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THE
HISTORY

OF THE
CHURCH AND STATE OF SCOTLAND,

FROM THE ACCESSION OF KING CHARLES I. TO THE YEAR 1649.

TO WHICH IS PREFIXED,
AN ABSTRACT OF THE STATE OF RELIGION IN SCOTLAND, FROM THE EARLIEST
AGES OF CHRISTIANITY, TO THE YEAR 1625.

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P R E F A C E.

ALL men are possessed with a strong desire of being wise, but few take an effectual way to be so. The study of history is certainly one great mean by which we may advance in wisdom and knowledge; for, by a few hours reading the history of past times, we may learn more than can be acquired by our experience for many years; yet the most part of mankind willingly content themselves with vain amusements, or confine themselves to the present occurrences of the time and country wherein they live; and thus they continue in a kind of infancy, utter strangers to the rest of the world, profoundly ignorant of all that has gone before, or even now surrounds them. Others, again, chiefly affect those humorous and imaginary scenes of action which they find projected in a series of romances, as if vain man could devise a fitter contexture of events than his **MAKER**: But the sober part of mankind will certainly pay a far greater regard to the real course of events which the wisdom of God hath devised, and his power executed, as these are honestly represented in the history of past times.

Such history doth not only afford agreeable entertainment to the curious mind, but opens a plentiful source for instruction and improvement. By history we commemorate the work of God in the government of the world, and see the divine procedure in the accomplishment of his word, observe the connexion between causes and effects, and thence may derive many useful instructions. In history we may see the actions and achievements, the virtues and the faults, of our ancestors set forth as examples for our imitation or caution;

and by a train of prudent reflections thereby suggested, may learn many important lessons for the conduct of life, be excited to study and practise truth and peace, may avoid the rocks on which others have suffered shipwreck, be guarded against the errors, the follies, and mistakes of past times, and thus be rendered wiser by the experience, and at the expence of former ages. In short, by a diligent attention to history, and deliberate comparison of the occurrences of the past and present time, we may form a juster view of the providences which now pass over us, and be greatly assisted in forming prudential conjectures, as to the issue matters may be tending to in a succeeding period. "For the thing that hath been, it is that which shall be; and that which is done, is that which shall be done; and there is no new thing under the sun."

What hath been suggested concerning history in general, will, I hope, be found justly applicable to the following history in particular. The period now before us was a time greatly crowded with various and very important transactions in church and state; and a proper history of the same must be of special use and excellence, whether we consider the persons or parties concerned, (which comprehended all ranks in Scotland, scarce a family or burgh of any consideration excepted,) or the actions they achieved, these having been no less than the suppression of prelacy and arbitrary government, and the restoration and security of presbyterial government in the church, and liberty in the state.

But that we may the better understand the same, it may be proper to subdivide

that period into three parts. The first may be viewed from the year 1625 to the year 1637, which put an end to forty years' defection; the second, from that to the year 1650, commonly called, by way of eminence, the second reforming period; and the third, from that to the restoration, which was a time of great division in the church, and disorder in the state.

In the first of these periods, our ancestors had prelacy and the supremacy to grapple with; and though in the second they got the better of those evils, yet they not only had them still in some degree to contend against, but sectarianism also. During the former period, they met with opposition only upon one hand; but in the second they had adversaries on both; the king and the bishops on the one hand, and sectaries upon the other, both fighting against one another, and yet both against Presbyterians, till at length the sectarian party, viz. the Independents, Anabaptists, and other sects, which sprung up in England during the confusions of a long civil war in that kingdom, and invaded Scotland under Oliver Cromwell their great patron, prevailed in the third period, and that again opened a door for malignants, viz. persons ill affected to the reformation attained in the former period, who were generally of deistical or prelatical sentiments; and these, after the restoration, did long domineer over all the rest.

During the first period, a gradual impairing of our liberties, and corrupting of our reformation came to a great height, even beyond any rational prospect of a remedy; yet in the next period, the Lord made very surprising and glorious appearances for our church and nation, inspiring our nobles, gentry, ministers and commons with life, zeal, and courage, who, when they got a clear call, considered not their own deadness, neither were they intimidated with discouragements, nor staggered at the promise through unbelief, but gave glory to God, outbraving all difficulties, until the cords of those plowers, who had made long their furrows upon the back both of re-

ligion and liberty, were cut asunder; and notwithstanding of what failings and mistakes did then take place (as who liveth free from these), the reformation was restored to its primitive beauty and integrity; and great attainments in purity of reformation were influenced by such large communications of the divine grace, that a great and eminent divine, who shared largely of those happy influences, doth, with great energy and sacred rhetoric, apply the divine predictions and promises anciently made to the church, to the Church of Scotland in his time; and as it is impossible for me to give so lively an idea of the happiness of that period, as he doth, I will beg liberty to transcribe a few of his words: "The Lord," says he,¹ "is rejoicing over us in this land, as the bridegroom rejoiceth over the bride, and hath changed the name of Scotland; they call us now no more forsaken nor desolate, but our land is called Hephzibah and Beulah, for the Lord delighteth in us, and this land is married to himself; there is now an highway made through our Zion, and it is called the way of holiness—the unclean shall not pass over it—the way-faring men, though fools, shall not err in it—the wilderness doth rejoice and blossom as the rose—the ransomed of the Lord are returned back to Zion, with songs and everlasting joy upon their heads—the Canaanite is put out of our Lord's house; there is not a beast left to do hurt (at least professedly) in all the holy mountain of the Lord. Our Lord is fallen to wrestle with his enemies, and hath brought us out of Egypt; we have the strength of an unicorn; the Lord hath eaten up the sons of Babel, he hath broken their bones, and hath pierced them through with his arrows; we have taken them captives whose captives we were, and we rule over our oppressors. It is not brick nor clay, nor Babel's cursed timber and stones, that is in our second temple, but our blessed king Jesus is building his house all palace work and carved stones;

¹ Mr. Samuel Rutherford, in his Letter to the persecuted church in Ireland, anno 1639

it is the habitation of the Lord. We do welcome Ireland and England to our well-beloved." And accordingly the splendour of our reformation did awake England and Ireland, and animated the Lord's people in those kingdoms, to aspire to the like reformation; but Satan, envying our prosperity, was permitted to sow discord in the state, and schism in the church, which paved the way to a surreption of our liberty, sacred and civil, and the eradication of monarchical government; and thus matters continued till the restoration, when Presbyterians were cast into the furnace of a long and hot persecution, to purge and cement them.

The necessity of such a history will farther appear, if we consider, that attempts were made by the infamous acts rescissory, anno 1661, not only to obliterate the legal evidences of reformation, which took place in the former period; but the malice of the managers against that reformation did even carry them the length of discharging, by proclamation, the apogetical narration, Naphtali, and other books and papers, which contained favourable, though but very general notions of the reformation of that time.

When those attempts failed of the desired effect, then the bishops, Guthrie of Dunkeld, Burnet of Salisbury, and other patrons of Episcopacy, set their engines on work to clothe the public proceedings of that period with a fool's coat, and the instruments employed therein, even the most famous among them, with the cloak of hypocrisy and enthusiasm.

In this case, the words of the wise man—"Open thy mouth for the dumb in the cause of all such as are appointed to destruction," Prov. xxxi. 8, seem to apply with double force, to such a design as that I have now attempted; and yet I know of none who have had the courage or kindness to give any thing like a full and faithful history of that period; to set the same in a true light, and to put honour upon our ancestors, answerable to that contumely and disgrace they have been loaded with. To this our unaccountable negligence, I con-

ceive, it is owing, as much as to the partiality of our countrymen above named, that the English historians have given an account of our affairs, so much to the disgrace of our nation; and therefore I shall not stand to make apologies for the present undertaking.

The fittest season for such a design, had, no doubt, been near a century ago, when many of the actors and chief instruments concerned, were alive, and their proceedings recent. At that time a history, either of church or state, might have been more fully confirmed, with uncontested evidence, than can now be possibly brought.

For, with reference to the state, the reader will know, that the registers and records of the kingdom of Scotland were carried off by the usurper, to secure our dependence upon the English: Of these 85 hogsheads were lost, upon the 13th of December 1660, in a ship belonging to Kirkaldy, as she was returning with them from London, to the great loss of the nation, and no good account hath been taken of the rest. And for the church records, a great part of these, especially during the period I am now upon, are likewise amissing; but whether owing to the confusions of our civil wars, or to their coming into the hands of the bishops, who tyrannized so long over our church's rights and liberties, or to the great fire in the beginning of this century, which consumed the clerk's office, and several records and papers belonging to the church, I have not certainly learned.

Yet, under all these disadvantages, there are great plenty of excellent materials for a history of that time, especially of the period betwixt the years 1638 and 1650. The public acts of church and state, during that period, which were printed before the aforementioned misfortunes befel the registers, do confirm many of the great lines of our history. I find likewise, that the sederunt-books of most of the meetings of the secret council, and of some of the parliaments, conventions of estates, and committees, are still preserved in the general register; and I have likewise

had access to the minutes of several of the General Assemblies and commissions of the church during that period, in the hands of their clerk, and in the divinity library in the university of Edinburgh; besides, multitudes of the public papers, wrote at that time, have been ingrossed in the Large Declaration, or manifesto of king Charles I. in Burnet's Memoirs of James and William dukes of Hamilton, in Rushworth's Collections of what passed from the year 1618 to the death of king Charles I., in Nalson's Collection of the great affairs of state, from the beginning of the Scottish rebellion (as that author calls it) to the murder of king Charles I., in Clarendon's History of the rebellion and civil wars in England, and in Collier's Ecclesiastical History, and many of them have been printed by themselves.

But the great repository from whence I am chiefly furnished, is, The Historical Letters and Collections of Mr. Robert Baillie, consisting of four volumes folio, beginning with the year 1637, and ending at the restoration. I have been favoured with access to three copies of these collections, and have taken the trouble to collate a good part of two of them, one belonging to Henry Baillie of Carnbrue, Esq. the author's lineal representative, which is the copy I refer to, and the other in the hands of the clerk to the General Assembly of the Church of Scotland; to this last copy there is prefixed a memorial concerning Mr. Baillie, by some other hand, from which, and Mr. Wodrow's history, I shall give the following character of him.

Mr. Robert Baillie was born at Glasgow in the year 1598; he was descended by his father, a citizen of Glasgow, from Baillie of Jerviston, a brother of the house of Carphin, and a branch of the ancient family of Lamington, all in the county of Lanark, and was, by the mother, of the same stock with the Gibsons of Durie, who have made so great a figure in the law. He received his education at Glasgow, and plied his studies with such uncommon industry, that he attained the knowledge of twelve

or thirteen languages, and wrote a Latin style, which, in the opinion of the learned, might become the Augustan age. After he had studied divinity, he took orders from archbishop Law about the year 1622, and was soon after presented by the earl of Eglinton to the church of Kilwinning. When the Reformation began in the year 1637, he wanted not difficulties from his education to see through some of the measures then taken; yet, after reasoning, reading and prayer, as he expresses it, he came heartily into them.

As he was a man of a distinct and solid judgment, he was employed in much of the public business of this church after the year 1637. In the year 1638, he was chosen by his presbytery of Irvine a member to the memorable Assembly at Glasgow, where he behaved with great moderation and judgment. He was transported in the year 1640, from Kilwinning to be professor of divinity at Glasgow, in the room of Mr. David Dickson, who had been translated thence to the divinity-chair at Edinburgh. He was a member of the presbytery which accompanied the army in the year 1640, and was present during the whole time of the treaty begun with the king at Rippon, and concluded at London. He was one of the commissioners from this church to the Westminster Assembly in the year 1645, and remained at London almost the whole time it sat. When that assembly rose, the parliament of England made him a handsome present of silver-plate, with an inscription, bearing it to be a token of their great respect to him, which is still carefully preserved in the house of Carnbrue. He was a confidant of the marquis of Argyll, the earls of Cassils, Eglinton, Lauderdale and Lowdown, of the lord Balmerino, Sir Archibald Johnston, lord Warriston, and others of the chief managers amongst the covenanters, whereby he attained the most exact knowledge of the papers and transactions of the time, which he carefully collected; so that, as he expresses in one of his letters, there was not any one from whom

his correspondent could get a more full narrative. Under Cromwell's usurpation, he joined with the party called Resolutioners, and wrote several of the papers on that side. In the year 1661, he was, by Lauderdale's interest, made principal of the college of Glasgow, upon the removal of Mr. Patrick Gillespie, but he died in July, the year following, aged sixty-three. It is commonly, and with great certainty, said, that he had an offer of a bishopric in the year 1661, but that he refused it, because, alleges the writer of the memorial, he did not choose to enter in dispute with those with whom he had formerly lived in friendship; but this was only a sly way of wounding an amiable character, for Mr. Baillie continued firmly attached to presbyterian government, and in opposition to prelacy, to the last: Several evidences could be brought to this purpose, but an excerpt from a letter of his to Lauderdale, shortly before his death,¹ will effectually wipe away that reproach, and confirm the reader's sentiments concerning him: "My lord," says he to Lauderdale, "you are the nobleman in all the world I love best, and esteem most; I think I may say and write to you what I please. If you have gone with your heart to forsake your covenant, to countenance the re-introduction of bishops and books, and strengthen the king by your advice in those things, I think you a prime transgressor, and liable among the first to answer to God for that great sin." The author, from whom I am gleaning, records farther, that when archbishop Fairfoul came to visit the principal on his death-bed, he would not give him the appellation of Lord, and, adds Mr. Wodrow, "he may most justly be reckoned among the great men of his time; he was an honour to his country, and his works do praise him in the gate."—Of those I have only seen his Scripture Chronology, wrote in Latin; his *Canterburian Self-conviction*; his *Parallel*, or comparison of the liturgy with the mass-book; his *Dissuasive against the errors*

of the time, and the *Collections* to which the world are now so much obliged: To him also is ascribed that book, intitled, *Historia motuum in regno Scotiæ annis 1637-1640*, and if he was the author of that, then also of a paper, intitled, *A short relation of the state of the Kirk of Scotland, from the Reformation of religion to the month of October 1638*; for, from the preface to the book last mentioned, it seems both these were wrote by the same hand.

Another manuscript, from which I have some assistance, is, *The History of the Kirk of Scotland, from the first dawning of the light of the gospel to the year 1688*, in two volumes, wrote by Mr. Matthew Crawford, minister of the gospel at Eastwood, during the time of his suffering under the two royal brothers. This history is the property of the church, and is pretty full to the restoration; but, during the period Mr. Baillie writes on, Mr. Crawford's history seems to be mostly a transcript from him.

A third manuscript I sometimes refer to is, *The Annals of the Kings of Scotland to the year 1641*, wrote by Sir James Balfour, lyon king-at-arms under king Charles I. The original is in the advocates library at Edinburgh, but it being somewhat difficult to read, that to which I refer is an attested copy in the new library belonging to the university of Glasgow; and I have access to several other manuscripts by the same author, in the advocates library, which shall be descended on as they occur.

I am likewise favoured by the Rev. Mr. Robert Wodrow, minister of the gospel at Eastwood, with the use of a manuscript in quarto, intitled, *The History of the Kirk of Scotland, from the year 1558 to August in anno 1637*, written by Mr. John Row, minister at Carnock. From the introduction to this history it appears, that Mr. Row entered to the ministry anno 1593, and died 1646, and that, beside his own observations, he had been well-informed concerning the state of the church by his father Mr. John Row, minister at Perth, who died in the year 1586, and by his

¹ Wodrow, Hist. p. 129.

father-in-law, Mr. David Ferguson minister at Dunfermline, who kept an account of what things fell out in this church to his death, anno 1593. To this history there is added a supplement of the principal occurrences from August 1637 to August 1639, written by Mr. John Row, minister at Aberdeen, anno 1650, son, as I suppose, to Mr. Row of Carnock.

Once or twice I refer to a manuscript of the life of Mr. Robert Blair, minister first at Bangor in Ireland, thereafter in Ayr, and last in St. Andrews. The original is in the hands of Mr. John Blair accountant in Edinburgh, grandson to Mr. Robert Blair, and copies of the same are in the hands of severals.

Once I refer to a manuscript, entitled, A true relation of the Prelates, their practice for introducing the service-book, &c. upon the church of Scotland; and the Subjects, their lawful proceedings in opposing the same. This I have from the reverend and worthy Mr. James Ogilvie, minister of the gospel at Aberdeen, to whom, by his account, it seems to have come from one of the Mr. Mac-Kails, once famous ministers in this church: But, though that manuscript be compiled with a good deal of judgment, yet as it is at best anonymous, and as I have otherwise full and well attested accounts of the period which the same treats of, I judged it unnecessary to make more use thereof.

Besides these, I sometimes refer to the following anonymous manuscripts, viz. The History of the church and state of Scotland, during the reign of King Charles I. The copy I refer to, before the year 1637, is the property of the church, but after that time, I refer to a copy of the same, belonging to John Swinton of Swinton, Esq. advocate, in regard it seems to be the original. I conceive this manuscript has been written by the minister of Carlaverock or Ruthwall, anno 1628. For, speaking of the inundation there in November that year, which I take notice of, History, p. 109, he says, "For ten years thereafter, we had the holy communion about that

time, and called to remembrance that bodily deliverance." And in some other places of his history, he speaks of himself as a minister.

Another of these manuscripts, and which seems evidently to be wrote by the same hand, is, The History of the church and state of Scotland during the usurpation of Oliver Cromwell, otherwise entitled, The third part of the History of the church and state of Scotland; the original of which may be seen in my own hand.

The Rev. Mr. Robert Wodrow hath furnished me with another of these manuscripts, whereof he retains the original, which is difficult to be read, and wants the beginning. That which I have, is by his late worthy father, Mr. Robert Wodrow, author of the history entitled, The Sufferings of the Church of Scotland from the restoration to the revolution, marked with the title of—A historical Collection from the year 1583 to the year 1641. This, considering the simplicity of the style, and that it is more particular about the affairs of Edinburgh before the year 1637, than anything else I have seen, seems to have been wrote by some of the nonconform burgesses there.

The last I condescend upon, is entitled, Transactions of the Scottish army in Ireland from 1643 to 1648. This manuscript is the property of the faculty of advocates, in whose library there are yet some other writings, which I intend to be at the trouble of making excerpts from, which shall be condescended upon as they come in the way.

These anonymous manuscripts are several times quoted where our history is barren, yet generally it is only for illustrating facts touched by other authors.

And when to all I have added, that I hope to obtain from the Rev. Mr. Wodrow, so much of the famous Mr. Robert M'Ward's historical collections, as concern this church and kingdom during the usurpation, I have told all the written authorities upon which I lean the credit of my relation.

