *Rothes' Relation*, pp. 16-9. Dickson signed the supplication as "minister of Irwin."

⁵ *Wariston's Diary*, pp. 270-1.

opened the supplication and found that it concerned Kirk matters, they declined to read it. This was on the 18th October.¹ The text of the Supplication and the signatures follow:—

“For the glorie of Jesus Chryst and preservatioune of true religioune, for the honour of Kinge Charles, and the goode of this his native and ancient kingdome.

“This underwrittin is the just coppie of the Supplication and Complaint presentit in our names to the Lords of the Secretit Counsall, October 18, 1637; and becaus no particular persons compleneris ar named, and all who have enteres [*into the*—deleted] in the grevances conteind therin may not attend, bot must appoint some few of ther number to wait for ansuer; Therfor, least the Lords reject the Supplication and Complaint for the want of the supplicants' and compleners' names, We have subscrivit this present double, to be shawin to the Lords if they sall happin to call for the same.²

“My Lords of Secretit Counsall, Unto your Lordships humblie meanes and schawes We, undersubscryvers, Noblemen, Barrons, Burgesses, Ministers, and Commouns,³ That, wheras we war, in all humilitie⁴ and quyit manner, attending a gracious ansuer of our former supplications against the Service Booke imposed upon us, and readie to schaw the great inconvenience which upon the introduction therof must insue, We ar, without any knowin desert far by our expectation, surpryzed and charged, by publict proclamation, to departe of the toune within tuentie four hours thereafter, under paine of rebellion. By which peremptorie and unusuall charge, our feares of a more sumnare and strict course of proceeding in thir maters is augmentit, and the course of our supplications interrupted. Quherfor, we ar constrained, out of the deap greef of our hearts, humblie to remonstrat that, wher the archbishops and bishops of this realme, being intrustit by his Majestie with the government of the affairs of the Kirk of Scotland, have drawin up and sett furth, or caused be drawin up and sett furth, and injoynd upon the subjects tuo bookes, in the one wherof, called *The Booke of Comoun Prayer*, not onlie ar sowen the seeds of divers superstitions, idolatrie and false doctrine, contrair to the true religion established in this realme by divers Acts of Parliament, bot also *The Service Booke of England* is so abused, especiallie in the matter of the communion, by additions, substractions, interchangeing of words and sentences, falsefeing of tittles, and misplaceing of collects, to the disadvantage of reformation, as the

¹ Laing's *Baillie's Letters*, vol. i. p. 38; *Roth's Relation*, p. 17.

² In the Kirkcudbright copy (No. 333) this paragraph is omitted.

³ No. 333 has here the words—“of the Presbyterie of Kirkcudbright.”

⁴ For *all humilitie*, No. 333 has *almitie*.

Romish Masse is, in the mayne and substantiall points, made up therin (as we offer to instruct in tyme and place convenient), closs contrair unto and for ranversing of the gracious intention of the blessed Reformers of religion in England. In the uthher booke, called *Canons and Constitutions for the Government of the Kirk of Scotland*, they have ordeaind that whosoevir sall affirme that the forme of worship conteand in *The Booke of Comoun Prayer* and administration of the sacraments (wherof heirtofore and now we must justlie compleane) doth conteane anie thing repugnant to the Scriptures, or ar corrupt, superstitious or unlauffull in the service and worship of God, sall be excommunicated, and not be restored bot by the bishop of the place, or archbishop of the province, efter his repentance and publict revocation of this his wickit error: beside an hundreth canons moe, manie of them tending to the reviveing and fostering of abolished superstitions and errors, and to the overthrow of our church discipline established by Acts of Parliament, opening a doore for what farder innovation of religion they pleis to mak, and stopping the way which law before did allow unto us for suppressing¹ of error and superstition; and ordaining that, wher in anie of the canons ther is no penaltie expreslie sett down, the punishment sall be arbitrarie as the bishops sall think fittest. All which canons wer nevir seen nor allowed in anie Generall Assemblie, bot ar imposed contrair to order of law appointed in this realme for establishing of maters ecclesiastick. Unto which tuo bookes the foirsaidis prelats have, under trust, procured his Majestie's royall hand and letters patent for pressing the same upon us his loyall subjects, and yit ar they the contryvers and devysers of the same, as doth cleirly appeare by the frontispice of *The Booke of Comoun Prayer*, and ar begun to urge the acceptance of the same, not onlie by injunctions gevin in provinciall assemblies, bot also by opin proclamation and charges of horning, wherby we ar drivin in such straits as we must ather, by process of excommunication and horning, suffer the ruine² of our estates and fortunes, or els, by breach of our covenant³ with God and forsakeing the way of true religion, fall under the wrath of God which unto us is more grevous than death. Wherfor, WE, being perswaded that these ther proceedings ar contrair to our gracious soverane his pious intention, who, out of his zeale and princele

¹ For *suppressing*, No. 333 has *surpryseing*.

² For *ruine*, No. 333 has *rueing*.