The accounting thus particularly for

the warrants of this history, being necessary for the satisfaction of my readers, I hope the gentlemen to whom these manuscripts belong, will, for that reason, excuse the pointing them out so specially.

One manuscript more I will beg leave to name, because, in compliance with the recommendation of some friends, I formerly signified my resolution to have made use of it, and that is entitled, *Apologia pro ecclesia Scoticana A. D. 1660, &c. misere afflictata*. This apology, now in the library of the university of Edinburgh, was written in Latin, by the famous Mr. John Brown, once minister at Wamphray, and thereafter a refugee in Holland: It consists of above 1600 pages quarto, wrote in a very small character; and the same having been by the author entrusted to Mr. Charles Gordon, sometime minister at Dalmeny, to be presented to the first free General Assembly of this national church, was given in to the General Assembly held at Edinburgh, anno 1692, and seems to merit better treatment than it hath yet met with. But of that large manuscript, there are only about seventy-five pages on the period of our history, and even that small part seems to be taken mostly from *Historia motuum*, &c. a book which I frequently quote; and the substance of it is exhausted in section second of that well-known book, entitled, *An Apologetical Relation of the particular Sufferings of the faithful ministers and professors of the Church of Scotland, from August 1660 to 1665*; which is an abstract or compend of the Latin copy, and generally believed to be done by the same hand; so that any small benefit that could be reaped from that part of the manuscript which respects the period of our history, would scarce be answerable to the trouble of translating it.

The many printed authors whom I refer to, are well known to the learned world; several of them, as the bishops Spotiswood, Guthrie, and Burnet, I quote (not from choice, but) because their authority cannot be easily shunned by men of their own complexion; Spotiswood's history is no doubt in a style

amongst the most agreeable we have, and, while the question was with papists, I'm willing it pass uncontroverted; but, after he comes to deal with presbyterians, he turns so partial, that his own brother, bishop Burnet, cannot forbear taxing his ingenuity, as I have noticed in the Introduction.

In the memoirs of Mr. Henry Guthrie, who was once minister of Stirling, and a zealous covenanter, but was afterwards a favourer of malignants (as all who any ways opposed the reformation of that period were then called) for which he was deposed anno 1648, and was for that reason preferred to the bishopric of Dunkeld after the restoration; facts are so disguised, or tortured, as renders it incapable of being read with pleasure by any, except those who are as full of ill-nature as its author.

But the memoirs wrote by Dr. Gilbert Burnet, bishop of Salisbury, of James and William, dukes of Hamilton, and of his own time, deserve a more particular consideration. They are more moderate, and have a far greater mixture of integrity than the other, which, with the silence of presbyterians, are the cause that his sly thrusts at the reformation then attained, which are artfully interwoven with the rest of his narrative, have been suffered to pass without observation, and his misrepresentations, to be accounted as sterling truths, as the candid part of his narrative.

It lies not within my sphere to animadvert upon the doctor's mistakes; the following history, especially that part of it which is taken from principal Baillie's collections, who was himself so much engaged in the affairs of that time, and had so great access to peruse the public papers and writings of the covenanters, will be a better confutation of what he hath said amiss in point of fact, than any thing I can offer, and therefore I shall only beg leave to add, that, at the time the doctor wrote the memoirs of the dukes of Hamilton, the proceedings of the covenanters were, by several acts of parliament,¹ branded with the odious

¹ Acts 9, 15. Parl. 1. Charles II. anno 1661.

epithets of miseries, confusions, disorders, contempt, rebellion, and invasion of the king's person and authority; and it is not to be supposed that the doctor was, in the midst of a hot persecution for adherence to the principles attained in the former period, to fly in the face of authority, and say those proceedings were just and lawful, although for religion and liberty indispensibly necessary, though extorted by the violence of the king and the bishops: Nay, the doctor was in no hazard of erring upon that hand, for, anno 1673, when he got the allowance of king Charles II. to print those memoirs, and to dedicate them unto him, he was contentedly swimming with the tide of the time, and by that elaborate vindication of the dukes of Hamilton, or rather of the arbitrary measures of king Charles I. by whose orders they acted, he wanted to make his court by that illustrious family, and accordingly he was made professor of divinity in the university of Glasgow, and one of the chaplains of king Charles II. and no doubt would have been farther advanced, had not his after scruples concerning the test prevented it, as his dedication, the licence to print, and the preface, do plainly instruct, without ever entering on the memoirs themselves.

And though the memoirs of his own time, having been wrote after the revolution, when men might utter the sentiments of their mind freely, are done in a strain different from the former, yet a distinction should be made here also. So far as he writes of civil matters, I am willing to give him all the credit due to any other historian; but where he touches ecclesiastic affairs, there, he being a bishop, was still a party, and *lupus pilum non mentem*. Of this I must beg liberty to notice an instance or two in his introduction, which respects the period of our history. Pages 40, 51, he holds forth the most extraordinary, devout and pious of our reformers under the notion of hypocrites and enthusiasts: Thus, says he, p. 40. "Argyll was a pretender to high degrees of piety—War-

riston went into very high notions of lengthened devotions—and what thought soever struck his fancy, during these effusions, he looked on it as an answer of prayer." And speaking of Messrs. Dickson, Blair, Rutherford, Baillie, Cant, and Patrick and George Gillespies, whom he calls leading ministers, he says, "They were men all of a sort; they affected great sublimities in devotion; they poured themselves out in their prayers with a loud voice, and often with many tears; they had but an ordinary proportion of learning among them, something of Hebrew, and very little Greek, books of controversy with papists, but above all with the Armenians, was the height of their study." Again, p. 48. he says, "The ruling elders never came to the assemblies of the kirk till the year 1638;" and p. 52. "That the ministers forced all people to sign the covenant," &c.

Such loose assertions and profane sallies prove themselves to be the wounds of an enemy, not of a friend, and therefore may be the more easily borne with; yet it is a pity to find a historian, who has met with so much applause as Dr. Burnet, sell his reputation so cheap. Argyll and Warriston did face the axe and the gibbet rather than forego their profession, which was a better evidence of their piety than ever a diocesan bishop in Scotland at least, or even the doctor himself, was honoured to give. And for the ministers over whom he insults so much, one of them, I mean Mr. George Gillespie, got to heaven before the doctor was five years in the world, and most of the others were beyond the reach of his calumny before he could be well able to judge of preaching. For their learning, unless it could be shewed that the bishop had attained the knowledge of the divine right of episcopacy, it may be doubted if he knew one branch of learning which those ministers wanted, or if he even knew so many as some of them did. The works of several of them may, it is thought, vie with all the learning in the doctor's works: They are a most necessary antidote

against the poison of Arminianism with which some of them abound, and do challenge the whole generation of episcopals to display their learning and abilities, as much against the errors and vices of their time, as those ministers did against heresies and immoralities in theirs. I might further urge the large testimonies given by the English unto the learning of such of these ministers as were members of the Westminster assembly, in their Letters to the Church of Scotland; but, as some of these are printed with their acts, that were unnecessary. I shall only add, in farther support of what I have here said, that so great veneration had this nation for the memory of Mr. George Gillespie, (and possibly, had I as great advantage of information concerning the rest, I might be able to condescend on the like marks of respect shewed to them) that the committee of estates, by an act dated the 20th of December 1648 years, do, as an acknowledgment for his faithfulness in all his public employments entrusted unto him by this church, both at home and abroad, his fruitful labours and indefatigable diligence in all the exercises of his ministerial calling for his Master's service, and his learned writings published to the world, in which rare and profitable employments, both for church and state, he truly spent himself and closed his days, ordain the sum of L.1000 sterling to be given to his widow and children; and the parliament, by their act, dated June 8, 1650, did unanimously ratify the act above narrated, and recommended to their committee to make the same effectual; but the usurper, overrunning the country, frustrated this good design, as that eminent minister's grandson, the Rev. Mr. George Gillespie minister of the gospel at Stramiglo, doth inform me.

Touching the non-admission of elders into assemblies, and the ministers compelling all to take the covenant, which are the other parts of the doctor's charge, I shall not enlarge this preface with anticipating the full confutation of them in the following History.

The part that I have acted in collecting that history, is what I should next account for. At first I resolved to publish Mr. Baillie's letters and papers alone, and in the order he hath collected them, both because this was desired by some, and because the doing so would have saved me of immense trouble and labour; but, when I came to look more narrowly into these collections, and laid them before some gentlemen who could give me proper advice, that resolution was judged very inexpedient, because these collections were not prepared for public view; they contain only a heap of unconnected letters and papers, which the principal thought proper to preserve. A great number of those letters are either wholly or in part exhausted with friendly correspondence, or private affairs; some of his papers respect secular affairs, others of them only private causes, and what concerns the public consists partly of letters to his cousin, Mr. William Spang, then minister of the Scots congregation at Campvere, or to his brethren and others, containing the history of the affairs of the time, and partly of acts of parliament, privy-council, and assembly, proclamations, petitions, protests, and other vouchers of the facts related in those letters, many of which are already in print, but then they are so interspersed as quite to mar the thread of the history; sometimes what happened last in time is placed first in order: Again, the same facts are sometimes engrossed partly in one letter and partly in another, and some of them oftener than once; and for his vouchers, these are frequently engrossed, not as the connexion of purposes require, but as they came to hand, so that it evidently appears, these collections are no more than a heap of materials, and to be sure excellent ones they are, for a history from the year 1637 to the restoration, which the author never accomplished farther than is done in the two pieces aforementioned.

Being thus laid under a necessity to deviate from my first resolution, I judged proper to furnish myself with all

other assistances possible, as well for rendering the history betwixt the years 1637 and 1650 more complete, as to make up the chasms in the preceding and subsequent periods, and happily procured those I have formerly named.

And, to satisfy my readers that I have studied their gratification more than my own ease, I reckon myself bound to inform them, that my general method is to make contents of every thing that seems memorable in all my authors, written and printed, each year by itself, and having thus laid before me the accounts given by every one, I pick out all that seems entertaining and of good authority in either, and so it comes to pass, that before the year 1637, I sometimes refer to different authors, according as they furnish new matter, but after that time, Mr. Baillie's collections being more full, and of greater authority than any I have seen, I omit nothing in the historical part of his letters that seems of public and perpetual use; from others I excerpt only so much as seems needful to supply or illustrate what is overlooked or but generally touched by Mr. Baillie; and, as he hath taken the trouble to collect most of the public papers respecting church and state in that period, I judge it incumbent upon me, as well for the preservation of so valuable monuments, as for supporting the credit of his relation, to give the copies of such of them at least as are not already in print; and where these natively make part of the narrative, I engross them as they occur, if otherwise I refer them to the appendix.

The following History bears the title both of Church and State, because, though I dip little farther in civil affairs than as they are connected with ecclesiastic, yet these are so interwoven, that I behoved to be somewhat particular in the one as well as the other, and might have hurt both by separating them.

As the credit due to this history doth lie wholly upon the authors from whom it is collected, I thought to have condescended on their names in the title page; but these turned so numerous as to ren-

der that impracticable, and so I was obliged to refer the most of them to this Preface.

The length of the Introduction is according to the desire of some for whose opinion I have a great regard. It was thought needful, for the better understanding the history of the period on which the following treats, first, to shew in what manner our reformation from popery was effectuated,—what was the government of the Church of Scotland from that time to the year 1596,—what sanction of authority, ecclesiastic and civil, the reformation had in Scotland during that period,—and by what degrees the church and state did afterwards recede from the purity of it; and it was judged that a fair representation of these would contribute very much to the vindication of the reformation carried on after the year 1637 from the obloquy cast thereon by some pretended protestants, who inadvertently condemn many things in the latter, which are justified by the parallel procedure which took place in the former, and in so far strike hands with papists, and weaken protestants.

I am sensible that a relation of facts, without making reflections upon them, is reckoned flat or insipid, and therefore I ventured to make a few upon the Introduction; but as some of my best friends were afraid these might give occasion to suspect the work of partiality, I venture upon very few in the History itself, and these only when they are afforded by authors of the best judgment, and seemed necessary for illustrating the truth of facts, choosing rather to be accounted a flat than a party writer.

Yet, after all the caution I have used, there is no doubt, that, in this time of so divided sentiments, the undertaking will be regarded as differently as parties stand affected to the matters it treats of: But the pleasure of parties is what I do not expect, and therefore I have endeavoured to keep each as much out of my view as they could be out of my authors', and to hold close to the truth of their relation, without changing the style even

of the narrative, where the antiquity of it might not disoblige modern ears.

In the Proposals, I concealed my being the collector of the following History, both because I have an aversion at appearing under the notion of an author, and that my authority can be of little use to any thing. But several of my friends and advisers having signified their utter dislike of history coming forth in an anonymous way, and, it being impossible, considering the various hands I am obliged to deal with, to conceal my share in this, I have presumed to prefix my name, hoping that, as I have only the trouble of collecting what others have laid to my hand, the unprejudiced readers will receive it as the testimony of those I refer to; and, for others, if

they doubt, let them search as I have done, and then, if they are not in Pyrrhon's condition, they will believe their own eyes.

I am only sorry that I have not been able to make this collection with greater advantage to the interests of religion, and to commemorate the mighty acts done by the Lord at that time, in a way more suitable to the dignity of the subject. But seeing I have done my best, and taken so much pains to collect materials, and point out where others may be had, it is hoped that some person of a more happy genius will be so kind as treat the history of that period according to its true worth and excellence.

INTRODUCTION.

A SHORT ABSTRACT OF THE STATE OF RELIGION IN SCOTLAND, FROM THE EARLIEST AGES OF CHRISTIANITY TO THE PRESENT TIME.

WHEN the publication of a history of the Church of Scotland betwixt the years 1637 and 1652 was first proposed, there was no view of getting proper materials for extending the design much further: but several friends to the work having since expressed their desire to have the history of our church still more complete and useful, by prefixing to what was formerly proposed, the history of the period from the death of king James VI. where Mr. David Calderwood and archbishop Spotiswood leave off, to the year 1637 when our first reformation from prelacy took its rise; and by subjoining the history of the period from the year 1652, when our national assemblies were suppressed, to the restoration, when Messrs. Wodrow and Crookshank begin their histories; great diligence has been used to gratify so reasonable a request. And it is with pleasure we inform the public, that Providence hath so far favoured the design, that, besides the copy of Principal Baillie's collections, with which we set out, several other old manuscripts and good helps, afterwards mentioned, are since come to hand: and, from these materials, it is hoped, that the chasm in our history from the year 1625 to the year 1660, will be found tolerably, if not sufficiently supplied.

But, before we enter upon this task; in regard the far greatest part of the present age seem to have little or no knowledge of that gross idolatry and abominable superstition to which their forefathers were enslaved, nor of the cruelties

exercised upon such of them as renounced the antichristian yoke; or if they have any acquaintance with our reformation from popery, yet seem to be quite ignorant of the former reformation from paganism, and consequently must be proportionably ignorant of the great deliverances which God hath so often wrought for us, and unthankful for the same: it seems needful, as well for inciting us to thankfulness, as to keep in view the connexion of our history, and the grounds upon which so many remarkable events as from time to time took place in this land, have proceeded, to go as far back as the first planting of Christianity amongst us, and to trace a few of the wonderful steps of divine Providence in preserving that religion, amidst all dangers, down to these later times. And this, for the sake of order, we shall do in the following sections.

SECT. I.

Of the first planting of Christianity in Scotland.

THE glorious Jehovah having promised to our Redeemer "to give him the heathen for his inheritance, and the uttermost parts of the earth for his possession;" it is long since he went forth, with his crown and with his bow, conquering to himself the kingdom of Scotland; which was justly reckoned amongst the rudest of the heathen nations, and is evidently among the uttermost parts of the earth, from which songs have been heard, even glory to Jesus Christ the Righteous.

Tertullian testifieth¹ that the Christian religion began to be propagated

¹ Lib. contra Judcos.

amongst the Scots soon after the ascension of our Saviour. But who they were whom God employed as instruments in that happy work, is less certain. Nicephorus writes¹ that Simon Zelotes came at last to this isle of Britain, and there preached the gospel. Others of no less credit, as Clemens and Theodoret, say² that the Apostle Paul taught righteousness to the whole world, that he went to the utmost bounds of the west, and brought salvation to the isles of the sea that lie in the ocean. But the opinion most commonly received³ is, that under Domitian's persecution, which began in the ninety-sixth year of the Christian era, some of the disciples of the Apostle John fled for refuge to our island, and there taught the faith of Christ; which gained ground by little and little, until many were brought to the Redeemer's light, and our kings to the brightness of his rising. For about the year 203, at which time king Donald I. began his reign, that king, with his queen, and several of his courtiers, were solemnly baptized, and set about the rooting out of paganism, and planting of Christianity. But the emperor Severus entering into Britain with a great army, and penetrating even unto our northern parts, that expedition mightily disturbed this king's measures, and religion was at a stand until the succession of king Cratilinth, anno 277, who took special care to extirpate the old heathenish rites and ceremonies, and expel the Druids, a sort of priests who celebrated sacrifices and performed their other rites in groves, with leaves and branches of oak; whence, saith Pliny, they were called Druids; and this work was the more difficult, that these Druids being men of learning and policy, the decision of controversies was committed to them, and they were held in great esteem among the people.

But that which greatly promoted the

¹ Spotiswood's History, p. 2.

² Clementis Romani Epistola, p. 14. Theodoret, tom. i. in Psal. 116. p. 870.

³ Boeth. lib. vi. Buch. lib. iv. Preface to Knox's History.

propagation of the true religion in Scotland, was the persecution raised by Dioclesian, in the beginning of the fourth century⁴ which God over-ruled for our good. For the persecution in the south parts of Britain being so hot, that, saith Gildas, "The churches were thrown down, and all the books of the Holy Scriptures that could be found, burnt in the streets, and the chosen priests of the flock of our Lord, with his innocent sheep, murdered:" This brought many Christians, both preachers and professors, into this kingdom, who were all kindly received by king Cratilinth, and had the Isle of Man, then in the possession of the Scots, given them for their residence, and sufficient revenues assigned for their maintenance.⁵

At the same time there lived in this kingdom several diligent and zealous preachers,⁶ who laid aside the cares of the world, dedicated themselves wholly to God's service, instructed the ignorant, comforted the weak, administered the sacraments, and trained up disciples for the same service. These men, for their single and retired life, were called *Μοναχοι*, or monks by abbreviation. From their joint worshipping of God they were called Culdees; which Boece thinks did signify as much as *Cultores Dei*, the worshippers of God;⁷ and they were held in such reputation for holiness of life⁸ that the very cells wherein they lived, were after their death turned into so many temples or churches. From hence the custom arose afterwards amongst the ancient Scots, to call temples cells; some of which, saith the preface of Knox's history, retain the name with small variation to this day; as Kilmarnock, Marnock his church; Kilpatrick, Patrick his church; Kilmalcolm, Malcolm his church; &c.