³ The reference is to the band or covenant first sworn in January 1580-1, again in February 1587-8, and again in 1590. In that covenant, the Pope's "wicked hierarchie" is specially detested and refused; and the swearers promise, "by the great name of the Lord our God, that we shall continue in the obedience of the doctrine and discipline of this Kyrk, and shal defend the same, according to our vocation and pouer, all the dayes of our lyves under the panes conteyned in the law, and danger both of body and saule in the day of Godis fearfull judgement" (*National MSS. of Scotland*, part iii. No. 70).

cair of the preservation of true religion established in this his auncient kingdome, hes ratifeit the same in his Henes Parliament, i m. vi^c thretie three; and so his Majestie to be highlie wrongd by the saids prelats, who have so farr abused ther credite with so gude a King as thus to insnare his subjects, rent our Kirk, undermynde religion in doctrine, sacraments, and discipline, move discontent betuix the King and his subjects, and discord betuix subject and subject, contrair to severall Acts of Parliament, DOE (out of bundin dewtie to God, our King, and native countrie) compleane of the foirsaid prelats, humblie craveing that this mater may be put to tryall, and these our pairties takin order with according to the lawes of the realme; and that they be not suffered to sitt anie more as our judges untill this caus be tryed and decided according to justice. And if this sall seeme to your lordships a mater of higher importance then ze will condescend unto, before his Majestie be acquainted therwith, then we humblie supplicat that this our grevance and complaint may be fullie representit to his Majestie, that, from the influence of his gracious government and justice, thir wrongs may be redressit, and we have the happines to enjoy the religion as it hath bene reformed in this land.

“J. Southerland. Montrose. Rothes. Eglintoun. Lindesay. Cassillis. Home. Lothian. Dalhousie. H. L. Montgombrie. Flemyng. Elcho. Sinclair. Boyd. (? J. L.) Ogiluy.¹ Loudoun. Burghly. (? M.) Ogiluy. Wemyss. J. Drumlangrig.² A. Forbes. J. L. Coupar. Balmerino. Yester. J. Cranstoune. Forrester. Johnstoun. (? R.) Dalyell. Elphingstone.³ Ma. of Maderty. R. Arbuthnot of that ilk. George Douglas of Penzerie. James Dowglas, Mowsheld. Patrik W. Caprintown. S. D. B. Cullerny. S. L. Howstoun. Andrw Agnew. Dundas off that ilk. Sir Jamis Lokhairt of Ley. S. D. Sibbald. Arthur Ærsken. Patrik Hepburne of Wauchtune. James Melvill of Halhil. J. Aytoune of that ilk. (? S. A.) Kennedy. J. Liuingstone. Wm. Cokburne. (? S. J.) Murray. Erleshall. W. Scott. J. Wemyss. (? H.) Park. Fullartoun. J. Arnott of Ferny. Williame Cathcart of Wattirheid. Alexander Leslie. Edward Hamilton of Balgray. Keiris. Lundowe of that ilk. Blair of that ilk. R. Caldwell. Kersland. D. Home, Wedderburne. T. Craig of Rickartoun. Fergus M^cCubeine. John Cathcart. W. Riddell. (? J.) Ramsay. D. Blair (? of Adamtoun). Alex^r Levingtone. (? J. Renton.) Ma. Wallace. T. Gourlay. Ballinhard. Corsslayes. Achincorse. Robert Stewart of Barseube. R. Hamilton. S. A. Schaw of Sauchie. G. Hoome.

¹ In the list of nobles contributing voluntarily to the covenanting cause (2nd March 1638) there is an Ogilvie (Rothes' *Relation*, p. 81); but when James, Lord Ogilvie (afterwards first Earl of Airlie) was asked by Montrose, in February 1639, to sign the Covenant, he refused to do so (Spalding's *Memorialls*, Spald. Club, vol. i. p. 135).

² James, Lord Drumlanrig, whose father, William Douglas, had been created Earl of Queensberry in 1633.

³ Some men of lesser note have crowded in their signatures in front of Elphinstone's.

Ch. Arnot. Murray of Touchadam. (? . . . Burton.) (? J. Corinall.) H. Sterling. John Fullartoun of Carlton. Wm. Broun of Dolphingtoun. Harie Elphinstoune of Caderhall. (? H.) Moncreif of Tibbermallo. J. Hepburne. Charles Ærskine. Williame Wallace of (? Johnston). Daid Kennedy of Bal-limor. Kirkmichaell, yonger. (? Al.) Bruce. R. M. Hesselheid. (? J.) Hepburne. Patrik Inglis. W. Frouch. Johne Eccles, yungar of Kildonan. Johne Quhytfuld. Sir Gilbert Kennedie of Ariowland. Al. Logane. Johne Fer-gussone of Corroghow. J. Garthland. J. S. Craigharnatt. J. Kilbirny. J. Lockhartt off Bar. S. G. Baillie, Lochend. (? Arn)estone. Knok. J. Hamil- tone. J. Lowell of Canzeoqwhie. Alexander Gordowne of Erlistowne. Rot. Gordoun of Knokbren. Johne Hammilton. Johne Gordoun. D. Makgill. J. Kinganleuche. Robert Colueill. H. Cesnok. Daid Craufurd of Kers. Daid Dunbar of Entirkin. Mr Wm. Adair. Millanderdail, zonger. (? W.) M^cAulay of Ardngcapple. Colgrane. Daid Wemyse. S. J. Kincaid. James Edmonstoune, tutor of Duntreath. Mr Williame Hamilton. M. R. Pit- cairne. Jhone Moncreiff. George Gordun in Garlurg. Gloratt. (? Hildoun.) Stretherli. A. Porterfeild of that ilk. Halpland. W. S. Foulud. W. Sempill, younger of Fowlud. William Mentearth. T. (or J.) Dalzel. A. Douglas. Ramferlie. Geo. Douglas. (? M. Henry Home.) Auchinlek. J. C. Gaitgirth. M. (? D. or P.) Cunyngham. Langschaw. Neulistoune. Killmaheu. Pa: Hume. Jo. Hepburne. A. Coninghame. James Maxuell. W. Nobill of Ardarden. S. Alex. Touris. J. Hamilton of Preston. M. J. Scheuez of Kembak. William Forbes. Johne Hamiltoun. (? Cl)atto. W. Carbistoun. Pa. Congiltoun. Mr James (? Phin). Jo. Buchanan for Drymen. (? R. Mac- nair.) Robert Bruce. (? P.) Cokburne. Ro. Peblis of Maynshill. Tho: Dal-yell of Bynes. Daid Broun of Fynmunth. S. Johne Prestoun. Wairiston. Gilmiliscroft, zongar. Touch. Sir G. Keir. W. Cunynghamheid. (? S. P.) M^cKie off Larg. George Reid of Daldilling. William Cuninghame of Laigland. Rot. Gordoun, Gallouay. George Bell, Linlythgow. Robert Bruce. Mr And. Hammiltoun of Vtterwod. Tho. Bruce, proueist, for Sterling. Johne William- sone for Kirkaldie. Mr James Campbell for Dumbartane. Walter Stirling for Glasgow. Sir J. Moncreif. Mongo Bosuall of Duncanzemur. Jo. (or T.) Dur- hame, Peirh. R. Creichtoune, baillyie of Qhuthorne. J. Bonnar of Lumquhat. James Rige of Carberrie. John Kennedy for Ayr. M. R. Cuninghame for Kingorne. A. Menzeis of Comries. Robert Pitersone for Cuper. George Bruce for Culrose. G. Gourlay for Culrose. D. Symson for Dysert. Mr Jo. Corsane for Drumfres. J. Cochrane for Edinburgh. J. Smith for Edinburgh. James Fletcher, Dondie. Walter Lyell for Montros. George Gairdin for Bruntiland. Villiame Meikiljone, Brintiland. W. Lyoun for Breichine. Walter Airthe for Pettinwem. James Andersoune. W. Michelhill, Selkirk. Johne Daidson. J. Bethone off Creich. P. Campbell of Edinampill. Lamingtoun. James Blair for Jrwing. W. Glendonyng for Kirkeudbryt. J. Reid for Dumfer[l]ing. Williame Walker for Dunfermlinge. Alexr. Strang. Alexr. M^cKie for Wig- toune. Gedion Jack for Lanerk. Ja. Andersone for Hadingtone. Robert Symson for Jedburgh. Wam. Cokbvrne for Dvnbar. George Home for

Norberwik. Johne Myln for Forfar. Thomas Patersone. Pa. Thomsone for Peblis. D. Hunter, prouest.¹ P. Forbes for Banfe. Mr A. Home for Lauder. J. Somervell for Ranfrew. S. J. Murray. Robert Hamilton of Binning. Ro^t Drummond, Anstruther Wester. M. A. Ramsay, minister at Edinburgh. Mr Adam Colt, minister at Inueresk. M. Robert Murray, minister at Methven. M. W. Row, minister at Forgunde.² M. Will. Arthure, minister. Mr Johne Dunlop, minister at Ratho. M. W. Colvill, minister at Cramund. M. A. Neutoun, minister at Duddistoun. Mr Johnne Reid, minister at Muirkirk. M. B. Sandersone at Keir. M. Gilbert Power, minister at Stanykirk. M. David Dickson, minister of Irwin. M. A. Blakhall, minister at Aberladye. M. Richard Dickson, minister at Kinneill. Mr Johne Aird, preicher at Newbotle. M. Rob. Knox, minister at Kelsoo. Mr Robert Roche, minister at Inuerkething. M. W. Justice, minister at Gargunnok. Mr James Edmonstone, minister at S^t Ninians. J. Symson, minister at Bathgait. Mr Joh. Cragingelt, minister at Alloway.³ H. Guthrie, minister at Sterline. M. E. Wright, minister at Clakmannan. Mr Thomas Strahan, minister at Dollor. Mr Ro^t Brounlie, minister at Kirktoun. Mr Jhon Duncan, minister at Culros. M. (?D.) Dik, minister off (?Crumal).⁴ Mr James Symson, minister of Kirkcaldi. Mr William Jamesone, minister at Langnewtoun. M. Birsbane, minister at Killellen.⁵ Mr George Hamiltone, minister at Newbirne. Mr James Robertson, minister at Cranstoun. Mr James Ker, minister at Abbatroull. (?M.) A. Duncansone, minister at Lessudden.⁶ Mr Thomas Wilkie, minister at Crailing. M. W. Edmondstoun, minister at Kilmadoke. Mr James Porteous, minister at Lessvade. Mr William Dalgleish, minister at Kirkm^ebrek. Mr Johne Fergushil, minister at Ochiltrie. M. J. Knox, minister, Carington. Mr Alexr. Anderson, minister at Carnweth. M. Robert Bruce, minister of Aberbdoure. Jo. Ker, minister at Saltprestoun.⁷ M. R. Watsoun, Cardrose. M. Ja: Row, minister at Muithil. W. Castellaw, minister at Ste[warton]. Mr John Charteris, minister at Currie. Mr Harie Livingstone, minister att Kippene. Mr James Kirk, minister of Abirfoyll. P. Davisone of Aird. M. Robert Bell, minister at Dalry. Mr Jhone Cornwall, at Linlithgow. Hew Mackaile, minister at Perstoune.⁸ Maister Robert Tran, Eglisshame. M. Ja. Bruce at K[ings]barnes. M. O. Colt, minister at Inverask. Mr Ja. Sharpe, minister at Govan. M. A. Douglas, minister at Qubittingham. M. R. Montgomery, minister at Symontoun. Mr Williame Weir, minister at Hopkirk. Mr Androw Auchinlek, minister at Largo. Mr Walter Swintoun, minister at Swintoun. M. J. Cuninghame, Cumnok. Mr Thomas Suyntoune, minister att St Bathanes.⁹ Entirkin, zownger. Mr David Home, minister at Ladykirk. M. Jo: Knox, minister at Bowdone. R. Hammiltoun, minister, Moonkton. Mr J. Moncreiff at Cullessie. M. R. Cuningham

¹ David Hunter, provost of Forfar, was a member of the Glasgow General Assembly in 1638 (Peterkin's *Records*, p. 110).