Yet this felicity did not continue long; for about the year 360, Maximus the Roman prefect or governor, being intent upon bringing the whole British isle under the imperial yoke, did practise

⁴ Pref. to Knox. ⁵ Spotiswood, p. 3.

⁶ Pref. to Knox.

⁷ Lib. vi. ⁸ Buch. lib. iv.

secretly with the Picts for rooting out the Scots, and promised that all the lands which the Scots possessed should be theirs. The Picts greedily embracing the offer, joined their forces to the Romans; and both invaded the Scots, whom they totally overthrew, and slew our king Eugenius or Ewen, with the most part of his nobility.

This defeat was followed with an edict, commanding all the Scots of whatever age, sex, or condition, to depart out of this isle before a certain day, under pain of death;¹ which was so rigorously executed, that all (except a few churchmen who, wandering from place to place, got privately into Icolmkill) went into exile to the Æbude or Western Isles, Scandlia, Denmark, or wherever God in his providence led them; so that never was any church or kingdom brought to greater desolation.

During the exile of our countrymen, which Bœce² reckons 44, and Buchaman³ only 27 years, those who retired to Ireland essayed once or twice to re-

possess themselves of their native country, by the help of the Irish; but they were as often driven back. At length, in the year 404, Fergus II. grand-nephew of king Eugenius, being then in Denmark, and become famous for his military valour; hearing that many of the Roman forces were called home, and receiving repeated entreaties from his countrymen to attempt the deliverance of their country, and an offer from the Picts, now galled with the Roman yoke, to restore all they possessed belonging to the Scots; he prepared to return; and was joined by many volunteers, Goths, Danes, and others, besides such of the Scots as were exiles in those parts; and arriving in his own country, he was crowned with the usual rites. The spreading news of his success brought out to him from all quarters numbers of people, by whose assistance he in a short time recovered all the country out of which the Scots had been expelled.

Matters being so far settled, Fergus

recalled the Culdees out of all their lurking places, restored them to their livings, repaired the ruined churches, and in the isle Iona, (which I take to be the same with Icolmkill) he erected a religious house with a library.

About this time, the Britons being infected with the Pelagian heresy,⁴ Celestine, then bishop of Rome, took occasion to send to them a learned man, named Palladius, who, joining with the orthodox, convinced the church there of the heresy of Pelagius.⁵ Eugenius II. son of Fergus, hearing of this success, and being most desirous to purge the church in his kingdom, where that heresy had also found access, sent for Palladius; who, after liberty granted to him by Celestine, and injunctions to introduce the hierarchy as opportunity offered, repaired thither, and succeeded in his embassy, both of confuting Pelagianism, and, which was more easily obtained on that account, he also gained so far upon the simplicity of the churchmen, that, after some small opposition, they consented to take new governors of the church, who were to have pre-eminence above their brethren.⁶

Hitherto, that is, till the middle of the fifth century, the Scots had nothing to do with the Roman pontiff, nor was the power and name of a prelate known to our nation. Venerable Bede witnesseth⁷ "that Palladius was sent unto the Scots who believed in Christ, as their first bishop." Prosper in his chronicle giveth the same testimony; and Bœce⁸ saith, "that Palladius was the first of all who did bear holy magistracy among

⁴ Pelagians (so called from Pelagius, a monk at Rome, afterwards a presbyter under Theodosius the younger) deny original sin inherent; and maintain, That faith is a thing natural; and that good works done by the strength of our own free will, are conform to the law of God, and worthy of the kingdom of heaven. Whether all or only part of these errors were, at that time, infecting the Scots, is unknown: but the reader may find them all clearly detected in a book, intitled, Truth's Victory over Error, chap. 6, quest 1; chap. 9, quest. 1; chap. 14, quest. 1; chap. 16, quest. 3, &c.

⁵ Buch. lib. v.

⁶ Ibid. and pref. to Knox.

⁷ Hist. England, lib. i.

⁸ Lib. vii. cap. 28.

¹ Buch. lib. iv. ² Lib. vi. ³ Lib. v.

the Scots, being made bishop by the great pope."

Seeing then, that the Scots had no bishops before Palladius, let us next enquire, what other order of preachers or teachers they had amongst them. And here also we may adduce other three witnesses, who agree, that the Scots had for teachers of the word, presbyters only, or monks, names of common acceptation in those days. Thus Fordun, in his Scottish chronicle, saith,¹ "That before the coming of Palladius, the Scots had for teachers of the faith, and ministers of the sacraments, presbyters only, or monks, following the custom of the primitive church." John Mair, speaking of the same Palladius, saith,² "The Scots were instructed in the Christian faith by priests and monks, without any bishop." And Buchanan saith,³ "To that time (speaking of the coming of Palladius into Scotland and changing the government) the churches were ruled by monks, without bishops."

It is true, that before that time the Culdees, having chosen out from among themselves some men the most eminent for piety, knowledge, and wisdom, to oversee the rest, and to keep them to the discharge of their duty, the scarcity of those times so requiring, these overseers or superintendents are called by some authors who wrote of that time, *Scotorum Episcopi*. But then, it is as true, saith Fordun,⁴ "That in the first primitive church, the office of bishops and priests were common to the one and the other; and both the names were common, and the office common to the one and the other." This is further evident from the manner of their admission to the pastoral office; which Baleus declares,⁵ to have been by the "ministry of the word of God, chosen by the suffrage of the people, after the custom of those of Asia," which all who understand any thing concerning those matters, know to have been utterly inconsistent with the

manner of the admission of a diocesan prelate; and others who are ignorant thereof, may easily satisfy themselves by consulting the learned chancellor King's Inquiry into the origin and constitution of the first Christian churches.

Nor were the Scots much troubled with bishops several ages after Palladius. For diocesan bishops, we had none until the reign of king Malcolm III. in the eleventh century. And that there were only four others who had the bare title of bishop during the first thousand years after Christ, and who, without any divided dioceses, or superiority over others, governed the church in common, by the holiness of their lives, is averred by no less authority than that of the General Assembly of the Church of Scotland 1640.⁶ And venerable Bede, though himself an advocate for the Roman pontiff, shews⁷ that the bishop was obedient to the presbyter, in the island Iona. Bishop Spotiswood likewise testifies,⁸ that the bishops we had before the eleventh century, exercised their functions indifferently in every place to which they came.

Nevertheless, he seems angry at those writers who maintain that our church was, before Palladius, governed by priests and monks, and would have the world believe that there was no government in the Church of Scotland but what was prelatical; and being sensible that the monks mentioned by the authors formerly noticed, belonged not unto his prelatical order, he thinks he hath sufficiently refuted them, by taking for granted, that, for a long time after this, it was not permitted to monks to meddle with matters of the church. Now, though the testimony of so many famous historians must have more weight with reasonable men, than the testimony of this prelate, writing in his own favours; yet for clearing the matter a little further, let us, with Dr. Stillingfleet, observe,⁹ that St. Patrick was the first who

⁶ Letter to the Helvetian churches.

⁷ Eccl. Hist. lib. v.

⁸ Hist. p. 29.

⁹ Origines Britannicæ, cap. i.

¹ Lib. iii. cap. 8. ² Lib. v. ³ Lib. iii.

⁴ Fordun. lib. iii. cap. 8.

⁵ Hist. Britons, cent. 14, c. 6.

brought over the monastic order into Scotland in the fifth century, some ages after the first planting of Christianity; and therefore, supposing with the archbishop, that his popish monks, a set of people who live in monasteries, under vows to observe the rules of their founders, were not as yet permitted to meddle with church matters; this argument concludes not against our Scottish priests or presbyters, who were rather nicknamed monks, because of their frequent retirement unto their devotions, than that they justly deserved that name. This sort of monks, saith Buchanan, "were called Culdees, whose name and order continued, till a later sort of monks, divided into many sects, expelled them. Yet these last were as far inferior to the former in learning and piety, as they exceeded them in wealth, in ceremonies, and in pomp of outward worship, by all which they pleased the eye, but infatuated the mind."¹ But this by the way.

Although by Palladius prelacy 600. was brought into the Church of Scotland, and by that means the government of the church was by degrees changed; yet, for near two centuries thereafter, it may be reckoned a golden age, when compared with the following times.² There were then a number of pious and wise men, as Columba, Libthae, Ethernan, Kentigern nicknamed Mungo, and others, still remaining, who were not only careful to maintain the main doctrines of the true religion among themselves, but they discovered their love to our Lord Jesus Christ, in their assiduous endeavours to bring others unto him. And therefore as Patrick, commonly called St. Patrick, a native of Kilpatrick, about ten miles west from Glasgow, and other Scotsmen with him, are said³ to have converted the then barbarous Irish to the faith of Christ, in the fifth century; which was afterwards promoted by Finan, Constantin and Columba: so, in the beginning of the seventh century, Oswald, a

Northumbrian king, who had lived in exile among the Scots, when he came to his throne, in order to make his subjects partake of the advantages of Christianity, sent to Scotland, where he had been formerly educated, to desire some persons of character and learning to come and instruct his people.⁴ The Scots sent him Aidan, a man highly commended by Bede⁵ for his piety and learning, though not conform to the rites of the church of Rome. Several other Scotsmen went to his assistance;⁶ as Finan, Colman and Diuna, men whom Bede represents as eminent for their great love of God, for a regular life, and as great observers of piety and chastity, which they learned out of the Holy Scriptures, who preached with unwearied application, not only through all Oswald's, but also in some of the other Saxon dominions. Which, saith the learned Sir James Dalrymple,⁷ was the reason that the people in those parts maintained the ancient doctrine and practice of the Church of Scotland, in opposition to the spreading novelties and growing usurpation of the church of Rome, which were industriously propagated, after the middle of the seventh century, by the disciples of Austin the monk.

Mr. Robert Miller, minister at Paisley, who is yet alive, venerable for his old age, useful learning, and great diligence, taketh notice, in his excellent history, several times already noted on the margin, of other Scotsmen whom God honoured to propagate the true religion throughout the world; as Chilenus, a Scotsman, who persuaded those of the province of Artois to receive the Christian faith; Gallus and Columbanus, two other Scotsmen, who founded many churches in several parts of Germany, especially in Suabia; and Chilianus, another Scotsman, who converted the Upper Franconia. The English and Scots were employed in the like work in other parts of Germany; for many numerous

¹ Buch. lib. iv.

² Pref. to Knox.

³ Miller's History of the Propagation of Christianity, vol. ii. p. 95.

⁴ Miller, p. 124.

⁵ Eccl. Hist. lib. iii.

⁶ Miller, vol. ii. p. 130.

⁷ Historical Collections, chapters iv., v., &c.

ecclesiastic colonies went from Britain to that empire.¹

Thus we see, that, during the first ages of Christianity, religion not only flourished amongst ourselves, but commission was given to break forth on the right hand and on the left; and our countrymen were in the midst of many people as a dew from the Lord, and as the showers upon the grass. But I go on to

SECTION II.

Of the Apostacy of the Scottish Church unto Popery.

NOTWITHSTANDING the felicity enjoyed by our church during the former ages of Christianity, as hath been in part shewed, yet, from the middle of the fifth century, it is reckoned that popery began to work in this land. For, there being such a near affinity betwixt the orders, rites, and ceremonies of popery and prelacy; that, as recent experience of the conduct of our prelatists both before the year 1638 and 1638 teach us; men of these principles had generally more favour to papists than presbyterians, and as fast as the civil powers were disposed to give way, took large steps towards popery. So, it appears, that from the first introduction of prelacy into this land, it proved both the cause and effect of popery.

Palladius having, from Rome, brought in bishops upon us, his next care was to provide for this new order; which, under pretext of piety, was easily obtained; and dismal were the consequences of this innovation. For, as in bodies too corpulent, the due use of the members ceases, the clergy gradually apostatized from the life, spirit, and practice of true religion, into superstitious ceremonies and abominable idolatry, which were authorized and promoted by false miracles; and our laity not adhering to the truth, but giving themselves up to implicit faith and blind obedience, God was provoked to forsake them; and they became a prey to Satan and his popish instruments, insomuch that, against the

¹ Miller, vol. ii. p. 131.

beginning of the cleventh century there was scarce any track of true religion left, and a long night of error and popish darkness overwhelmed their posterity for near five hundred years thereafter.

The causes of this apostacy, which proved almost total and universal, have been slightly touched at in the foregoing paragraph. Yet, as those dreadful examples will be of special use, if they teach us to avoid splitting on the same or like rocks, the reader will no doubt bear with our being somewhat more special here: And,

1. Unhappy divisions and confusions, especially among the ecclesiastics, seem to have paved the way to this apostacy.² In the seventh century there fell out a hot contest, betwixt Austin and his disciples on the one part, and the Scots and Britons on the other, about certain Romish impositions; as the time of keeping Easter, trine immersion in baptism, and the tonsure of priests, &c., which the former strenuously urged, but which the latter would neither receive, nor would they submit to the authority that imposed them. Each side ran pretty high, which ordinarily turns out to be the case where a small matter is the bone of contention. Those of the Romish stamp would not receive imposition of hands from those of the other party; who were not behind with them in stiffness. Two synods were convoked for adjusting matters between the contending parties; but the difference could not be settled, in regard each party contended for the imposition of their faith upon the other. Besides, there was a conference about those differences at Whitby, in Yorkshire; where Oswy, king of the Northumbrians, arbiter betwixt both parties, having determined in favour of the Romanists, the notions of the old British and Scottish christians, which they professed to have received out of Greece from the disciples of St. John, Polycarp, &c., were rejected with contempt, and those of the Roman stamp admitted, as much more safe and modish.

² Miller, vol. ii. p. 129.

After this time, saith Spotiswood, we find a continual declining in the church. The forementioned decision increased the dissension, and put all things into confusion; those in authority urging the rites with rigour, and the other choosing rather to quit their places, than yield to such innovations.¹ And when this was the case, it is easy to judge what behoved to be the consequence.

2. Another source of this apostasy was the misfortune of our princes, Edgar, Alexander, and David,² who, having been forced abroad by the usurpation of Donald Bain, imbibed the poison of the Romish principles; and after their return in the end of the eleventh century, they diffused their tenets among the nobility and great men of their court, by the help of clergymen whom they brought with them, which, in the end, had the force of a law to the common people, according to the old proverb, *Regis ad exemplum totus componitur orbis*: and pity it is, that notwithstanding of such a monitor in our history, so many attempts have been made in the late times, for bringing us under the like influence.

3. The luxury of the clergy seems to have been another principal cause of this defection.³ For not being content with the provision of suitable livings to themselves, and having secured both prince and people to their interest, they, in a convention of the states at Forfar, in the reign of that too indulgent prince Gregory, who began to reign in the year 886, obtained an act, ordaining,⁴ "That all priests should from thenceforth be exempted from paying tribute, keeping watch, and going in warfare; that they should not be drawn before temporal judges, for any civil cause; but that all matters concerning them should be decided by their bishops; the judgment of matrimonial causes, right of tithes, testaments, legatory actions, and all things depending upon simple faith and promise, should be committed to the bishops, with power to them to make canons

and constitutions ecclesiastical, to try heretics, blasphemers, perjured persons, and magicians, and censure such as they did find delinquent in that kind; and that all kings succeeding should, at the time of their coronation, take oath for maintaining the church in their liberties." Nor did even these favours satisfy the aspiring clergy; they must needs be made lords in the state. The archbishop of St. Andrews himself testifies,⁵ that until the eleventh century the few bishops we had before that time, administered their functions indifferently in all places to which they came; but that after that time they behoved to be distinguished by dioceses. Accordingly king Malcolm III., a prince excessively profuse to churchmen, erected the following bishoprics, viz. St. Andrews, comprehending the bounds of Fife, the Lothians, Merse, Angus, Merns, and Stirlingshires; next, Glasgow, comprehending the west parts and borders; then Galloway, comprehending the country which yet bears that name, Murthlac (now Aberdeen), and Murray and Caithness, all which he provided with suitable revenues. He likewise built the church of Dunfermline. In the beginning of the 12th century, king Alexander founded the abbeys of Seone and St. Colm. But the profuseness of his successor king David did yet exceed that of his predecessors. For he erected the bishoprics of Rosse, Brechin, Dunkeld, and Dunblane, with the abbeys of Jedburgh, Kelso, Melrose, Newbottle, Holyroodhouse, Kinloss, Cambuskenneth, Dundrennan, and Holmcultram in Cumberland. He founded likewise two religious houses at Newcastle, with two monasteries, one at Berwick, and the other at Carlisle; all which he provided with considerable revenues. Neither was his liberality an antidote against his successor's extravagance that way, for king Malcolm IV. erected the abbeys of Cupar in Angus, and Soutray in Lothian, and a religious house at Manuel. King William erected the abbey of

¹ Spotiswood, p. 18. ² Dal. Col. chap. v.
³ Spotiswood, p. 26. ⁴ Spotiswood, p. 26.

⁵ Spotiswood, p. 29.

Aberbrothwick, and his queen the abbey of Balmerino. Many of the succeeding kings were likewise seized with the same superstitious zeal; but it were endless to go through their works of this kind. Yea, the subjects also strove to outdo one another in this respect: for, in the county of Ross, the lord Bisset founded Beawly for monks; one M'Culloch, a man of great wealth, founded the priory of Archattan in Lorn; Adhama, grandmother to king Alexander II. founded the abbey of Haddington; another was erected at North Berwick by Malcolm earl of Fife, who also founded the abbey of Culross; Dornagilla, the daughter of Allan, lord of Galloway, erected a monastery at New-abbey; and which is every way as surprising; Gilbert, earl of Strathern, having divided his inheritance into three parts, gave one third of it to the see of Dunblane, another to the abbey of Inchaffray, reserving to himself and his heirs the other third only.¹

And as the clergy abounded in wealth, they endeavoured to be equal, if not superior, to all others in power: which the nobility repining at, and complaining of it to Alexander III. who reigned after the middle of the 13th century, Buchanan tells us,² they excommunicated every soul except the king, and in great wrath determined to go to Rome. But the king remembering what great commotions Thomas Becket had lately made in England, called them back from their journey, and caused the nobility satisfy not only their avarice, but even their arrogance.