² Forgandenny.

³ Alloa.

⁴ At this time David Dick was minister of Cromdale.

⁵ Matthew Birsbane, M.A. The words "at Killellen" are in a different hand.

⁶ Lessudden is now St Boswells.

⁷ Prestonpans.

⁸ Percietown.

⁹ Abbey St Bathans.

at Hawik. Mr. Thomas Abernethy, minister at Eckfuird. Johne Dickson, minister at Kells. M. Jo. Home, minister at Eymouthe. M. A. Keir, minister at Cariddin. Mr Robert Balcan[qual,] Tranent. M. A. Hamilton, minister at Hadinton. Mr T. Melvill, minister at Kinglassie. Mr Johne Moray, minister at Stramiglo. M. J. Forsythe, minister at Leinzie. Mr Alexr. Somer(uil), minister at Dolphngton. M. Ro. Wilkie, Glasgw. M. A. Forbes, Campsey. M. H. Wilkie, minister, Portmook. M. Gilbt. Ross, minister, Calmonell. J. Gaitts, minister at Boncle. Mr Tho. Ramsay at Drimfreis. Mr Georg Young, minister at Mauchlin. Mr Robert Montgomery, minister at Sanct Kevox.¹ Mr W^m Russell, minister at Kilbirnie. M. D. Elphinstoun, minister at Dunbarton. M. R. Baylie,² minister of Kilwinning. M. F. Carmichael, minister at Keniquhy.³ Mr James Fleming, minister at Bothans.⁴ J. Daliell, minister at Hauch.⁵ M. J. Smith, minister at Leslie. Mr Robert Douglas, minister at Kirkaldie. M. Johne Osuaid, minister at Pencaitland. Mr Mongo Law, minister at Dysert. J. Bonar, minister at Mayboill. Mr Harie Makgill, minister of Dunfermline. Mr William Lindsay at Dreghorne. Mr Jhone Schaw at Auchinlek. . . . Maner.

[On the back.]

“WE UNDERSUBSCRIBERS ASSENTS AND ADHERES TO THE WITHIN WRITTEN PETITION.

“Lyone. A. Erskine off Dun. Tho: Fothringham of Powrie. Frederik Lyone. J. C. Ruthvns. Jhone Neway, fear of that ilk. Da. Lindesay. George Symmer. J. Carnegy, Ethie. Bonytoun. A. Lindesay, fiar off Edzell. William Durham of Grainge. W^m Sterling off Ardoche. Larence Oliphant. J. Guthrie. (? S. L.) Carnegy. Hercules Cramond, elder. S. A. Carnegy, Balnamone. D. Grahame of Fyntrie. Robert Arbuthnott. J. Grahame of Orchill. J. Grahame. Alexr. Murray of Strowan. S. G. Muschet. S. J. O. Inuercharitie. (? D.) Ogiluy of Glasuall. John Ramsay. David Lyndsay, Balgays. Jhone Ogiluy of (? Galie). David Ogiluy of Persie. R. Grame of Morphie. Balthyok. S. A. Moray of Balvaire. William Fergusoune of Craigdarro. S. D. Campbell. J. Campbell of Ardchattan. Mr Harie Rollok, minister at Edinburgh. M. Alexr. Henderson, minister at Leuchars. Mr Andrew Cant, minister at Petsligo. (? J.) Wyshart. T. Ogilue. Thomas Lyon, fier of Cossins.⁶ D. Bethun of Balfowr. Thomas Myrtone of Cambo. (? Rires.) D. Carmichall, Balmedie. Johne Martyne of Lathonis. (? D.) Pitcairne R. Patersone of Dunmure. James Lyndesay of Kilquhis. W. Moncreif of Randerstoun. David Moncreiff

¹ St Quivox.

² Author of *Letters and Journals*, edited by David Laing. Of his works published in his own lifetime only two need be mentioned here—*Ladensium*, third edition augmented, 1641; and *A Parallel, or Briefe Comparison of the Liturgie with the Masse-Book*, 1641.

³ Kennoway.

⁴ Bothans is now Yester.

⁵ Hauch is now Prestonkirk.

⁶ A *fiar* (or *fier*, or *feir*, or *fear*) is one who has the reversion of a property. He whose property is burdened by a liferent “is, in our law-language, called the *fiar*” (Erskine’s *Institute*, 1812, p. 374). I am not responsible for the explanation *feuar* introduced into the selected list which I made of these signatures.

of Cragy. D. Lyndesay, Kirkforther. G. Hamiltoune. James Stewart. Ja. Logane of Couston. S. Dudingstoun of S[an]dfurd. J. Setoun, feir of Lathrisk. Michael Balfour of Grange. Jhon Leslie. S. J. Monupenne. R. Borthuik. S. J. Moncreif. Henrie Maule. D. Clepheane. Robert Innes. Mr J. Wemyss, minister at Kynnaird. Mr Richard Melwine, minister at M[aryton]. M. A. Bisset, minister at Brechin. Mr James Lichtone, minister at Dune. Mr Androu Allan, minister at Finewin.¹ M. T. Couper, minister at Menmuir.² Mr Ja. Lyon, minister at Inchbrayok. M. Daud Campbell, minister at Carraldstoune. Mr George Fogow, minister at Edzell. Mr Thomas Montgomerie, minister at Logy-Montrois and Perte. M. Laurence Skinner, minister at Navarr. Mr George Symmer, minister at Ferne. (? . . .)³ of Kilmound, commissioner for Cowall. M. E. Camerone, minister at Dunoone, commissioner for the ministrie of Cowall. Mr Nicoll M'Calman, minister at Kilmore⁴ and commissioner for the ministers of Lorne. M. Dug: Campbell, persone of Knapdail, commissioner for the ministrie of Argyle. Mr Tho: Meluill, minister of Tereglis. A. Wedderburne. Johne Ærskine. T. R. of Freiland. Mr Jo: Adamson, principall of Edinbrugh College. M. Andrew Stevensone, regent of Edinburghe Colledge. Francis Durhame of Duntarwie. Lag. Jo: Cheisholme, Cromleis. Alexr. Hwme. George Hoome. Williame Hume. James Lentrone, portioner of Kinkepill. George Leslie of that ilk. J. M'Leod of Dunvegane. S. J. Wauchope. S. T. Burnett of Leyis. Alexr. Straquhin of Glenkindie. Simon Fraser of Inverlochtie. J. Couper off Gogar. S. J. Hamilton. S. J. Rollok. M. J. Campbell. S. Ja. Nicolsoune of Colbrandspeth. (? S. J. Home.) John Home. Alexr. Setoune. H. Nisbett. Williame Home. S. J. Hamilton, Ridhous. W. Riccartoune. Sir G. Ramsay. Robert Drummounde. S. D. Crietoune. Robert Maitland of Eckiles. Jo: Rollok of Bannokburn. D. Grahame. S. J. Campbell. G. Grame off Inchebrekie. Daud Alexander for Ansteruther Ester. Alexander Bruce of Alvy. S. J. Sterling of Gardein. Thomas Dalyell.⁵ Sir (? Williame) Fyff. A. Bruice of Bangowr. G. Dundas of Dudingstone. J. Cochrane of Burbuthlaw. J. Hamiltoun of Vdstoun. A. Redhuche off Culti-bragane. George Dowglas. Androw Toshoch of Munyuaird."

¹ Finhaven.

² In the old edition of Scott's *Fasti* (vol. iii. p. 841), Thomas Couper is said to have been admitted to Menmuir "prior to 22nd August" 1639; and in the new edition (vol. v. p. 407), "before 2nd April 1639." This signature shows that he was there earlier.

³ One would expect to find here the name Archibald Campbell (cf. *Registrum Magni Sigilli*, 1634-1651, Nos. 132 and 1528; Peterkin's *Records*, p. 110); but there is little more than a puzzling monogram.

⁴ In the old edition of Scott's *Fasti* (vol. iii. p. 61), Nicol M'Calman is said to have been "removed to Kilmore before Nov. 1638"; and in the new edition (vol. iv. p. 94) "before 21st Nov. 1638."

⁵ This was the future General and notorious persecutor of the Covenanters. His father signs on the front as "Tho: Dalyell of Bynes." Both of them signed the Linlithgowshire copy of the National Covenant (now in St Giles). On the Covenant, the son's signature, immediately underneath his father's, is "Thomas Dalyell, younger of Binnes." A comparison of the two signatures on the Covenant with the two on the Supplication makes it absolutely certain that they were written by the same two men. The younger Dalyell was one of the witnesses to an important protestation of the supplicants, at the market-cross of Edinburgh, on the 22nd February 1638 (Rothes' *Relation*, p. 89).

In all there are only 482 signatures, and so the statement in Rothes' *Relation* that there were "500 hands at it that same nycht" is inaccurate. That estimate was probably the result of a wild guess, for all the signatures were not adhibited on 18th October. That evening, after supper, it was resolved "that the petitione shall be subscryved on both syds; and, when it is full, another copie to be drawin, to receave subscriptions, in parchement; and sum paper copies to be made, wherto far *different* presbtries may put their hand for the present."¹ As the back is only about half full that other parchment copy did not require to be made. According to the memorandum at the end of the copy in the Wigton Papers, the nobles, barons, and gentlemen who signed numbered 400, the burghs 21, and the ministers 120, making a total of 541. Only 19 of the nobles are named in that memorandum.² In a letter written at intervals, Baillie says of the petition: "There are at it now above 38 nobles, gentlemen without number. . . . All the townes have subscryved except Aberdeen, whom they suspect."³ According to the Earl of Lothian, on the 18th of October "there were at least

¹ Rothes' *Relation*, p. 21. Perhaps the word *different* is a printer's error for *distant*. Among the Miscellaneous Papers relating to the *Register of Privy Council*, 1635-7, preserved in the Register House, there are forty-seven petitions against the Service-Book. One of these, No. 333, is on parchment measuring 31½ by 25 inches. It is from the "noblemen, barrons, burgesses, ministeris and commounes of the presbyterie of Kirkcudbright." It is practically the same as the one of 18th October printed above, and in my footnotes to which the chief variations are pointed out. Of the 452 persons who signed, many, including twenty of the parishioners of Anwoth, did so by notaries. The text and the names of the subscribers are printed in the *Register of Privy Council*, 2nd series, vol. vi. pp. 709-15. The forty-six which are on paper petition against the Service-Book only, not against the *Book of Canons* nor the prelates. No. 289 is the supplication of 20th September 1637, and in the Introduction (p. xii) is wrongly assigned to December (*cf.* Rothes' *Relation*, p. 47). Two of them (Nos. 313 and 321) point out that the Service-Book was printed long after the proclamation of December 1636, and the consequent uncertainty whether it is the same, in whole or in part, as the one authorised. No. 297 refers to the Privy Council as "this honorable tabill," and Nos. 299, 306, 308, 312, and 316 refer to it as this honorable "table." The supplicants had not then chosen those commissioners, or committees, subsequently known as "the tables" (Rothes' *Relation*, pp. 17, 23, 24, 34; Peterkin's *Records*, pp. 142, 145; Row's *History*, p. 486). This use of the word "table" in those six petitions is rather earlier than any Scottish example given in the Oxford *New English Dictionary*. The petition from the Presbytery of Stirling (No. 335) was signed by H. Guthrie, not J. Guthrie as in the printed *Register* (p. 716). Of the 47, only 15 have signatures; only 1 (No. 326) is dated.