The foregoing instances among many others that might be pointed out, do clearly shew what a fatal ascendant the popish clergy had over the judgment and affections of all ranks. And the reader will easily figure to himself what a miserable situation our country must have been in, when a number of the pope's shavelings had thus enhanced their wealth and possessed themselves of a great part of our land-estates. Yet

this were the less to have been grudged if their spiritual estate had been thereby bettered. But the very reverse of that was the case. To diligence in the discharge of the pastoral office, succeeded idleness; to zeal, lukewarmness; to learning, ignorance; to piety, superstition; to humility, pride; and to virtue, wickedness. For, says Buchanan,³ "the sparks of wit oppressed by luxury, languished in the abbeys, and the seeds of all vices sprung up in them, as in an uncultivated field." And,

4. A fourth cause of so great apostacy was the pope's exorbitant power, generally acknowledged over all Christendom, and particularly in Scotland. Archbishop Spotiswood informs us,⁴ that in the year 1159 or thereby, one Roger, who at that time held the see of York, having procured of pope Anastasius IV. a bull whereby he was designed metropolitan of Scotland, and afterwards found the favour to be made legate of Scotland; some of the Scots clergy appealed to pope Alexander III. who gave sentence against Roger, and declared the Church of Scotland free from all spiritual jurisdiction, "the apostolic see only excepted." The same author likewise informs us,⁵ that king William having done an act of injustice much to the good liking of pope Innocent III., that ghostly father sent to the king a large bull of privileges, whereby the Church of Scotland was excommunicated from all ecclesiastic censures, "the pope himself, and his legate *a latere* only excepted." It was also declared, that it should not be lawful to any to excommunicate the king and his successors, or yet to interdict the kingdom, "but the pope or his legate;" and that no stranger should exercise any legation within the realm, "except a cardinal, or such an one as the conclave did appoint." And to instance in one case more,⁶ the Scots being oppressed by king Edward I. of England, during the contests for the crown betwixt Bruce and Baliol, in the thirteenth century; and their clergy

¹ Spotiswood, p. 34.

² Lib. vii.

³ Lib. vii.

⁴ Spotiswood, p. 38.

⁵ Spotiswood, p. 41.

⁶ Ibid. p. 49.

having sent a message to the pope, entreating him, as the universal father of Christendom, to use his authority with the king of England, over whom he had power, and take the matter to his own hearing, to whose judgment they would simply submit themselves; pope Boniface VIII. sent immediately to king Edward, and desired him "to forbear any further proceedings against the Scots;" alleging with a strange impudence, "that the sovereignty of Scotland belonged to the church."

Nor did his holiness only assert, but also exercise this his usurped supremacy, in a great variety of instances. The author last mentioned observes,¹ that the Roman pontiff having advanced himself above kings, pope Urban II. ordained King Edgar to be anointed with external oil, by the bishop of St. Andrews, in the year 1098: And to look for once into our neighbouring country, King Henry VIII. of England received from the pope the epithet of Defender of the Faith; which things were indeed looked on by the ignorant multitude as new degrees of royalty, which their ancestors had not enjoyed; but in fact were no more than new marks of antichrist's arrogance, and their vassalage to him. Add thereto his instituting and imposing upon our church new and unscriptural offices and titles of dignity, as those of archbishop, metropolitan, and primate, all in the person of one Graham, bishop of St. Andrews, anno 1472,² and of cardinal, conferred upon David Beaton, in the year 1538:³ his introducing amongst us great swarms of his own creatures, for the better securing of our allegiance to him; such as the Templars or red monks, the monks called *Vallis Umbrosae*, the Trinity monks of Aberdeen, and Cistercian monks; the Carmelite friars, Blackfriars, Grayfriars, Carthusians, Dominicans, Franciscans, Jacobines, Benedictines, and other such devourers of the souls and substance of men: and, which doth exceed all the rest, his several times interdicting of our

kingdom, and his clergy amongst us, such as they were, from all religious exercises, until, by large presents, and great submission, the coin which passed current for repentance in those days, they reconciled themselves to the Romish see: a practice only becoming him who sitteth in the temple of God, and exalteth himself above all that is called God.

And yet so intoxicated were our ancestors with this ecclesiastical fascination, that they generally, yea almost universally, submitted to the afore-mentioned, and other such like usurpations made upon them. This is pretty evident from the preceding narrative; and therefore we need only further add, that pope Urban IV. having ordained that every bishop and abbot, though elected according to the order observed in Scotland, should travel to Rome for consecration, no fewer than four took that route in the year 1271,⁴ and these were afterwards followed by many given to ambition and avarice, who, finding that course the way to preferment, did their utmost to advance the interest of Rome. Yea, to such abject submission were they arrived, that being put under interdiction by authority of pope Innocent III., the churchmen ceased from their ordinary services, and no religious exercise was performed by any through the whole land, until the Scots king and clergy were absolved from the legate's censures, and the kingdom released from the interdiction.

The reader will easily perceive by this sketch, what a fearful hour and power of darkness we have here; what policy, and anon what rage and tyranny of the pope and his delegates; what compassing of sea and land to make proselytes to popery; what enticing of one another to worship the beast and his image; what madness and blindness of our rulers civil and ecclesiastic, and what desperate efforts of the infernal host, all conspiring to bind us fast in antichrist's fetters.

¹ Hist. p. 32. ² Ibid. p. 58. ³ Ibid. p. 67.

⁴ Spotiswood, p. 46. ⁵ Ibid. p. 42.

SECTION III.

Of the opposition made unto Popery in our land, the sufferings and martyrdom of many on that account, and several other remarkable events until the time of the Reformation from Popery.

NOTWITHSTANDING the desperate misery of this church and land represented in the former section, yet thanks be to God, this worse than Egyptian slavery did not prevail always, nor over all alike. The Lord left not himself without a witness amongst us even in the darkest times of popery. And though we may reasonably conclude that the monuments thereof were rather suppressed and destroyed, than preserved and transmitted to posterity; yet the authors from whom we have been already gleaning, have been careful to pick up such fragments as do in part clear this truth, and of these we give the following instances.

Honourable mention is made^d of Clemens and Sampson, two famous Scots Culdees, who, in the seventh century, opposed the corruptions of one Boniface, a great agent for Rome; and in their sermons did openly inveigh against him as a corrupter of the doctrines of Christianity, charging him, 1. That he studied to gain men to the subjection of the pope, and not to the obedience of Christ: 2. That he laboured to establish a sovereign authority in the pope's person, as the only successor of the apostles, excluding other bishops: 3. That he endeavoured the abolishing of priests' marriage, and extolled the single life beyond measure: And, 4. That he caused masses to be said for the dead, erected images in churches, and introduced divers rites unknown to the ancient church. For this, Clemens, in a council holden at Rome, was excommunicated, and condemned as an heretic.

800. Never did this country abound more with learned men than in the eighth century. Our writers² speak of many: but those that king Achaius sent to Charles the Great, upon his earnest en-

treaty, did excel all the rest, Joannes Scotus, Claudius Clemens, Rabanus Maurus, and Alcuinus; these four he sent, with his brother prince William, into France; who, at the head of 4000 Scots, shared in all the glories of the French in those days. Scotus, after he had stayed some years at Paris, was employed by the same Charles in founding an university at Pavia, and was in great respect with all, except the Roman church, who could not bear with the liberty he used in his reproof of the errors then springing up. His treatise of the Eucharist, a pious and learned work, was by pope Leo IX. condemned in a synod at Versailles in the year 1030, long after his death. Alcum, commonly held to be Charles the Great's master, was made his eleemosynar, and lived in special credit with him. The book that was published under this king's name, against images, was thought to be penned by him; for he was a man of great learning, as the many books left by him to posterity do shew. Rabanus Maurus was his auditor many years, and by his instruction arrived at such perfection of learning, that it is said neither did Italy breed his like, nor Germany his equal. Clemens likewise gave evidence of his great learning; and was therefore highly preferred, first, in France, and thereafter in Germany.

In the ninth century both prince 900. and people finding, by woful experience, the idleness, pride, ambition, avarice, and luxury of churchmen; therefore at Seone under king Constantine II. there was held a convention of the states for reforming the disorders of the church, where it was ordained, That churchmen should reside upon their charge: That they should not intermeddle with secular affairs: That they should instruct the people diligently, and be good examples in their conversations: That they should not keep hawks, hounds, nor horses, for their pleasure: That they should carry no warlike weapons, nor be pleaders of civil causes; but live contented with their own provisions: And if they failed in the observance of these injunc-

* Pref. to Knox. Spotiswood, p. 20.

² Spotiswood, p. 22. Miller, p. 140, &c.

tions, they were to pay a pecuniary mulct or fine for the first transgression, and be deprived both of office and benefice for the second.¹ This was indeed an excellent statute for such a time. But the indulgence of the next prince, Gregory, rendered it abortive as to any good effect.

1000. In the tenth age likewise there were some godly men, who though they could not, because of the iniquity of the times, openly oppose the torrent of popery, did yet instruct and teach the people, that Christ was the only propitiation for sin; and, that Christ's blood only doth wash us from the guilt of it.²

The torrent of popery prevailing, and its darkness increasing, for several centuries after this, it is no wonder, though we find an interruption of a periodical relation of the testimony of the witnesses for the true religion in those times. Yet that there were still some who preserved a greater measure of purity than others, even when the torrent of apostacy swelled highest, is the unanimous opinion of our historians. Thus archbishop Spotiswood³ and Mr. David Buchannan⁴ agree that the Culdees continued to exercise their functions apart by themselves, without coalescing with the bishops, until they were suppressed by pope Innocent II. in the thirteenth century. This I take to be the

1300. meaning of the judicious Mr. Alexander Shields where he says;⁵ That the Culdees transmitted their testimony to the Lollards, of whom we shall speak in a little. The learned antiquarian, Sir James Dalrymple, carries this evidence a little farther, and shews⁶ from a clause in the bull of Pope John the XXII. for anointing king Robert Bruce, branding many in Scotland with the name of heretics in the beginning of the fourteenth century; that great numbers professing the true faith continued till the reign of that king. "Nay," adds he, "when ignorance and superstition were arrived at the greatest height, there was

never any long period of time in which there did not appear eminent witnesses against the gross corruptions and unwarrantable additions of the church of Rome."⁷

Some of our princes also had the courage to oppose the pope's omnipotence and high sovereignty, to prohibit his legates from entering the realm, and to pour contempt upon their usurped authority. Sir James Dalrymple gives several instances to this purpose; the most remarkable of which is that of king Robert Bruce, whose story I take from Spotiswood.⁸ That king having, with about thirty thousand Scotsmen, defeated the English army at Bannockburn, though at least four times their number, the English, from invaders were glad to become supplicants to the pope to intercede for peace.

To this effect a legate was sent into Scotland, who had audience given him at Aberbrothwick. His proposition was; "That the Scots should desist from troubling England, till the pope should hear the questions that were amongst them, and be informed of the right which king Edward had to the crown of Scotland." King Robert answered, That the pope could not be ignorant of the state of that business, the same having been often explained by the commissioners of Scotland, to divers of his predecessors, in the hearing of many cardinals then alive, who could relate, if they pleased, the insolent answers which pope Boniface received when he desired the English to forbear their cruel oppression of the Scots. And now, said he, when it hath pleased God to give us the better by some victories, and that we have not only recovered our own, but are in a condition to make them live as good neighbours, they have recourse to such treaties, seeking only to gain time, that when they have settled their affairs, they may fall again upon us with the greater force. But in this his holiness must excuse me; for I will not be so unwise as to let the advantage I have slip out of my hands."

¹ Pref. to Knox. Spotiswood, p. 25.

² Pref. to Knox. ³ Hist. p. 51.

⁴ Pref. to Knox. ⁵ Hind let loose, p. 11.

⁶ Historical collections, p. 52.

⁷ Dedication prefixed to Hist. Collect.

⁸ Hist. p. 52.

The legate interpreting this answer as contemptuous to the apostolic see, put the kingdom under interdiction, and so departed. But the king, to shew how little he regarded such proceedings, followed the legate at the heels; and entering into England, wasted all the adjacent countries with fire and sword. But passing this,

We come now to the beginning of the fifteenth century; when the Spirit of life from God entering into the slain witnesses, they began to lift up their head in the prospect of their approaching redemption.

At that time there was a great schism in the Roman church; ¹ pope against pope; yea, sometimes three popes at a time, fighting against and excommunicating one another, which schism lasted about thirty years; and through the mercy of God, was over-ruled to the gradual downfall of that son of perdition, and revival of learning and Christianity in several parts of Europe. For many, taking advantage of the times, began openly to speak against the heretical doctrine, tyrannical government, and vicious lives of the clergy; and some ventured to preach publicly against these evils; as John Huss and Jerome of Prague in Bohemia, and John Wickliff in England. In our wilderness also did waters break forth, and streams in our desert; which, in the Lord's good time, turned us into a fruitful field.

In the year 1407, John Resby, an Englishman, and a scholar of Wickliff's, coming into Scotland, was called in question for some doctrines which he taught against the pope's supremacy, and condemned to the fire; which he endured with great constancy.² Mr. Knox begins his history with a second instance of one, whose name is not mentioned in the records of that time, who, in the year 1422, was burnt for heresy. About ten years after, Paul Craw, a Bohemian, and a follower of Huss, for infusing into some at St. Andrews certain opinions touching the sacrament of the supper, the adoration of saints, and

¹ Pref. to Knox. ² Spotiswood, p. 56.

auricular confession, was condemned and burned there.³ It was at this time that Henry Wardlaw, then bishop of St. Andrews, founded the university of that name, and thereby erected an excellent monument of his fame, had he kept his hands clean of the blood of these innocents.

Nor was the light of truth confined to St. Andrews; but it diffused itself through several other corners of the land, particularly in the bounds of Kyle, Carrick, Cunningham, and other places in the west.⁴ Wherefore, in the year 1494, Robert Blackatter, the first archbishop of Glasgow, caused summon before king James IV., and his great council at Glasgow, George Campbell of Cessnock, Adam Reid of Barskimming, John Campbell of Newmills, ancestor of the noble family of Loudon, Andrew Schaw of Polkemmet, the ladies of Stair and Pokellie, and about twenty-four others, mostly persons of distinction, opprobriously called the Lollards of Kyle, from one Lollard, an eminent preacher amongst the ancient Waldenses,⁵ for maintaining that images ought not to be made nor worshipped, that the relics of saints ought not to be adored, and a number of other articles recorded by the historians, Knox and Spotiswood.⁶ But these answering their accusers with such confidence as scorned the attempts made to withdraw them unto popery, it was judged prudent to dismiss them with an admonition to content themselves with the faith of the church, and to beware of new doctrines.

The next in order is Mr. Patrick Hamilton,⁷ a man nobly descended, being nephew by his father to the earl of Arran, and to the duke of Albany by his mother. He was educated on purpose to be highly preferred, and had the abbey of Fern given him for prosecuting his studies. He went to travel, and in Germany became acquainted with Luther, Melancthon, and other learned men;

³ Spotiswood, p. 56. ⁴ Knox Hist. p. 2.

⁵ Calderwood's Hist. p. 1., and Spotiswood, p. 60.

⁶ Knox, p. 2; Spotiswood, p. 60.

⁷ Spotiswood, p. 62.

by whom he was instructed in the knowledge of the true religion ; in the profession of which he was so zealous, that he resolved to return to his own country, and in spite of all dangers, to communicate the light which he had received unto others. At his return, though a youth, not much past twenty-three years of age, he spared not, wherever he came, to lay open the corruptions of the popish church, and to shew the errors crept into the Christian religion. His doctrine was favourably received by many ; and he was much followed, both for his learning and his courteous behaviour to persons of all ranks. But the fame of his doctrine and boldness soon drew upon him the resentment of the clergy, particularly of James Beaton, archbishop of St. Andrews, chancellor of the kingdom, and otherwise very powerful ; yet did they disguise their wicked designs against him, until they had, by their subtilty, prevailed with him to attend a conference at St. Andrews. But when friar Alexander Campbell, who had been appointed to exert his faculties in reclaiming him, found that his persuasions tended rather to confirm him, the noble youth, while suspecting no violence, but behaving as a lamb among wolves, was under night apprehended, and committed prisoner to the castle there, and next day he was accused for maintaining certain articles objected to him. Mr. Knox alleges,¹ that notwithstanding the points of greater importance which had been controverted betwixt them, “ the articles for which he suffered, were but of pilgrimage, purgatory, prayer to saints, and for the dead, and such trifles.” But Spotiswood, who having been thereafter archbishop of St. Andrews, must be presumed to have had the best access to the records of that see, assigns² for the grounds of his suffering the following reasons :

1. That the corruption of sin remains in children after their baptism. 2. That no man by the power of his free-will can do any good. 3. That no man is without sin so long as he liveth. 4. That

¹ Hist. p. 5.

² Hist. p. 63.

every true Christian may know himself to be in the state of grace. 5. That a man is not justified by works, but by faith only. 6. That good works make not a man good ; but that a good man doth good works, and that an ill man doth ill works ; yet the same ill works truly repented, make not an ill man. 7. That faith, hope, and charity, are so linked together, that he who hath one of them hath all ; and he that lacketh one, lacketh all. 8. That God is the cause of sin in this sense, that he withdraweth his grace from man ; and grace withdrawn, he cannot but sin.

For these, with the few articles mentioned by Mr. Knox, and for refusing to abjure them, Beaton of St. Andrews, with the archbishop of Glasgow, three bishops, and fourteen underlings, condemned him as an obstinate heretic, and delivered him to the secular power. They all set their hands to the sentence ; and to give it the greater authority, whoever were of any estimation in the university, were drawn in to subscribe the same, amongst whom was the earl of Cassils, then a youth not exceeding thirteen years of age.³

The same day that the clergy pronounced his doom, viz. the last of February or first of March 1527, he was also condemned by the secular judge, and, in the afternoon of that same day, the young king James V. being gone in pilgrimage to Rosse, and these persecutors being afraid lest, upon his return, Mr. Hamilton's friends might have effectually interceded for his life, he was hurried to the stake. When come to the place, he put off his clothes, and gave them to his servant, saying, “ This stuff will not help in the fire, yet will do thee some good. I have no more to leave thee, but the ensample of my death, which I pray thee keep in mind ; for albeit the same be bitter and painful in man's judgment, yet it is the entrance to everlasting life, which none can inherit that denieth Christ before this wicked generation.” Having so said, he commended his soul into the hands of

³ Spotiswood, p. 63.

God, with his eyes fixed toward heaven : and the train of powder, though fired, not kindling the fuel ; while more powder was brought, his comfortable speeches were often interrupted, particularly by friar Campbell, bidding him "convert, pray to our lady, and say *Salve Regina*." And when Campbell would not leave off crying, the martyr said, "Wicked man, thou knowest that I am not an heretic, and that it is the truth of God for which I now suffer. So much thou didst confess unto me in private ; and thereupon I appeal thee to answer before the judgment-seat of Christ."