² *Maitland Club Miscellany*, vol. ii. p. 413. Some of the burghs, as will be noticed, had two representatives. Nearly all the ministers were masters of arts. The following do not describe themselves as ministers: William Arthur of West Kirk or St Cuthbert's, Bernard Sanderson of Keir, Robert Tran of Eaglesham, James Bruce of Kingsbarns, Robert Cunninghame of Hawick, Alexander Forbes of Campsey, Thomas Ramsay of Dumfries, and several others.

³ Laing's *Baillie's Letters*, vol. i. p. 37. Writing on the 31st October 1637, Gavin Young says that 800 had subscribed a supplication to the Council against the Service Book (*Laing Manuscripts*, vol. i. p. 198). Young was not a man of keen convictions. He was minister of Ruthwell from 1617 to 1671. When asked how he reconciled himself to live under the different forms of church-government, he replied: "Wha wad quarrel wi' their brose for a mote in them?" (*Scott's Fasti*, vol. i. p. 625). On 2nd March 1638 there were thirty-four in the list of voluntarily contributing nobles to the covenanting cause (Rothes' *Relation*, p. 81).

200 supplications against this [Service] Booke from presbyteries and parishes and shires, and as many the day before."¹

The signatures are all autograph. It will be noticed that many of the subscribing lairds merely put down their territorial designation, as, for example, Bruce of Earlshall simply signs "Erleshall," and Grierson of Lag only writes "Lag." Others put their initials before the name of their lands, and so William Sempill of Foulwood signs "W. S. Fouluod"; Sir William Cunninghame of Caprington signs "W. Caprintown." Knights and baronets usually put "Sir" or "S." before their initials, and so Sir David Barclay of Collairney signs "S. D. B. Cullerny," and Sir John Ogilvie of Inverquharity signs "S. J. O. Inuercharitie." Ministers who were masters of arts, instead of writing "M.A." after their names, wrote "Mr" or "M" before them. There was a custom in those days of working the "S" or the "M" and the initials into a monogram, and these are frequently very difficult to decipher. Where there is uncertainty I have queried the reading. In making out many of the most puzzling ones, I have been greatly indebted to Mr Henry M. Paton. Five have completely and four partially baffled us. The sides of the parchment are not straight. Its greatest width is 28½ inches, and greatest depth 21 inches.

Montrose, apparently, was not one of the noblemen who signed the Supplication on 18th October. He was not one of the twenty who were present at the meeting on 20th September;² nor is he one of the nineteen subscribing nobles named in the Wigton Papers. In *Rothés' Relation* he first appears as one of the twenty-two who met on the 15th November.³ And Bishop Guthrie (who signed the Supplication as "H. Guthrie, minister at Sterline"), in referring to that day, says "among other nobles (who had not been formerly there) came at that diet the Earl of Montross, which was most taken notice of."⁴ He sat as an elder in the Glasgow Assembly.⁵

The Supplication not only marks a crisis in the long struggle between the Crown and the Church, but it reveals the strength of the Church in the hold which it had on the community as it had never been revealed before. Baillie characterises it as the "magna charta" of the nobility.⁶

No prelates were at the meeting of Privy Council on 21st December, when Loudon, after "ane eloquent speache," presented copies of the Supplications of 20th September (No. 289) and 18th October. The Council agreed to submit them "to his Majestei's royall consideration."⁷ The Supplication of 18th October had, however, been previously sent to the

¹ *Ancram and Lothian Correspondence*, Roxburghe Club, vol. i. p. 97.

² *Rothés' Relation*, p. 8.

³ *Ibid.*, p. 32.

⁴ *Guthrie's Memoirs*, p. 27.

⁵ *Peterkin's Records*, p. 110.

⁶ *Laing's Baillie's Letters*, vol. i. p. 38.

⁷ *Balfour's Historical Works*, vol. ii. pp. 240-9; *Register of Privy Council*, 2nd series, vol. vi. p. 554; *Laing's Baillie's Letters*, vol. i. pp. 455-8.

King by the Council. He, finding in it "no signe of repentance for, or disavowing of, their late tumults," decided "to delay the answering of their petition, but in the meantime commanded" the Council "to signifie to all our good subjects our aversnesse from Poperie, and detestation of superstition." Hence the proclamation of 7th December.¹

"Upon the 1st March 1638, they being all assembled in the Gray-Friers Church and church-yard, the Covenant (having been prepared beforehand) was publickly read, and subscribed² by them all with much joy and shouting. The Archbishop of St Andrews being then returned from Sterling to Edinburgh, when he heard what was done said: *Now all that we have been doing³ these 30 years past is thrown down at once*; and, fearing violence, he presently fled away to London (where the next year he died), so did also such other of the bishops as knew themselves most ungracious to the people; only four of them stayed at home, whereof three delivered their persons and fortunes from sufferings by their solemn recantations."⁴ In a letter, written from St Andrews on 26th January 1646, it is related that, a few years before, the Archbishop's "coatch (himself then being in England) was brought from his castle thorow the whole city, with the hangman sitting in it, to the same very place of the market crosse, and rent all in pieces."⁵

His Majesty was so displeased with the citizens of Edinburgh that nearly three months before the Covenant was sworn, the Earl of Traquair, the Lord High Treasurer, thought that "the keyes of the toun and charter of their liberties [should be] delyvered to the King, and six commissioners from the toun [should] publictlye prostrate themselves befor the King as he was goeing to the chappell at Whytehall tuo severall dayes; and upone the thrid day, upone the Scots Counsellors that wer at court their prostrating themselves with the commissioners befor the King, the King

¹ *Large Declaration*, pp. 42-6; *Register of Privy Council*, 2nd series, vol. vi. pp. 546-7.

² The subscribing of the National Covenant is discussed in the eighth chapter of Moir Bryce's *History of the Old Greyfriars Church*. The subscribing began in the church on 28th February.

³ In two MS. copies of Guthrie's *Memoirs* in my possession, both of which are older than the earliest printed edition, the word *building* is used instead of *doing*. In other two MS. copies which I have examined the word is also *building*.

⁴ Guthrie's *Memoirs*, p. 30. The Marquis of Hamilton informed the King that, of the prelates, Maxwell, Bishop of Ross, was "the most hated of all, and generally by all" (Hardwick's *State Papers*, vol. ii. p. 114). This hatred is said to have been due to his zeal for the Service-Book. In retreating from his see, when "crossing the Firth of Ardirsheer, which partes Rosse from Murreye, in despiht to ther bishopp, the people tore in peeces such coppes of the Service-Booke as he had established for publicke use in the Chanrye church of Rosse, and threw the leaves therof into the sea, which, by the wynde, flotted after the passage boate (wher the bishopp was) upon the topp of the water" (Gordon's *History of Scots Affairs*, Spalding Club, vol. i. pp. 60, 61). Instead of attending the meeting of Privy Council on 1st March 1638, as he had promised, Spottiswoode sent an excuse; but he appears in the sederunts of 6th June and 12th June (*Register of Privy Council*, 2nd series, vol. vii. pp. 7, 20, 21).

⁵ *Treason and Rebellion justly Rewarded*, 1646.

would redelyver their keyes and charter of their liberties and pardon them."¹ Edinburgh was not in a mood to undergo such an abject humiliation.

On 4th July 1638, by a proclamation at the market-cross of Edinburgh, the King assured all men that: "We will neither now nor hereafter presse the practice of the foresaid Canons and Service Book, nor anything of that nature, but in such a faire and legall way as shall satisfie all our loving subjects that we neither intend innovation in religion or lawes. And to this effect have given order to discharge all Acts of Council made thereanent. And for the High Commission, we shall so rectifie it, with the help of advice of our Privie Council, that it shall never impugne the lawes, nor bee a just grievance to our loyall subjects. And what is farder fitting to be agitate in Generall Assemblies and Parliament, for the good and peace of the Kirk, and peaceable government of the same, in establishing of the religion presently profest, shall likewise be taken into our royall consideration, in a free Assembly and Parliament, which shall be indicted and called with our best convenienc." ²

This proclamation in other two forms was signed by the King. One of these was penned by Traquair, the other by the Marquis of Hamilton. In neither is there the slightest reference to a General Assembly or to Parliament.³ But, through Laud, the King instructed Hamilton to add "some general words giving hopes of an Assembly and Parliament."⁴ In a letter of 11th June to Hamilton, the King had given him "leave to flatter them [*i.e.* the Covenanters] with what hopes you please, so you engage not me against my grounds (and in particular that you consent neither to the calling of Parliament nor General Assembly untill the Covenant be disavowed and given up); your chief end being now to win time. . . . I will rather die than yield to those impertinent and damnable demands (as you rightly call them); for it is all one as to yield to be no king in a very short time. . . . As the affairs are now, I do not expect that you should declare the adherers to the Covenant traitors, until (as I have already said) you have heard from me that my fleet hath set sail for Scotland."⁵

Immediately after the proclamation had been read at the market-cross on 4th July, a protestation was read in name and on behalf of the Covenanters, which made it sufficiently clear that, as the Court of High Commission had been erected without the consent of Parliament, it must be abolished, not merely rectified; and while it reiterated the desire for

¹ Rothes' *Relation*, pp. 43, 44.

² *Large Declaration*, pp. 96, 97.

³ Burnet's *Memoirs of the Dukes of Hamilton*, 1677, pp. 43, 44. A third form, penned by Spottiswoode, was put aside (*Ibid.*, pp. 45, 46).

⁴ *Ibid.*, p. 62.

⁵ *Ibid.*, pp. 55, 56.