By this time the fire was kindled ; and the noble martyr died, crying, "How long, O Lord, shall darkness overwhelm this realm ! how long wilt thou suffer this tyranny of men !" and ended his speech, with Stephen, saying, Lord Jesus receive my spirit. Campbell became soon after distracted, and died within a year, under the most awful apprehensions of the Lord's indignation against him.¹

The cruelty exercised upon this noble youth, and the so different deaths of him and Campbell, rather promoted than hindered the Reformation.² It made great impressions upon the people, and moved many to inquire into the truth of the articles for which he suffered, and to call in question those points which before they had held for undoubted truths. And within a few years it pleased him, who hath said, "The beasts of the field shall honour me, the dragons and the owls," to stir up several persons, eminent for learning among the friars and canons, to declaim publicly against the pride and idle lives of the bishops, the foolish traditions and errors of the Popish church, and the abuses of the whole ecclesiastic order.

Alexander Seaton, a learned Dominican and confessor to the king, preached ordinarily at St. Andrews all the Lent following, where, taking for his subject the commandments of the law, he taught,

"That the law of God is the only rule of righteousness ; that if God's law be not violated, no sin is committed ;" and so set out the nature of repentance and acceptance with God, that another friar openly opposed his doctrine ;³ which he as publicly defending, the clergy made use of the freedom which he used in reproving the king for his vices, to his disadvantage, whereby they quickly alienated the king from Seaton, and resolved speedily to fall upon him. This coming to his knowledge, he withdrew into England, and wrote unto the king, taxing the clergy for their cruelty, and praying him to restrain it. But the king was too much in love with his false religion and vices, to listen to so faithful a monitor.

Soon after, one Henry Forrest, a benedictine at Linlithgow, was accused of having spoken honourably of Mr. Patrick Hamilton ; and was imprisoned at St. Andrews. In confession to a friar he acknowledged, he thought Mr. Hamilton was a good man, and that the articles for which he was condemned might well be defended. The false friar discovered this ; and, without further evidence, Mr. Forrest was condemned to be burned as an heretic. When they were taking from him his orders, he cried aloud, "Take not only from me your orders, but your baptism also." Being carried to the place of execution, which was appointed to be at the north gate of the abbey, to the end the heretics of Angus might see the fire, he suffered death with great patience and constancy.⁴

While they were consulting upon the manner of his execution, one John Lindsay, a plain man, gave advice to burn him in some hollow cellar ; for said he, "the smoke of Mr. Patrick Hamilton hath infected all those on whom it blew." But the speaker being a familiar of Beaton's, his biting jest was overlooked.⁵

The persecution still encreasing, James Hamilton of Livingston, brother-german

¹ Spotiswood, p. 64.

² *Ibid.*, and Knox, p. 13.

³ Spotiswood, p. 64.

⁴ Spotiswood, p. 65.

⁵ *Ibid.*

to Mr. Patrick the martyr, with Katherine Hamilton their sister, and divers others, were cited to appear at Holyroodhouse, by James Hay bishop of Ross, who sat as commissioner for the archbishop of St. Andrews; but James Hamilton and some others made their escape. They were nevertheless condemned to suffer as heretics when they should be apprehended; and the rest were prevailed upon to abjure their profession.¹

These persons were scarce dismissed, when Mr. Norman Gourlay, and David Straiton gentleman, were brought upon the stage. They were both charged for denying purgatory, and saying, that the pope had no jurisdiction in Scotland. Mr. Straiton was further accused for maintaining, that tithes were not due to churchmen; which point he denied: only confessing that the tithes of some fishes which his servants had taken at sea, being rigorously exacted by the bishop of Murray, he said "that the tithe was taken where the stock grew," and that accordingly he ordered his servants to cast every tenth fish they took into the sea. This man had been formerly reckoned turbulent, and a despiser of the word of God, but through hearing the Scriptures read to him, giving himself to prayer, and attending to the instructions he heard from John Erskine of Dun, he became quite another man, and was usually heard to pray for strength and spiritual courage, that if he should be brought to suffer for Christ, no fear of death, nor corporal punishment might cause him shrink. And it clearly appeared when he was brought to his answer, saith Spotiswood,² that his prayers were heard. For, notwithstanding of the offers made to him if he would recant, he stood most constantly to the defence of the truth, and greatly encouraged his fellow-sufferer. For these things they were condemned, and, upon the 27th of August 1534, led to a place near the Rood of Greenside, betwixt Edinburgh and Leith, and there half-hanged,

and then burnt, according to the mercy of the popish church.

At the same time sentence was pronounced against Alexander Alice, Mr. John Fife, John M'Bee and one M'Dougal,³ who, being summoned by the said diet, fled into England. King Henry VIII. having shortly before that abolished the pope's authority, and suppressed the abbeyes and other places of idolatry, they were sometime kindly entertained there. But finding the reformation proceed slowly, Alice and Fife went into Saxony; where they lived professors together a long time in the university of Leipzic. M'Dougal, who also went with them, came to good credit, and was elected burgomaster of one of their towns. Nor was M'Bee's situation inferior to those of his brethren: for going into Denmark, he became chaplain to king Christian, in whose service he died. Thus did God provide for his banished, and frustrate the desire of their enemies.

The changes in England, and the disturbance made by the clergy in Scotland, raised in all the people a curiosity of searching into religious matters. And partly by reading, partly by brotherly conference, which was much practised in those days to the comfort of many, but chiefly by merchants and mariners, especially those of Dundee and Leith, who, frequenting other countries, heard the true doctrine taught, and the vanity of the popish religion exposed, the knowledge of God did wonderfully increase within this realm.⁴ For these reasons, pope Clement VII. wrote earnestly to king James V. of Scotland, to continue firm to the catholic faith. Upon which he called a parliament, and made new laws for maintaining the pope's authority, and proceeding against heretics.⁵

On the other hand, king Henry of England sent to him some books wrote in defence of his proceedings, and desired him to examine them impartially. He also proposed an interview at York, and a match between the king of Scot-

¹ Spotiswood, p. 65.

² Hist. p. 66.

³ Spotiswood, p. 66.

⁴ Knox, p. 22.

⁵ Burnet's Hist. of the Reformation, lib. i.

land and lady Mary his eldest daughter; and promised, that he should be made duke of York, and lieutenant of the whole kingdom; but notwithstanding he faithfully promised to hold that meeting, his clergy foreseeing the danger that might follow upon it to their state, diverted him from it, by many arguments; the most powerful of which was an offer 50,000 crowns a-year in case of a war with England: and they persuaded him to go in person to France, and court Magdalen the daughter of that king. He listened to their proposals; and accordingly married that princess in January 1537, but she died in May thereafter. Upon her death, the king married Mary of Guise, who was a branch of the family that of all Europe was most zealously addicted to popery, and her interest joined with that of the clergy, engaged the king, naturally superstitious, to become a violent persecutor of all that were of another mind.

This king, says bishop Burnet, was very expensive both in his pleasures and buildings, and had a numerous race of bastards:¹ and, adds Mr. Knox,² he was so grossly vicious, that he neither spared wife nor maiden, as well after as before his marriage: so that he came to be much in want of money; and, in order to supply him, the nobility proposed to him the seizing on the abbey-lands, as his uncle king Henry had done in England. The clergy, on the other hand, advised him to proceed severely against all suspected of heresy; by which means, according to lists of supposed heretics, which they shewed him, he might raise 100,000 crowns a-year. They likewise advised him to provide his bastard sons to abbeys and priories; and represented to him, that if he continued stedfast in the old religion, he would still have a great party in England, and be made the head of a league which was then projecting against king Henry. This so far prevailed on him, that he made four of his sons abbots and priors, and gave way to the persecuting spirit of the clergy.³

Accordingly in February 1538, 1538. Robert Forrester gentleman, Sir Duncan Simpson, priest, friar Killore, friar Beveridge, and dean Thomas Forrest a canon-regular and vicar of Dollar, were accused, condemned, and all burnt at one stake upon the Castle-hill of Edinburgh.⁴ Sometime before that, Forrest was reproved by his ordinary the bishop of Dunkeld, for making too great use of the scriptures; and enjoined, if he found a good gospel, or a good epistle that made for the liberty of holy-church, to preach that to his people, and let the rest alone: But he replying, that he had read both the New Testament and the Old, and that he had never found an ill epistle or gospel in any of them; the bishop said, "I thank God I have lived well these many years, and never knew either the Old or the New. I content me with my portoise and pontifical. And if you, dean Thomas, leave not these fancies, you will repent when you cannot mend it." And we see how he endeavoured to make his word good.

This year Hieronymus Russel, a gray-friar, and one Kennedy, a young man from Ayr, were likewise accused of heresy at Glasgow.⁵ And because Dunbar the archbishop was reckoned cold in those matters, three of Beaton's instruments were sent from Edinburgh to assist at their trial. Kennedy at first discovered some weakness; but being encouraged by Russel, and more by the comforts of the Holy Spirit, and discovering his joy, as well by his looks as his tongue, he fell down upon his knees, and broke forth in these words: "Wonderful, O God, is thy love towards me a miserable wretch; for even now, when I would have denied thee, and thy Son the Lord Jesus my only Saviour, and so have thrown myself into everlasting condemnation, thou by thine own hand hast pulled me back from the bottom of hell, and given me to feel most heavenly comfort, which hath removed the ungodly fear that before oppressed my mind. Now I defy death! Do what you please; I praise God I am ready."

¹ Burnet, lib. i.

² Hist. p. 23.

³ Burnet, lib. i.

⁴ Spotswood, p. 66.

⁵ Ibid, p. 77.

The godly Russel reasoned long and learnedly with his accusers, and being answered only with railings, he said, "This is your hour and the power of darkness. Now you sit as judges, and we stand wrongfully condemned; but the day cometh which will shew our innocence, and you shall see your own blindness, to your everlasting confusion. Go on and fulfil the measure of your iniquity." The archbishop was unwilling to give sentence; and said, he thought these executions did the church more harm than good. But those about him urged, that he ought not to take a way different from the rest of the bishops; and threatened him so, that he pronounced sentence, condemning these innocents to be burnt alive.

While the fire was preparing, Mr. Russel did greatly encourage his fellow-sufferer in these words: "Fear not, brother; for he is more mighty that is in us than he that is in the world. The pain which we shall suffer, is short and light; but our joy and consolation shall never have an end; death cannot destroy us; for it is destroyed already by him for whose sake we suffer. Therefore let us strive to enter in by the same strait way which our Saviour hath taken before us." Many other comfortable speeches he uttered, while going to the place of suffering, which greatly affected the hearers. When they came to it, Kennedy and he were tied to one stake; and, after commending their souls to God, they joyfully yielded up their spirits, in the midst of the devouring flame.

The famous Mr. George Buchanan was also in trouble at this time. He had, at the king's instigation, written a very bitter satire upon the franciscans; but, being abandoned by him, he was committed to prison, whence he escaped by a window, and retired to France. After twenty years stay in foreign parts, he returned to his own country in the year 1560; and, says bishop Burnet, he hath, by his elegance in the Latin tongue, and his excellent genius for poetry and history, acquired the character of being the greatest and best of the modern writers.¹

¹ Burnet's Hist. Reform. lib. i.

At the same time lived also John Major alias Main, provost of Salvator's college in St. Andrews, a man religiously disposed, ingenious and learned, and Hector Boeth alias Boece, whom Erasmus, Buchanan and others, greatly commend. They both wrote the history of their country with great candour.²

² Spotswood, p. 68.

A late writer of our own country* having, in his proposals for printing a new general history of Scotland, stigmatised Boece and Buchanan as wicked deceivers; for, says he, they wrote not to inform, but to mislead their countrymen; and, because it seems the last named is the greatest obstructor of his new principles and facts, he very modestly adds, that Buchanan's history commences in fiction and ends in falsehood: It surely cannot displease any lover of his country, that the present writer, who reckons it his honour and duty to follow the authority of these eminent historians, declare his indignation at the insolence and audacity of the censure passed upon them. Had a stranger used them in this manner, the emulation incident to men of neighbouring nations, and especially to vain-glorious minds, on seeing themselves outshone by others, might have directed us to the cause; but when we view this treatment as coming from a Scotsman of no less masterly a style than those he attacks, and who, we are informed, is paid for maintaining their cause, we are truly at a loss what construction to put upon his unmanly insult. We know that men of certain political principles, the partizans of an abdicated family devoted to popery and tyranny, have ever been picking holes in Buchanan's relation concerning their heroine Mary queen of Scots, which yet are not impugned by any cotemporary writer, but are confirmed in the most material points by Sir James Melvil, one of that queen's own domestics, the famous Mr. Knox and others. But the proposer hath far outdone all those other wranglers. While they ventured only on the outskirts, he hath penetrated into the centre, yea, boldly damned the whole as fraud and falsehood; a charge, one would think, not very easy to be proven at this time of day; especially considering this gentleman hath been pleased to admit, that Boece and Buchanan are the two authors whom all latter historians have followed; and that even our ablest critics have embraced their fictions of high antiquity. This being the case, common modesty and discretion might have taught him, that his bare assertion can never weaken their reputation, and that he ought to have forborne his sarcasms till he had produced his evidences. But this man judging himself wiser than all that have been before him, vaunts, that the principles and facts to be contained in his intended history will be very different from those of all former historians. Meantime, let any impartial man seriously weigh the characters of the accuser and the accused, especially Buchanan; let them reflect that Buchanan lived in the time of Mary queen

* William Guthrie, Esq.

In the year 1539 cardinal David Beaton, nephew to the archbishop of St. Andrews, succeeded his uncle in that see; and was scarce warm in his nest when, to shew his own greatness, and his enmity against those called heretics, he brought together a great number of the nobility, barons, and others of quality, with the archbishop of Glasgow chancellor, four bishops, four abbots, and a number of priors, deans, and doctors; who convened in the cathedral church of St. Andrews. The cardinal, seated on a chair a little raised above the rest, began to expatiate upon the dangers in which the catholic faith stood by the increase of heretics, and the boldness they took to profess their opinions openly, even in the king's court, where, he said, they found too great countenance; and named Sir John Borthwick, commonly called Captain Borthwick, whom he had cited to that diet, for dispersing heretical books, and for maintaining divers articles contrary to the doctrine of the Roman church; desiring their assistance in proceeding to justice against him.¹

His accusation was read; and he not

of Scots; that he was tutor both to her father and son, and as such behoved to be an eye and ear witness of a great part of what he writes, and otherwise must have had the best access to authenticate the whole. Again, let him view the present undertaker as having already given evidence of his leaning to a side, where he was under no such temptation to act a part, as he must be in the history of his country; and let him be considered as removed at a great distance from the time he proposes to write of, and from the repositories where the proper vouchers for confirming his so vastly different principles and facts are to be found; and then we will leave him to judge who shews the greatest desire to mislead his countrymen, and who bids fairest for fiction and falsehood. To say more, where the charge is laid in so general terms, were unnecessary, and considering the whole as a kind of digression, it were impertinent. If the proposer shall find encouragement for his wanton sallies upon these venerable characters, we hope the Rev. Mr. James Yair, minister of the Scots congregation at Campvere, who for several years hath been preparing a continuation of Buchanan's history down to the present times, will soon favour the world with that continuation, and effectually remove the odium which the enemies of religion and liberty have been so busy to load that historian with.

¹ Spotiswood, p. 70.

appearing, was held as confessed, denounced an heretic, his goods ordained to be confiscated, and himself burnt in effigy, if he could not otherwise be apprehended; and all persons prohibited to relieve or entertain him, under the pain of cursing and forfeiture. This sentence was pronounced May 23, 1540. 1540; and the same day his picture was burnt at the market-cross of St. Andrews, and in Edinburgh two days after.

Sir John, apprised of their proceedings, fled immediately into England; where he was kindly received by king Henry, and by him employed in a commission to the protestant princes in Germany, for an association in defence of their common profession.

King James' breach of promise to Henry of England, provoked that king to declare war against Scotland. And in October 1542, the duke of Norfolk made an inroad into Scotland with 20,000 men; but after he had burnt some small towns, and wasted Teviotdale, he returned to England.²

By this time the Scots began to arm in earnest; and the king, with an army of 15,000 men, and a good train of artillery, marched into England by the western road, in the end of November. But being much disturbed in his sleep, and thinking the ghost of one whom he had unjustly put to death haunted him continually, he left the army, and sent a commission to Oliver Sinclair his favourite, and a creature of the cardinal's, to command the army; but this so obliged the nobility, that they refused to march, and were beginning to separate. While they were in this disorder, 500 English appeared near Solway; and the Scots, apprehending it was only an advanced party of the duke of Norfolk's army, refused to fight: so this small handful fell upon and dispersed them. They took all their ordnance and baggage, and 1000 prisoners, of whom 200 were men of quality. The chief of these were the earls of Glencairn and Cassils, and the lords Fleming, Maxwell, and Gray. The nobility were carried to

² Burnet, lib. i.

London, and lodged in the houses of the English nobility. Cassils was sent to Lambeth; where, under the instruction of that famous bishop, and afterwards martyr for the truth, Dr. Ridley, he received those seeds of knowledge which afterwards produced a great harvest in Scotland. The other prisoners were also instructed to such a degree, that they came to have very different thoughts of the changes made in England, from what the Scots clergy had represented.¹

This defeat being so very dishonourable, especially to the clergy, who stirred up the king to that attempt, and promised him great success from it; and there being such a visible evidence of the anger of God, fighting by his providence against them, all men were struck with fear and astonishment; the bishops were ashamed to shew their faces for a time; and the melancholy king was so overcharged with grief and passion, that he died at Falkland the 18th of December following, leaving only a daughter to succeed him, who was born seven days before his death.

While the king was in his last moments, the cardinal hastened unto him; and though he was by that time speechless, Mr. Knox alleges,² and Spotswood asserts it,³ that the cardinal suborned a false priest to forge a will, declaring, that the king had committed to himself, and the earls of Huntly, Argyll, and Murray, the government of the kingdom during the queen's minority. But the well-affected perceiving the cheat, James Hamilton, earl of Arran, next in blood to the young queen, was, by their influence, established in the government; and being a man of great virtue, and much inclined to the reformation, good men repaired to him, and encouraged him to promote it; so that the protestant religion, then called Lutheranism, got a great deal of ground; and not only were the common people in many places generally inclined to it, but a great many of the nobility and gentry of Scotland secretly favoured the same. At their

desire, the governor called Thomas Gulielm, formerly a blackfriar, a man of learning, sound doctrine, and good utterance; and John Rough, who afterwards suffered for religion in England, to be his chaplains. And great hope was conceived, that all things should be reformed, which were amiss either in church or state. But the man being easy and soft in his temper, and not well-grounded in the truth, this hope soon vanished, in the manner to be narrated.⁴

King Henry of England hearing of his nephew's death, and of the crown's falling to his daughter, he laid hold on that opportunity, for uniting the whole island; and sending for the Scots lords, he proposed a marriage betwixt his son Edward, prince of Wales, and their young queen Mary. The motion was very agreeable to our nobles, and they promised to promote it to the utmost of their power; and upon giving hostages for their fidelity in that matter, they were sent home. This proposal being communicated to the governor and council, was highly acceptable to all, except only the queen-mother and the clergy, who stirred up earth and hell to join issue with them in opposing the match.⁵

The parliament met at Edinburgh the 13th of March following, and getting nothing done in it while the cardinal was with them, he was by the governor's authority confined in the castle of Dalkeith. Next day the question was resumed in Parliament, and the match with England was unanimously agreed to. At the same time, the reformers gave in a petition, beseeching that the prelates might be restrained from pursuing those they called heretics, and that liberty might be granted to the laity to read the scriptures in the English language; whereupon a select committee was empowered to consider the petition, and do therein as they saw cause. This committee met upon the rising of the parliament, and enacted, That it should be lawful for every one that could read, to use the English translation of the Bible, until the prelates should publish

¹ Burnet, lib. i.; Knox, p. 29.