"the present indiction of a free General Assembly and Parliament," it claimed that "it is and shall be leasome unto us to appoint, hold and use . . . Assemblies of the Church."¹

Greatly against his will the King was constrained to climb down. On 22nd September, three proclamations were made by his authority. One rescinded all acts and proclamations for establishing "the Service Booke, Booke of Canons, and High Commission"; dispensed with the practice of the Five Articles of Perth, "notwithstanding of any thing contained in the Acts of Parliament or General Assembly to the contrary"; and commanded all his subjects to subscribe and renew the Band or Covenant of 1580-1, with the General Band of 1589-90. Another of the proclamations indicted "a free General Assembly" to be held at Glasgow on 21st November; and the third appointed a Parliament to be held in Edinburgh on 15th May 1639.²

The Assembly duly met in Glasgow Cathedral on the appointed day. A week later the Royal Commissioner, the Marquis of Hamilton, in his Majesty's name, discharged it to sit any longer; but under the guidance of the Moderator, Alexander Henderson of Leuchars, it continued its sessions until it had condemned and annulled the Assemblies of 1606, 1608, 1610, 1616, 1617, and 1618 as "pretended Assemblies"; condemned the Service-Book, Book of Canons, Book of Ordination, and the High Commission; deposed and excommunicated both archbishops and six bishops, and deposed the other six bishops, respectively described as "pretended" archbishops and bishops; declared Episcopacy to have been abjured in the Band or Covenant of 1580-1; declared the Five Articles of Perth to have been abjured and to be removed; restored the judicatories of the Kirk; condemned the civil places and power of kirkmen; and ordained a humble supplication to be sent to the King. In closing the Assembly, on 20th December, the Moderator said: "We have now cast down the walls of Jericho: let him that rebuildeth them beware of the curse of Hiel the Bethelite."³

Hamilton informed the King that some members of this Assembly could "neather wrytt nor read, the most part being totallie voyd of learning."⁴ Principal Lee, who went thoroughly into the matter, formed

¹ *Large Declaration*, pp. 98-106. Emphatic language was not monopolised by the King and Hamilton. Wariston characterised the proclamation as a "damnable peice"; and, in the afternoon, with David Dickson's help, he drew up twenty-four animadversions of its "damnable points." Next morning he re-wrote "the protestation conforme to the proclamation" to his own satisfaction "and contentment of uthers" (Wariston's *Diary*, p. 360). This re-writing was doubtless for the press, and it may perhaps be inferred that he improved the phraseology.

² *Large Declaration*, pp. 137-47. For the protestation in reply, see *Ibid.*, pp. 157-73.

³ *Principall Acts of the Generall Assembly at Glasgow*, pp. 7-51; Peterkin's *Records*, pp. 109-93; Laing's *Baillie's Letters*, vol. i. pp. 118-76.

⁴ *Hamilton Papers*, Camden Society, p. 59.

ERRATA.

P. 331, note 1, for "Dunlop's *Confessions*, vol. iii. pp. 759-805;" read "Dunlop's *Confessions*, vol. ii. pp. 759-805;"

P. 383, note 6, for "at least years afterwards," read "at least six years afterwards,"

a very different opinion.¹ Interest in the proceedings was such that the Cathedral was so crowded with people, keen to see and hear, that the members had great difficulty in reaching their seats. Baillie refers to these people as "the multitude" and "rascals," and says that they "without shame, in great numbers, maks such dinn 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."² Dr John Buchan, who quotes this inaccurately (probably at second-hand), applies it to the members of Assembly!³ The Bishop of Ross and Dean Balcanquhal (the reputed author of the King's *Large Declaration*) sent accounts of the Assembly to Laud.⁴ Heylyn alleges that Laud had such confidence in Traquair that he ordered "the archbishops and bishops of Scotland not to do any thing without his privity and direction."⁵ Nine days after the Assembly closed Laud wrote: "I am confident all had gone well enough, if Traquair had done his duty: but he thought he had all in a string, and out of a desire to disgrace some bishops, did not only suffer, but certainly underhand do, some things, which let all loose. . . . I have been as careful of this business as possibly I could to the utmost of that poor understanding which God hath given me."⁶

Although Charles the Second had, on two occasions, sworn and subscribed both the National Covenant and the Solemn League and Covenant, he re-erected Prelacy in 1662; but while he and his obsequious Parliaments acted very arbitrarily in various matters, they did not attempt to introduce the Service-Book. Nor did the primate, James Sharp, venture to ride the ford where his predecessor had been drowned.

¹ Peterkin's *Records*, pp. 111, 112.

² Laing's *Baillie's Letters*, vol. i. pp. 123, 124.

³ *The Marquis of Montrose*, 1913, pp. 33, 34. Professor Terry has fallen into the same error (*History of Scotland*, 1920, p. 340).

⁴ *Hamilton Papers*, pp. 61, 63.

⁵ *Life and Death of Laud*, 1719, part ii. p. 65.

⁶ *Strafford's Letters and Dispatches*, vol. ii. pp. 264, 265. Laud certainly did his utmost in the cause he had so much at heart. In a letter of 23th February 1634, he says that he had shown his Majesty the paper of those of the Session as did not conform at the communion (*Rushworth's Collections*, part ii. pp. 205, 206). This probably relates to the Lords of Session (*supra*, p. 361, n. 1). King James had ordered every member of Privy Council to communicate kneeling, in "the Heich Kirk of Edinburgh," at Easter 1619, under pain of deposition from the Council (*Maitland Miscellany*, vol. ii. p. 400). It is no wonder that men of spirit resented such methods of introducing changes in religious matters. The intensity of feeling in 1637 was re-expressed, at least years afterwards, in Montrose's Remonstrance:—"Our nation was reduced to almost irreparable evil by the perverse practices of the sometime pretended prelates; who, having abused lawful authority, did not only usurp to be lords over God's inheritance, but also intruded themselves in the prime places of civil government; and, by their Court of High Commission, did so abandon themselves, to the prejudice of the Gospel, that the very quintessence of Popery was publicly preached by Arminians, and the life of the Gospel stollen away by enforcing on the Kirk a dead Service-Book, the brood of the bowels of the Whore of Babel; as also, to the prejudice of the country, fining and confining at their pleasure, in such sort that, trampling upon the necks of all whose conscience could not condescend to be of their coin, none were sure of life nor estate" (*Memorials of Montrose and his Times*, Maitland Club, vol. i. pp. 216, 217).