² Knox, p. 31. ³ Spotswood, p. 71.

⁴ Knox, p. 32, &c. ⁵ Spotswood, p. 72

one more correct. Of this order, intimation was sent through all the kingdom, by the governor's direction. And the reading of the scriptures having been attended with divine instruction to many, the knowledge of the truth spread very swiftly through the nation.¹

Upon this happy turn, the clergy, and particularly the cardinal, who had already escaped out of his confinement, were exceedingly galled, and set their engines on work to overturn the governor, whom they accused as the cause of all their fears. The French also reckoning themselves greatly interested in our affairs, not only as an ancient ally, and the queen-dowager's friend, but especially as foreseeing what accession of strength to the English a marriage with the queen of Scots would prove; they sent over, first, the governor's own base brother, John Hamilton abbot of Paisley, afterwards archbishop of St. Andrews; and David Panter, afterwards preferred to the bishopric of Ross, two learned and subtle men, to take the governor off from the English measures, and the profession of the truth: and lest these should not have effect, they prevailed on the earl of Lennox, with the promise of the queen-dowager in marriage, and several other fine things, which the event shewed they never intended to perform, to come over into Scotland to form a party against the governor.²

Accordingly, while every thing looked fair for religion, the clouds began to overcast, and the preachers, and other professors about the governor's hand were discountenanced. Gulielm fearing to be called in question for his doctrine, at which the abbot was continually carping, withdrew into England. Mr. Rough, upon some pretext, was permitted to retire into Kyle and Carrick, which Mr. Knox justly calls an old receptacle of the servants of God. The laird of Grange, Sir David Lindsay, and others, who favoured the truth, being likewise threatened by those who now came

about the governor, left him in the hands of those enemies; who still blowing in his ears, sometimes with lying artifices, and at other times with threatenings, they so far prevailed with the timorous man, that on a sudden he falsified his promise to the English, renounced his profession of the truth, submitted himself to the cardinal, from whom he received absolution, dipt his hands in the blood of the saints, and brought this nation to the brink of ruin.³

Matters being thus brought back into their old channel, the cardinal set himself to suppress those called heretics; and leading the governor along with him, went first to the town of Perth, where one friar Spence delated Robert Lamb, William Anderson, James Rannald, James Hunter, James Finlayson, and Helen Stark wife to the latter.⁴

Robert Lamb, accused of interrupting the friar in a sermon at Perth, whilst teaching, "that a man could not be saved without praying to the saints;" confessed the fact, saying, "it was the duty of every man that knoweth the truth to bear testimony unto it, and not to suffer people to be abused with false doctrines, such as that was." William Anderson, James Rannald, and James Finlayson, were indicted for nailing two ram's horns on St. Francis's head, putting a cow's rump to his tail, and eating a goose upon All-hallow-evening. James Hunter, a butcher, and a simple man, without any learning, was charged with haunting the company of the said persons. Helen Stark was accused of refusing to pray to the Virgin Mary when in child-birth, and saying, "she would only pray to God, in the name of JESUS CHRIST."

Upon these indictments they were all tried, found guilty, and condemned to die. And though great intercession was made for them to the governor, he was so much in subjection to the cardinal, that without his consent he would give no pardon. Accordingly the poor innocents were taken to the place of execution, the men were hanged and the wo-

¹ Burnet's Hist. reform. lib. i.

² Ibid.

³ Knox, p. 26.

⁴ Spotiswood, p. 75.

man was drowned. Robert Lamb at the foot of the ladder made a pathetic exhortation to the people, beseeching them, "to fear God, and forsake the leaven of papistical abominations." The woman earnestly desired to die with her husband; but her request was not granted. However they permitted her to accompany him to the place of execution. In the way she exhorted him to patience and constancy in the cause of Christ; and, as she parted from him, said, "Husband, be glad; we have lived together many joyful days; and this day which we must die, we ought to esteem the most joyful of all, because now we shall have joy for ever. Therefore I will not bid you good-night; for we shall shortly meet in the kingdom of heaven." As soon as the men were executed, the woman was taken to a pool of water hard by; where, having commended her children to the charity of her neighbours, and given a little babe, which was sucking her breast, to a nurse, she died with great courage and comfort.

At this time likewise Sir Henry Elder, John Elder, Walter Piper, and Laurence Puller, with some other burghesses of Perth, were banished; and the lord Ruthven, provost of the town, was put out of his office, because he was suspected of favouring the heretics. Nor did the cardinal stop here: he went on with his work; and in the county of Angus called many to account for reading the New Testament in English, which was then accounted a heinous crime. And then it was that the priests raised a report, that the New Testament was composed by Martin Luther,¹ the famous reformer of Germany, who died two or three years after this.

Among those whom the bloody cardinal shut up in prison at this time, was John Roger a blackfriar, godly and learned, who successfully preached the gospel to the comfort of many in Angus and Mearns. The cardinal caused him to be murdered in the ground of the Sea-tower of St. Andrews, and cast over the back-wall; at the same time spreading

¹ Buch. lib. xv.

a report, that Mr. Roger in endeavouring to make his escape, had fallen and broken his neck. From Angus the cardinal, leading the governor with him, went to Mearns, using the like inquisition.²

But while these persecutors thought themselves in the greatest security, then God began to shew his anger. When the governor broke faith with Henry VIII. of England, that king threatened to take a severe amends. And now upon the 4th of May 1544, the earl of Hertford, with a powerful army, landed at Leith, to punish his infidelity; where meeting with a people quite at ease, and altogether unprepared for defence, he burnt Leith and a good part of Edinburgh, with the palace of Holyrood-house, and wasted the country all the way from that to Berwick; and then returned to England without doing more at that time.

Next year Mr. George Wishart was burnt at St. Andrews; who being the most eminent of all the witnesses that God raised up in those perilous times, it will doubtless be agreeable to our readers to have a particular account of his history.

This gentleman was a brother of the house of Pittarow in Mearns, a man of great knowledge and pleasant utterance; was endued with many extraordinary graces, particularly with the spirit of prophecy; and was humble, modest, charitable, and patient, even to admiration. He was educated at the university of Cambridge; and out of a desire to promote the truth in his own country, he came home in summer 1544,³ and resorted mostly to the town of Dundee, where he taught publicly, with great success and applause.

The cardinal, incensed at the reception Mr. Wishart met with among the people in that town, discharged them to receive him; whereupon Robert Mill, formerly a professor of the truth, and who had suffered on that account, now a man of great authority in the town, did, one day as Mr. Wishart had ended his ser-

² Knox, p. 40.

³ Spotswood, p. 76.

mon, openly forbid him to come any more amongst them, or to trouble the town with his sermons. After a little silence, and looking upward, Mr. Wishart turning himself to the speaker, said,¹ "God is my witness, that I ever mind your comfort, and not your trouble, which to me is more grievous than to yourselves. But sure I am, to reject the word of God, and drive away his messengers, is not the way to save you from trouble. When I am gone, God will send you messengers, who will not be afraid either for burning or banishment. I have, with the hazard of my life, remained among you preaching the word of salvation; and now, since you yourselves refuse me, I must leave my innocence to be declared by God. If it be long well with you, I am not led by the Spirit of Truth; and if trouble unexpected fall upon you, remember this is the cause; and turn to God by repentance, for he is merciful." The earl of Marshal and some other noblemen, who were present at the sermon, dealt earnestly with him to go to the north with them; but he excused himself, and took journey for the west, where he was gladly received by many.

He had not been long there, when the archbishop of Glasgow, getting notice of the great concourse of people that flocked to his sermon, resolved to apprehend him; and for that purpose made a journey to Ayr. Alexander earl of Glencairn, hearing what the prelate intended, hastened to the town, offering to place Mr. Wishart in the church, where the archbishop was preparing to preach but he would not consent, saying that the bishop's sermon would not do much hurt; and that he would teach, if they pleased, at the market-cross: which he did, with such success, that several of his hearers, formerly enemies to the truth, were converted on that occasion.

Next Sabbath Mr. Wishart being desired to preach at the church of Mauchlin, went thither. But the sheriff of Ayr had in the night time put a garrison of soldiers in the church, to exclude him.

Hugh Campbell of Kinzeanleugh, with others of the parish, offended at such impiety, would have entered the church by force. But Mr. Wishart would not suffer it, saying, "It is the word of peace that I preach unto you; the blood of no man shall be shed for it this day. Christ is as mighty in the fields as in the church; and he himself, while he lived in the flesh, preached oftener in the desert, and upon the sea-side, than in the temple of Jerusalem." Therefore he went to the edge of the muir on the southside of Mauchlin, and preached to the multitude that resorted to him, whereby God wrought wondrously with him; and, as long as he abode in that country, he taught with good success.²

After he had been about a month in those parts, he was informed, that the plague had broke out in Dundee the fourth day after he left it, and that it still continued to rage. This moved him to return, and next day after his arrival, he signified that he would preach. So, standing upon the head of the east gate, the infected persons standing without the gate, and those that were sound within, he preached from Psal. cvii. 20. "He sent his word and healed them, and delivered them from their destruction." By this discourse he so comforted the people, that they judged themselves happy in having the assistance of such a preacher; and intreated him to remain with them while the plague continued, which he complied with; preaching often, and taking care that the poor should not want necessaries more than the rich.

While he abode in this town, a priest called Sir John Wighton, purposing to kill him as he descended from the preaching place, and expecting to escape in the crowd, was apprehended with the intended instrument of murder in his hand. Upon this a tumult arose; and the sick without the gate rushed in, crying to have the murderer delivered to them. But Mr. Wishart saved the wicked man by his intercession.

The plague decreasing, he determined

¹ Spotiswood, p. 76. and Knox, p. 43.

² Knox, p. 44. Spotiswood, p. 76.

to pay a visit to the town of Montrose, and intended to go from thence to Edinburgh, to meet the gentlemen of the west, who had appointed to meet him in that city, and promised to stand by him in a dispute with the clergy. While Mr. Wishart was in Montrose, a letter was directed to him from his intimate friend the laird of Kinneir, acquainting him, that he had taken a sudden sickness, and requesting him to come to him with all diligence. Upon this he immediately set out on his journey, attended by some honest citizens, who, out of affection, would accompany him part of the way. They had not travelled above a quarter of a mile, when, on a sudden, he stopt, saying to the company, "I am forbidden of God to go this journey. Will some of you be pleased to ride to yonder place," pointing with his finger to a little hill, "and see what you find? for I apprehend there is a plot against my life." Whereupon he returned to the town; and they who went forward to the place, found about sixty horsemen ready to intercept him. By this they discovered that the letter had been forged; and telling him at their return what they had seen, he said, "I know I shall end my life in the hands of that wicked man," meaning the cardinal; "but it will not be after this manner."

A few days after, Mr. Wishart set out on his journey to Edinburgh; and lodged the first night with James Watson, an honest man, at Innergowrie, two miles from Dundee; where being laid in bed, he was observed to rise a little after midnight, and to go forth into a garden, that he might, without being observed, give vent to his sighs and groans. There he prostrated himself upon the ground, weeping and making supplication, for near an hour; and then returned to his rest. William Spalding and John Watson, who lay in the same chamber, and had followed him out to see whither he went, began, as if ignorant of what had passed, to ask him, where he had been. But he made no answer. In the morning, inquiring of new, why he rose in the night, and what

was the cause of such mourning,—for they told him all they had seen him do,—He, with a dejected countenance, answered, "I wish you had been in your beds, which had been more for your ease; for I was scarce well occupied." But they praying him to satisfy their minds further, and to communicate some comfort unto them, he said, "I will tell you, that I assuredly know my travel is nigh at an end. Therefore pray to God for me, that I shrink not when the battle waxeth most hot." Hearing these words, they burst forth into tears, and said, to them it was a small comfort. Whereunto he replied, "God will send you comfort after me. This realm shall be illuminated with the light of Christ's gospel, as clearly as ever was any realm since the days of the apostles. The house of God shall be built in it; yea it shall not lack, whatsoever the enemies shall devise to the contrary, the very cape-stone. Neither shall this be long in doing; for there shall not many suffer after me. The glory of God shall appear; and truth shall once triumph in despite of the devil. But, alas! if the people become unthankful, the plagues and punishments which shall follow will be fearful and terrible."¹

This said, he proceeded on his way, and arrived at Leith about the 10th of December; where, being disappointed of a meeting with the west country gentlemen, he became sorrowful. Being asked the reason, he said, "I have laboured to bring people out of darkness; but now I lurk as a man ashamed to shew himself before men." They, perceiving his desire was to preach, answered, that they would gladly hear him; but, considering the danger he might fall into, they could not advise him to do it. He replied, "If you and others will hear me the next Sunday, I shall preach in Leith: let God provide for me as best pleaseth him:" which he did. After sermon he was counselled by the gentlemen, his hearers, to leave Leith, for they held his abode there dangerous. This advice he followed, and resided with the lairds of

¹ KNOX, p. 50. SPOTISWOOD, p. 78.

Brunstone, Longniddry, and Ormiston, by turns; and every Sabbath he taught openly in some church or other, with good success, until he was apprehended.

The last sermon he preached was at Haddington, where he received, from the gentlemen of the west, a letter declaring they could not keep the diet appointed at Edinburgh. This, with the reflection that so few attended his ministrations there, so grieved him, that calling Mr. Knox, who then accompanied him, he said, "I am weary of the world, since I perceive men to weary of God." Notwithstanding he went to the pulpit; and sharply rebuking the people of that town for the contempt of the gospel, told them,¹ "that sore and fearful should the plagues be that should ensue; that they should be plagued with fire and sword; and that strangers should possess their houses, and chase them from their habitations." This prediction was soon after verified, when the English took and possessed that town, and the French and Scots besieged it, in the year 1548. In that sermon likewise, as he had always done since he came last from Angus, he spoke of the short time he had to live. Next morning, bidding acquaintances farewell, as it were for ever, he went to Ormiston, accompanied by the lairds of Brunstone and Ormiston, and Sir John Sandilands, the younger of Calder. Mr. Knox also was desirous to have gone with him; but Mr. Wishart desired him to return, saying, "One is enough for a sacrifice at this time."

After having discoursed a long time concerning the happy estate of God's children, appointed the 51st Psalm to be sung, and recommended the company to God, he went to bed. About midnight the earl of Bothwell apprehended him; but promised upon his honour, that no harm should be done him. Yet he delivered him to the cardinal; who having carried him to St. Andrews, called a meeting of the clergy thither, to destroy him with the more solemnity.

The archbishop of Glasgow advised to

¹ Knox, p. 52. Spotswood, p. 78.

seek a commission from the governor to some man of quality to execute justice upon Mr. Wishart, lest the odium should lie upon them. To this the cardinal agreed, imagining the governor would have no scruple in the matter. Nor would he have had any, if a worthy gentleman of his name, David Hamilton of Preston, who knew the design, had not earnestly dissuaded him; advising him rather to use his power in the defence of God's servants, than to arm their adversaries with his authority. Whereupon he sent the cardinal word, not to proceed against Mr. Wishart. But the cardinal replied in great passion, "That he wrote not to the governor, as though he depended in any measure upon his authority, but out of a desire he had that the heretic's condemnation might proceed with a shew of public consent; which since he could not obtain, he would be doing himself that which he held most fitting."²

Accordingly the cardinal went on with his forms, causing Mr. Wishart to be summoned to answer next day for his heretical doctrine. And the prelates being convened in the abbey church, upon the last day of February or 1st of March 1545, Mr. John Winram the sub-prior went up into the pulpit, by appointment, and made a discourse upon the nature of heresy; which he did with great caution, and yet in such a way, as applied more justly to the accusers; for he was a secret favourer of the truth. After him came up a venomous priest, one Mr. John Lauder, who accused him of disobedience to the governor's authority, teaching, that man had no free-will, and for contemning fasting, all which he absolutely refused; and for denying that there are seven sacraments; that auricular confession, extreme unction, and the sacrament of the altar so called, are sacraments; or that we should pray to saints; and also for saying, that it was necessary for every man to know and understand his baptism; that the pope hath no more power than another man; that it is as lawful to eat flesh upon Friday

² Spotswood, p. 79.

as upon Sunday; that there is no purgatory; and that it is vain to build costly churches to the honour of God; and for contemning conjuration, the vows of single life, the cursings of holy church, &c. All which, with Mr. Wishart's answers, the reader may see at more length in Fox's martyrology, and in Knox's history.¹

Upon Mr. Wishart's confession, and his offering to justify his doctrine and principles, sentence was pronounced, adjudging him to be burnt as an heretic the day following. The night after his sentence he spent in prayer; and being urged to confess to two friars, he refused; but desired to speak with Mr. Winram, who having come, after some discourse with Mr. Wishart, he asked him, if he would receive the sacrament of the Lord's Supper? The prisoner answered, "Most willingly, so I may have it administered according to Christ's institution, under both kinds of bread and wine." Hereupon the sub-prior went to the bishops, and asked, if they would permit the sacrament to be given to the prisoner? But the cardinal answered in all their names, "that it was not reasonable to give any spiritual benefit to an obstinate heretic condemned by the church."²

The captain of the castle gave Mr. George notice of their denial, and invited him to breakfast with him. Mr. Wishart answered, "Very willingly; and so much the rather, because I perceive you to be a good Christian, and a man fearing God." Then turning to the captain he said, "I beseech you in the name of God, and for the love ye bear to our Saviour Jesus Christ, to be silent a little while, till I have made a short exhortation, and blessed this bread which we are to eat; so that I may bid you farewell." The table being covered, and bread set upon it, he spake about the space of half an hour, of the institution of the supper, and of our Saviour's death and passion; exhorting those who were present to mutual love, and holi-

ness of life. Then giving thanks, he brake the bread, distributing a part to those about him who were disposed to communicate. Likewise having tasted the wine, he delivered the cup unto them; exhorting them to remember with thankfulness the death of our Lord Jesus in this his communion with them. And so concluding with a new thanksgiving he retired to his chamber.

Soon after this, two executioners came, and arraying him in a black linen coat, fastened some bags of powder about him, put a rope about his neck, and a chain about his waist; and in this dress they carried him out to the stake, near the cardinal's palace; and opposite to it were the great guns of the castle planted, lest any should have rescued him. The fore-tower was hung with tapestry; and rich cushions were laid for the ease of the cardinal and prelates, while they beheld the sad spectacle.

The blessed martyr having mounted a scaffold, prepared of purpose, turned towards the people, and declared, that "he felt much joy within himself in offering up his life for the name of Christ;" and told them, "That they ought not, because of the torments they saw prepared for him, to be offended with the good word of God." Having thus spoken,³ he kneeled down and prayed for a little space with great fervency. Then being raised up, and tied to the stake, he cried with a loud voice, "O Saviour of the world, have mercy upon me; Father of heaven, I commend my spirit into thine holy hands!" Whereupon the executioner kindled the fire, and the powder that was fastened to his body, blew up. The captain of the castle perceiving that he was still alive, bid him be of good courage. Whereupon Mr. Wishart said, "This flame hath scorched my body, yet hath it not daunted my spirits; but he who from yonder place, beholdeth us with such pride, shall within few days lie in the same as ignominiously, as now he is seen proudly to rest himself." But as he was thus speaking, the executioner drew the cord that was

¹ P. 53. et infra.

² Spotiswood, p. 81. and Burnet, lib. 1.

³ Knox, p. 62. Spotiswood, p. 82.

about his neck so strait, that he spoke no more. And thus like another Elijah he took his flight to heaven from a fiery chariot.

The clergy, says bishop Burnet,¹ rejoiced much at his death, and extolled the cardinal's courage, for proceeding in it against the governor's order. But the people very justly looked on him as both a prophet and a martyr. It was also said, that, abstracting from the grounds of his sufferings, his death was no less than murder, in regard no writ was obtained for it, and the clergy could not burn any without a warrant from the secular power. Hence it was inferred, that the cardinal, for this, and other inhuman and tyrannical actions, deserved to suffer the like pains he had inflicted upon others; and that, if his greatness set him above the law, yet, rather than justice should not be executed, private persons might do that which the governor could not do. Such practices had been formerly common in that kingdom. And therefore, upon this occasion, some gentlemen of quality came to think it would be an heroic action, to cut off this wicked and blood-thirsty man. Accordingly, upon Friday May 28, 1545, Norman and John Leslie, of the family of Rothles, William Kirkaldy of Grange, James Melvil of the family of Carubee, Peter Carmichael gentleman, and others, to the number of twelve, surprised the gate of the castle early in the morning; and though there were an hundred persons lodged in it, they either turned them out, or shut them up; and having made all sure, they came next to the cardinal's door, who was fast asleep. He being awakened by the noise, a consciousness of his own guilt convinced him that their design was upon him, and therefore he made to his defence. But the gentlemen threatening to smoke him out of his hole if he did not surrender, he, relying somewhat on the sanctity of his office, and his acquaintance with some of them, yielded himself to their mercy, crying, "I am a priest, I am a priest." This feigned submission had not

¹ Hist. Reform. lib. i.

however, any influence upon them. For John Leslie and Peter Carmichael struck him once or twice. But James Melvil, perceiving they were agitated with passion, drew them aside, saying,² "This work and judgment of God, although it be secret, ought to be done with greater gravity." Thereupon turning to the cardinal, and presenting to him the point of his sword, he said, "Repent thee of thy former wicked life, but especially of the shedding of the blood of that notable instrument of God, Mr. George Wishart; which, albeit the flame of fire consumed before men, yet it cries for vengeance upon thee; and we from God are sent to revenge it: for here, before my God, I protest, that neither the hatred of thy person, the love of thy riches, nor the fear of any trouble, moveth me to strike thee, but only because thou hast been and remainest an obstinate enemy against Christ Jesus, and his holy evangel and members." Upon which he struck him twice or thrice, which ended his wretched days.

While they were thus employed, a tumult arose in the city, and many came to the cardinal's assistance, intending to scale the walls. But those within perceiving their intention, they hung out the cardinal's dead body at the same window from which he had viewed Mr. Wishart's execution. This unexpected sight brought to remembrance the last saying of that martyr, and damped the courage of the mob.³

The report of this bold adventure having spread quickly abroad, the action was, as is usual in such cases, justified by some, and condemned by others. It is beyond all dispute, that the ambitious cruel man deserved to have been made a signal example of public justice, but whether that punishment could be warrantably inflicted by such instruments, and in the manner ye have heard, is a point too delicate to be determined by an historian. Yet while we hesitate either to commend or condemn the actors, we would not be understood as in any hesitation about the work itself;

² Knox, p. 25.

³ Spotiswood, p. 83.

for whoever will seriously reflect upon the paucity of the actors, their venturing upon the work, not only without all human probability of success, considering the strength of the place, and the number in it, but also in the face of the most terrible resentment of it by papists, both at home and abroad; their expelling, or shutting up, about an hundred persons, without tumult or blood; the time of it, a few days after Mr. Wishart's death; their laying the cardinal out, a spectacle of the holy judgment of God, as had been foretold by that man of God, whilst nothing seemed more improbable; and the remarkable preservation of the actors, must acknowledge it was a stupendous act of the judgment of the Lord, and that the whole was overruled and guided by Divine Providence.

For this fact, the actors were first summoned to undergo trial; which they having contemned, they were declared rebels; and the clergy did solemnly curse them, and all that should receive them or minister any necessaries to them, which obliged them to keep possession of the castle, until they found some other outgate.

In a short time after this, there came in to them about an hundred and forty persons, amongst whom was Mr. John Rough, who had been hunted from place to place by the governor's base brother, who, upon the cardinal's death, succeeded him in the see of St. Andrews. These held the castle near two years, being assisted both with money and provisions from England; and they had also the governor, in some measure, at their mercy; for they kept his eldest son, whom the cardinal had taken into his care.

During this confinement Mr. Rough preached openly in the town, and was much followed by the people. This provoked the clergy; and dean John Annan opposing him both by word and writ, Mr. Knox, who also joined those
1547. in the castle about the beginning of April 1547, greatly fortified Mr. Rough's doctrine with his pen. This, and his method of instructing the

youth, for the sake of whose education he stayed there, being well-pleasing to the people of the place, they began to deal earnestly with him to officiate as a preacher among them.¹ But he utterly refused, alleging that he would not run where God had not called him; meaning, that he would do nothing without a lawful vocation. Whereupon they agreed among themselves to give him a charge, and that publicly by the mouth of the preacher. In consequence of this, upon a certain day, after a sermon upon the election of ministers; what power the congregation, however small it was, passing the number of two or three, had over any man in whom they supposed, and perceived the gifts of God to be; and how dangerous it was to refuse, and not to hear the voice of such as desire to be instructed. These and other heads being declared, Mr. Rough directed his words to Mr. Knox, saying, "Brother, ye shall not be offended, albeit that I speak unto you that which I have in charge even from all those that are here present; which is this. In the name of God, and of his Son Jesus Christ, and in the name of those who presently call you by my mouth, I charge you, that ye refuse not this holy vocation; but as ye tender the glory of God, the increase of Christ's kingdom, the edification of your brethren, and the comfort of me, whom ye understand well enough to be oppressed by the multitude of labours, that ye take upon you the public office and charge of preaching; even as ye look to avoid God's heavy displeasure, and desire that he shall multiply his graces with you." And in the end, he said to those who were present, "Was not this your charge unto me; and do ye not approve this vocation?" They answered, "It was; and we approve it." Mr. Knox, confounded at this unexpected vocation, burst forth into tears, and then withdrew to his chamber, and was under great trouble of mind for many days thereafter.

At length, observing the priests waxed

¹ Knox's Hist. p. 67.

more bold in their opposition to the truth ; considering also the peculiar circumstances he and the other professors of the truth in Scotland were at that time in ; and finding no comfort in his own mind in sitting the call that had been given him, he, at a time when Annan was triumphing in the authority of the church, "Which authority," said he, "damneth all Lutherans and heretics ;" confuted Annan, and offered to prove, "That the present church of Rome was more degenerate from the purity which it had in the days of the apostles, than was the church of the Jews from the ordinances given by Moses, when they consented to the death of our Saviour." The people hearing the offer, requested Mr. Knox to make it good ; who, beginning his ministerial office in the parish church of St. Andrews, proved from Dan. vii. 24, 25, That the pope is antichrist, and that the doctrine of the Roman church is contrary to the doctrine of Christ and his apostles ; and gave the marks both of the true church, and of the antichristian church. This occasioned a libel to be put into the hands of these two ministers, accusing them of heresy. But the garrison in the castle being too strong for the priests in the city, they were obliged to content themselves with a conference, and an admonition to Messrs. Rough and Knox to take heed to their doctrine.

Soon after, Mr. Rough, grieved with the licentious lives of the soldiers and others in the castle, took his leave of them, and went to England, where the church flourished under the religious king Edward VI. ; but that prince having died soon after, was succeeded by his wicked sister, the bloody queen Mary, who caused multitudes of the protestants to be put to violent deaths. Among others, Mr. Rough was, by Bonnar, bishop of London, accused of marrying a wife, and refusing to use the Latin service, and to go to the mass ; and justifying himself in the first, but accounting the others abominable, he was condemned, degraded, and put into the hands of the secular power, who caused him to be

burnt in Smithfield, the 21st of November 1547.¹

Meanwhile Mr. Knox was instant in preaching ; and while others hewed at the branches, he struck at the very root of popery. But in the month of July, a number of French galleys cast anchor near St. Andrews, and besieging it both by sea and land, the garrison, unable to hold out any longer, were glad to surrender, upon condition, That the lives of all within the castle should be saved ; that the principals should be transported to France ; and that if they chose not to reside there, they should be conveyed, upon the French king's charges, to any other country they pleased, except to their own.

Mr. Knox was of those who were carried to France, where they landed about the middle of August ; but he was delivered the winter following, and came to England. He was first appointed preacher at Berwick, thereafter at Newcastle, and then was called to London, and to the south parts of England, where he remained till the death of king Edward VI. Dr. Mackenzie says, that he became so famous, that he had the honour of preaching several times before that prince, and that he was also one of his chaplains. And Melchior Adamus adds, that he had the offer of a bishopric, which he refused.² But passing this :

The cardinal's death being thus revenged, it gave some satisfaction to the popish clergy ; and the more so, that they had got rid of Mr. Knox, whom they greatly feared. But the duke of Somerset, who was lord protector of England, during the minority of king Edward VI. having entered Scotland on the 2nd of September 1547, with an army of 15,000 foot and 3000 horse, attended by a strong fleet under the command of lord Clinton, that sailed along the coast, to support those on the land, put all into a dreadful consternation. In order to oppose this invasion, the Scots raised an army consisting of 30,000 men, with a good train of artillery.

¹ Spotiswood, p. 87.

² Life of Mr. Knox, p. 7.

The two armies coming to an engagement at Pinkie, near Musselburgh, the Scots were routed; 10,000, or, as others say,¹ 14,000 were killed, and 1500 were made prisoners, among whom were 500 gentlemen. The English likewise took the town of Leith, some islands in the Frith, and Broughty castle in the mouth of the river Tay. The English protector having thus, a second time, punished our governor's infidelity, before noticed, placed garrisons in several forts and castles, and in the towns of Haddington, Lauder, and Roxburgh. He took the gentry bound to be true to king Edward, and to promote the marriage of their queen with that prince, and he set out on his return to England, on the 29th of that month.

1548. No sooner was the protector gone, than the popish faction came to a resolution to send commissioners to France, to offer their young queen in marriage to the dauphin, and to implore succours from thence. This being done, 6000 French and Germans were sent over next summer.² Upon this, siege was immediately laid to Haddington, then full of the English; and to add to the calamities of war, that place was visited with the plague, to such a degree, that they could scarce bury their dead. The war with England was carried on for upwards of two years, with considerable losses at the hands of that nation, and heavy oppression from the French auxiliaries, who behaved, and were considered, rather as enemies. But the queen-mother, the governor and the clergy, were so apprehensive of a match with England, that they could never think themselves secure, till it was put out of their power. They therefore strongly promoted a proposition made by M. D'Esse, the commander of the French troops, of sending over the young queen to France. This being at last agreed to, she was transported to that kingdom, in the ships that had brought over the auxiliaries. And the marriage with king Edward, for accomplishing

whereof the English had undertaken the war, being thus effectually defeated, a treaty of peace was concluded betwixt the Scots, English, and French, in the year 1550.³

The country, notwithstanding the peace with England, was not in a much better case than before. For the governor, now made duke of Châtellerault in France, was wholly led by the counsels of his base brother; who, though archbishop of St. Andrews, gave himself up, without any disguise, to his pleasures, and kept another man's wife avowedly: and whereas during the war men enjoyed liberty from their persecution; the two brothers going through the country with justice-courts, harassing the people exceedingly.⁴

One Adam Wallace alias Fean, a simple man, but very zealous, and of upright life, was the first sacrifice in this new persecution. He was taken at Winton, brought to his trial in the Blackfriars church in Edinburgh, and accused of usurping the office of a preacher; of baptizing one of his own children; of denying purgatory; of maintaining that prayers made to the saints, and for the dead, were mere superstitions; and, of calling the mass an idolatrous service; and affirming that the bread and wine in the sacrament of the altar, after the words of consecration, remained bread and wine. To each of which the good man answered distinctly; denying the first; vindicating himself as to the second, from Abraham's circumcising Ishmael, &c.; and justifying himself with respect to the supposed crimes specified in the other three articles. Having ended his defence, all the company cried out, Heresy, heresy, let him be condemned! only Glencairn protested that he was free of his death. So, without further ceremony, the poor man was sentenced an heretic, and put into the hands of the justice-depute; who, having adjudged him to die, remanded him to prison, because the night was coming on. All that night the prisoner spent in singing of psalms,

¹ Knox's Hist. p. 79. Burnet, lib. i.

² Spotswood, p. 89.

³ Knox, p. 86, 87. Spotswood, p. 90. ⁴ Ibid.

which he had learned by heart; and next day, was led forth to a fire prepared for him in the castlehill of Edinburgh. He was prohibited to speak to the people; yet when he came to the place of execution, he entreated the spectators not to be offended with the truth because of his sufferings, saying, the disciple is not above his master; and being again interrupted, he commended his soul unto God, and suffered most patiently.¹

In the year 1552 a provincial council was holden at Linlithgow,² in which the maintainers of any opinions, contrary to the church of Rome were accused, and the decrees of the council of Trent received. Some acts were made for reforming the corrupt lives of the clergy; but little or no execution followed; they to whom the correction belonged, being themselves in the highest measure culpable.

The two following years brought with them an alteration in both kingdoms, highly to the goodliking of the popish clergy. For in England the godly youth king Edward VI. died, the 6th July 1553, and was succeeded by his sister Mary, a sanguinary princess, and wholly devoted to the pope and his faction; for whose pleasure she sacrificed the best of her subjects, even those who had set the crown on her head. And in Scotland, the governor was prevailed on to resign the regency to the queen-mother, anno 1554.³ This princess following the directions of her brothers the duke of Guise and the cardinal of Lorraine, set herself to maintain popish superstition to the uttermost; using indeed less cruelty than queen Mary of England, but more policy, and to the same end. But she found herself greatly mistaken. It was too late; and the reformation had taken too deep root in the hearts of the people, for her to bear down. Nay the Lord in his providence made that a mean to advance the true religion amongst us, which threatened to extinguish it altogether: for some of those who fled from the Eng-

lish persecution, taking refuge in Scotland, did not only help to preserve the light which had formerly begun to break forth, but made the same shine more clearly than before.⁴

Mr. William Harlow, a man of simple and mean condition, was the first of their ministers who came into this country. He had served some years in the English church with great approbation; and was to the time of his death, which fell not out till several years after the reformation, a zealous and diligent minister in the church of Scotland.⁵

After him came Mr. John Willock, who had been formerly a franciscan in the town of Ayr, and who, out of love to the protestant religion, had left the country and retired to England. When the persecution broke out in that kingdom, he fled into Friesland, where he professed medicine, and by that means he came acquainted with Anna countess of Friesland, who employed him in a commission to the queen regent in the year 1554. During the time of his abode here, he was a great encourager of the professors of the true religion. Returning next year with commendatory letters from the same countess to the queen regent, he resided in Edinburgh; where, notwithstanding he was visited with heavy sickness for several months, he ceased not daily to instruct and exhort such as came to him, who were neither few nor of the meaner sort.⁶

And in the end of the same year returned the famous Mr. John Knox. After the persecution had broke out in England he went to Geneva, and continued some time there, prosecuting his studies privately, till he was called to be minister to the English congregation at Frankfort. He remained at Frankfort till one of the learned, Dr. Cox by name, a man more given to unprofitable ceremonies than to sincerity of religion, began to quarrel with him; and finding that he could not otherwise get his corruptions established, he accused Mr. Knox as guilty of treason against the emperor, and against their sovereign,

¹ Spotiswood, p. 90. Knox, p. 87.

² Ibid. p. 92.

³ Ibid.

⁴ Spotiswood, p. 93. ⁵ Ibid. p. 90, 93.

⁶ Knox, p. 99. Spotiswood, p. 93.

queen Mary; in regard he had in an admonition to England, before he left that kingdom, called the former little inferior to Nero, and the latter more cruel than Jezebel. The senate perceiving the malice of his accusers, and not knowing but enemies might stir up the emperor to demand him of them, they gave him private advertisement, that they could not save him, if he were required by the emperor, or by the queen of England in his name. Wherefore he returned to Geneva, and from thence went to Scotland. When arrived, he found the number of professors much increased, and formed into a society, under the inspection of the laird of Dun and Messrs. Harlowand Willock: with these he associated himself, and preached to them, and others of good note; such as the earls of Glencairn and Marshall, lord Lorn, lord James Stuart, the master of Erskine, and many others of considerable rank.¹

Mr Knox's reception among the nobility and people, giving great offence to the clergy, they resolved on his destruction; and for that purpose, they caused him to be summoned to appear in the church of Blackfriars at Edinburgh, 1555. upon the 15th of May following. But when the day came, the diet was deserted. They pretended this was owing to some informality in the summons. But the true cause was, so many barons and gentlemen were come to town for his assistance, that they judged it best to overlook him at that time. And the same day he preached publicly in Edinburgh, to a very great auditory.²

While Mr. Knox was thus employed in Scotland, letters were brought him from those of the English church, who had left the contentious party at Frankfort, and settled at Geneva, beseeching him in God's name, as he was their chosen pastor, to repair unto them. Whereupon he resolved to go to Geneva, and at the same time promised to his brethren in Scotland, to return to his own country, so soon as God should grant greater liberty.³

He was no sooner gone, than upon a new citation directed against him by the clergy, he was condemned for an heretic, and burnt in effigy at the market-cross of Edinburgh, in July 1556. From this sentence he afterwards appealed to the nobility and commons.

During this year 1556, many prodigious signs were observed; such as the shining of a comet all the winter over; a calf with two heads; great rivers drying up in winter, and in summer swelling so high that divers villages were drowned, and numbers of cattle carried to the sea; huge whales cast out in several parts of the river Forth; great hail-stones falling in many parts, destroyed abundance of corn; and, which was most terrible, a fiery dragon was seen to fly low upon the earth, vomiting fire, both by day and night, which lasted a long time, and put the people to the necessity of watching their houses and corn-yards. These direful signs were looked on by many as evidences of the Divine displeasure with the nations: and by others, as prognostications of the great changes which shortly came to pass.⁴

And, indeed, after this the reputation of the popish clergy declined daily. Mr. John Douglas a carmelite friar, forsaking his order, became chaplain to the earl of Argyle, and preached openly against popery. In Dundee, Mr. Paul Methven did publicly exhort the people to renounce the doctrine of Rome, and to submit to the doctrine of Christ, and in all parts of the country, some were daily breaking forth, especially from the cloisters, and declaiming against the corruptions of the church of Rome.⁵

The bishops perceiving it would be to no purpose to convene the preachers before themselves for pretended heresy, prevailed with the queen regent to call them before the council for stirring up the people to sedition; hoping, by that method at least to restrain their public preaching. But on the day fixed for their appearance such numbers accompanied them, that it was thought fit not

¹ Knox, p. 90. Spotiswood, 93.

² Ibid. p. 92. Spotiswood, p. 93.

³ Ibid. p. 93.

⁴ Knox, p. 93. Spotiswood, p. 94.

⁵ Ibid.

to call them until the multitude was dispersed. And for that purpose a proclamation was issued, that all men who were come to town without licence of authority, should immediately repair to the borders, and attend the lieutenant-general for the space of fifteen days, in the service against England.

The gentlemen of the West, having but lately returned from that service; and though otherwise willing to have again submitted to this piece of oppression, yet perceiving the order to proceed from the malice of the clergy, they repaired to the queen regent; and, in the hearing of the bishops, declared their suspicions. And the regent endeavouring to soothe them by her crafty discourse, James Chambers of Gadgirth, a zealous and bold man, stepped forward, and said, "Madam, we know that this is the device of the bishops, who stand by you. We avow to God it shall not go so. They oppress us and our tenants, for feeding their idle bellies. They trouble our preachers, and seek to undo them and us all. We will not suffer it any longer." And thereupon every man took hold on his weapon; but the regent giving them many fine words, and discharging both the summons given to their ministers, and the proclamation concerning themselves, they were soon appeased, and departed in peace.¹

For near two years after this, public concern about the matters of religion did in a manner sleep; the queen being married to the dauphin of France; the queen regent taken up in the war with England; and the clergy, though cruel and bloody enough, being balked by the little opposition that was made to them, they wanted a head to prosecute the reformers with courage, and sufficient power to protect them in the execution of their violence.

Notwithstanding, whenever they found an opportunity to do it with impunity, they failed not to shew their insatiable thirst after blood. For, in the month of April 1558, Mr. Walter Mill, an old crazy, infirm priest, having left off saying

¹ Knox, p. 94. Spotiswood, p. 94.

mass, and being on that account suspected, was apprehended in Dysart, by two priests, imprisoned in the castle of St. Andrews, and earnestly dealt with to recant. But continuing constant in his opinions, he was brought to a trial before the bishops of St. Andrews, Murray, Brechin, Caithness, &c. When he came to make his defence, he was so feeble, old, and decrepit, that it was feared none would hear his defence; but as soon as he began to speak, he delivered his mind with such quickness and courage as amazed his very enemies.²

Sir Andrew Oliphant priest, being appointed his accuser, commanded him to arise, (for he was upon his knees), and answer to the articles; saying, "You keep my lord of St. Andrews too long here." Nevertheless he continued some time in prayer: and when he arose, said, "He ought to obey God more than man. I serve a mightier Lord than your lord is. And whereas you call me Sir Walter, they call me Walter, and not Sir Walter. I have been too long one of the pope's knights. Now say what you have to say."

Oliphant then began to interrogate him concerning priest's marriage, the number of sacraments, the mass, the sacrament of the altar, pilgrimages, the office of a bishop, and preaching privately. To all which he gave very pertinent, free and open answers; and in the end said, "You shall know that I will not recant the truth; for I am corn and not chaff: I will neither be blown away with the wind, nor burst with the flail, but will abide both."

Then Oliphant, as the month of the court, pronounced sentence, ordaining him to be delivered to the temporal judge, and burnt as an heretic. And because the bailie of the regality refused to condemn him, and the people of the place would not afford cords to tie him to the stake, one of the archbishop's domestics supplied the place of the judge; and the ropes of his pavilion were taken to serve the purpose.

As the time of his suffering drew near,

² Knox, p. 122. Spotiswood, p. 95.

his courage and constancy increased: for being brought to the fire with a number of armed men, and Oliphant commanding him to go to the stake, he said, "No, I will not go, except thou put me up with thy hand; for by the law of God I am forbidden to put hands on my self; but wilt thou put to thy hand, and take part of my death, thou shalt see me go up gladly." Then Oliphant putting him forward, he went up with a cheerful countenance, saying, *Introibo ad altare DEI*; and desired he might be permitted to speak. It was answered, that he had spoken too much already. Yet some youths taking his part, and bidding him say on, he first bowed his knees and prayed; then he arose, and, standing upon the coals, spoke to the people a few words to this effect: "Dear friends, the cause why I suffer this day is not for any crime laid to my charge, though I acknowledge myself a miserable sinner before God; but only for the defence of Jesus Christ, set forth in the Old and New Testaments: for which, as many faithful martyrs have offered their lives most gladly, being assured, after their death, to enjoy endless felicity; so this day I praise God, that he hath called me, of his mercy, amongst the rest of his servants, to seal up his truth with my life; which, as I have received of him, so willingly I offer it to his glory. Therefore, as you would escape eternal death, be no more seduced with the lies of the priests, monks, friars, priors, abbots, bishops, and the rest of the sect of antichrist; but depend only upon Jesus Christ and his mercy, that you may be delivered from condemnation."

When the fire was kindled, and began to flame, he prayed most fervently, and said to the people, "Pray, good people, whilst there is time;" and thus the good man departed, shewing wonderful courage and resolution of spirit. The spectators were exceedingly affected with his words, and made great lamentation. In commemoration of him, a great heap of stones was made in the place where his body was burnt, and an epitaph was inscribed to his memory. He was the last martyr,

in that period, that died for religion in Scotland, and his death proved, in a manner, the very death of popery in this realm.

And thus have we finished what was intended upon this section; and presented the reader with a noble cloud of witnesses, who "overcame by the blood of the Lamb, and by the word of their testimony;" many of whom had trial of cruel mockings, spoiling, imprisonment and banishment; and others loved not their lives unto the death: in all this leaving us an example, that we should be followers of them, who, through faith and patience, inherit the promises. The zeal, constancy and courage of these intrepid heroes in the cause of righteousness, with the happy consequences resulting from their undaunted wrestlings for the kingdom of the Redeemer, have afforded great matter of thankfulness unto the generations that are past, and will excite those present, and to come, to praise the Lord. When Satan and his popish instruments were thus raging as if they would have swallowed up the professors of the truth, and extirpated the begun reformation all at once, it was only a prelude of their short reign, and of the glorious day which so fast approached, even Scotland's becoming one of the kingdoms of our Lord, and of his Christ; where God grant he may reign triumphantly till time shall be no more.

SECT. IV.

Of the Reformation from Popery in Scotland.

Having in the former section 1557. given some account of the begun downfall of antichrist in our land, and seen the very first rays of gospel-light dispelling the thick darkness of popish idolatry and superstition; we now proceed with joy and thankfulness, to commemorate and rehearse still greater, and more glorious displays of the divine goodness and mercy towards us: "A little one becoming a thousand, and a small one a strong nation:" sufferers made overcomers: those who afflicted the church

bending unto her, and the rich among the people intreating her favour.

Adversaries would indeed have it believed, that this reformation was tumultuary, and effectuated by the dregs of the people, without any lawful call: but granting, for the sake of argument, that the populace were the great, or, let us suppose, they were the only instruments of the reformation, that had been their glory, not their shame. For, when the safety of the whole is in danger, nature teacheth, that it is the duty of every individual to do whatever is in his power for the safety of the whole; as suppose, a house on fire, or a ship in hazard of being wrecked, could it be reckoned faulty for any, the most despicable, in that condition, to use their utmost endeavours for the safety of themselves and company, whether the master of the house, or pilot of the ship, give orders for so doing or not? But so far was this the case at our reformation, that the Christian religion was ready to be shipwrecked, and the popish church was as a vessel that takes in water on every side. The eyes of our populace were as open as others, to see, in that miserable church, divinity falsified and corrupted by a thousand vain and ridiculous questions—the schools infected with sophistry—the pulpits prostituted to tales, jests, and legends—benefices filled with scandalous, and otherwise unworthy persons—church dignities sold to those who bid highest—good learning banished—religion loaded with childish ceremonies—the people abused by innumerable follies—church-government changed into intolerable oppression and persecution—the worship of God transferred unto the creatures, and even to some of those creatures that were dead and insensible—the saving truths of the gospel neglected—errors and fancies of men's minds preached up instead of them—the study of the holy scriptures abandoned—the actions of true piety altered by false ideas—the commands of God broken—his sovereign authority usurped—his mercy set in partnership with satisfactions of men—his laws associated with the laws of men—and his

grace with our free-will—the only sacrifice of his Son multiplied—the virtue of his intercession communicated to saints and angels—the substance of bread adored as his divine body—his sovereign, prophetic, and kingly offices transferred to the pope, and his priestly to the priests—his sacraments altered, his clearest words eluded by their glosses and subtle distinctions—and his ministry changed into a despotic dominion over men's consciences. In a word, they saw nothing that remained entire in that religion. And, when that was the case, would it not have been reckoned criminal both before God and man, for them to have sat still in such a fatal crisis.

And yet our commonalty were by no means alone in that glorious work. Our historians, as well those of the Episcopal persuasion as presbyterians,¹ affirm, that from the very beginning there were a great number of our nobility, barons, and gentlemen, who offered themselves willingly among the people; and that these essayed every peaceable measure that could be devised, consistent with their duty to God and themselves, before they used force; and had recourse to arms, only for their own defence against the hostility of the queen-regent, and her French auxiliaries.

To recite the names of all who took part in that reformation, were an endless task; and yet, wholly to overlook them were inexcusable. Several of their names have been already mentioned, and others will occur in the sequel. It deserves however to be here especially remembered, that a great many of the inhabitants of the following counties, viz. Cunningham, Kyle and Carrick, Angus and Murray, the Lothians, Fife and Strathern were of this number. Dundee was the first of the burghs, and was followed by St. Johnston (now Perth), Montrose, Cupar, St. Andrews, Edinburgh, Stirling, and others.

Of the nobility, famous mention is made of Gilbert earl of Cassils, (who was poisoned in France while attending

¹ Buch. lib. xv. xvi. Knox, lib. i. ii. iii. Spotswood, lib. ii. iii. iv. Burnet, lib. i. ii.

the young queen thither, anno 1558), Archibald earl of Argyle, Alexander earl of Glencairn, lord James Stuart, afterwards earl of Murray; the duke of Chatterault, now Hamilton; the earls of Arran, Monteith, Rothes, Marshal, and Morton; the lords Lorn, Ruthven, Lindsay now earl of Crawford, Ochiltree, Boyd afterwards earl of Kilmarnock, Gray, Yester now marquis of Tweeddale, and Sanquhar now earl of Dumfries.

Amongst the barons and gentlemen were Sir David Lindsay of the Mount, Sir James Sandilands of Calder now lord Torphichen, Sir Hugh Campbell of Lowdon, sheriff of Ayr, now earl of Lowdon; and the lairds of Longniddry, Ormiston, Brunstone, Dun, Grange, Lundie, Balvaird, Cragiewallace now a knight, Cessnock, Cairnhill, Barr, Gadgeth, Cunninghamhead, Terringland, Abbotshall, Hatton now earl of Lauderdale, Restalrig, Glenorchy now earl of Breadalbane, Pittarow, Tullibardyn now duke of Athole, Drumlanrig now duke of Queensberry, Lochinvar afterwards viscount of Kenmure, Garlies now earl of Galloway, Bargeny afterwards lord Bargeny, and Lethington, with many others mentioned in the histories of those times.

These noble and worthy gentlemen, having been gradually enlightened in the knowledge of the true religion, by the instructions of several eminent persons, formerly mentioned, and by reading the holy Scriptures, and Christian conference, with which, Mr. Knox says,¹ they joined fasting and prayer; they began to abhor the tyranny of the popish clergy, and to doubt whether they could without sin be present at the mass, or offer their children to the papistical baptism; whether those who were in any public trust, could with a safe conscience serve the higher powers, in maintaining idolatry, persecuting their protestant brethren, and suppressing Christ's truth; or whether they ought to suffer their brethren to be murdered for religion, without testifying their displeasure at such ty-

¹ Knox, p. 116. 117.

ranny. And from the scriptures they were convinced, that a lively faith requires a plain confession when truth is impugned; and not only those are guilty who do evil, but also those who consent to it; and those also who have it in their power to reform any evils, yet neglect the duty; and that they should be thus guilty, if seeing such evils openly committed, they should be silent, and so tacitly allow the commission of them.

Their doubts and convictions at last issued in resolutions to use the utmost efforts, that the gospel should be preached, the holy sacraments truly administered, and superstition, idolatry, and tyranny suppressed. And being now persuaded what was their right and duty they resolved next to make trial of their strength.

For this end some eminent persons, especially in Fife and Angus, and some chief burgesses, travelled over all the shires of Scotland, exhorting the gentlemen and towns to make profession of the true religion, and mutually to assist one another in the defence of it. And Buchanan tells us,² they had schedules or written tables, which he supposes to have been of the nature of an association, ready to be subscribed by such as inclined; Mr. Knox adds,³ that they also agreed, that the brethren in every town should, at certain times, assemble together for prayer and reading of the scriptures, till they should be happily provided with preachers; and that God did further these their weak beginnings in such haste, that within a few months the hearts of many were so strengthened that they sought to have the face of a church among them; and that, for that purpose, by common election, elders were appointed, to whom the whole brethren promised obedience.³

The reformers laying their account with the greatest severity for what they had thus attempted, several of the nobility, and others, met at Edinburgh the 3d of December 1557, and entered into a bond, association, or covenant, to pro-

¹ Lib. xvi. ² Hist. p. 117. ³ Ibid.

mote the reformation, and to defend one another in so doing.*

This was subscribed by the earls of Argyle, Glencairn, and Morton, lord Lorn, John Erskine of Dun, &c., who, with the other nobility and barons who about that time joined them, were after this called the Lords of the Congregation; and the people who adhered to them were called the Congregation.¹

The protestants finding, by the return of their tables, that the country, for the most part, approved their way, they determined to proceed with the work of reformation, but with that moderation which became wise subjects, and to supplicate the queen regent for her concurrence. Accordingly, having chosen Sir James Sandilands to carry their desires to the regent, he declared the necessity of such a message, and, in the name of all who stood for the reformation of religion, requested,² "That public prayers, and the administration of the sacraments, should be celebrated by ministers in their mother-tongue, that all the people might understand them; that the election of ministers, according to the ancient custom of the church, should be made by the people; and that they who presided over that election, should inquire diligently into the lives and doctrines of all that were to be admitted; and if, by the negligence of former times, unlearned and flagitious persons had crept into ecclesiastical dignities, that they might be removed out of the ministry, and fit persons substituted in their places." In this petition they further acknowledge it to have been their

* We perceaving how Sathan in his memberis, the antichristis of our tyme cruellie doth rage, seeking to dounthring and distroy the evangell of Christ, and his congregatioun, aucht, according to our boundin dewtie, to stryve in our Maisteris caus, evin unto the deithe, being certane of the victorie in him: the quhilk our dewtie being weill considerit, we do promeis befor the majestie of God and his congregatioun, that we, be his graice, sall with all diligencie continualie apply our hail power, substance, and our very lyes, to mainteine, set forward, and establish the most blissit word of God, and his congregatioun: and sail labour at our possibilitie to have faythfull ministeris, purlie

¹ Spotswood, p. 119.

² Ibid. and Knox, p. 120.

duty, either to have defended their brethren against the cruelty of the clergy, seeing they, the nobility, were a part of that power which God had established in the realm, or else to have made public confession of their faith with them; which now they offered to do, lest, by their silence, they should seem to justify the tyranny exercised upon them.

At this the priests were mad, and stormed mightily. But the queen-regent, to obtain the reformers' consent for giving the matrimonial crown, as it was called, to the dauphin of France, now husband of the young queen Mary; and wisely judging, that those who durst make such demands had power to support them, she dealt subtilly, and in appearance consented to let the reformers use prayer, celebrate the sacraments, and perform other religious exercises in their mother-tongue, on condition these were done without tumult; and that their teachers should not preach publicly at Edinburgh or Leith. On this they parted in a good mood; and each side seemed to have favourable sentiments of the other. But the priests behaved more imperiously than they had done for some time before; and took away the life of Mr. Walter Mill, whose story is, for the sake of connection, narrated in the former section. It was at this time also that Mr. Methven was decerned, for his contumacy in not appearing to answer his summons, to be banished; and every one was forbidden to harbour, relieve or converse with him, on severe penalties; which yet the brave citizens of Dundee,

and trewlie to minister Christis evangell and sacramentis to his pepill. We sall maintein thame, nurische thame, and defend thame, the hail congregatioun of Christ, and every member thairof, at our hail poweris and wairing of our lyes, against Sathan and all wicked power that dois intend tirannie or trubil against the fairsaid congregatioun. Unto the quhilk holie word and congregatioun, we do joyn us: and also dois renunce and forsaik the congregatioun of Sathan, with all the superstitionis, abominatiounis and idolatry thairof. And mairover, sall declair our selfis manifestlie enemies thairto. Be this our faythful promeis befor God, testified to his congregatioun, be our subscription at thir presens. At Edinburge the 3d day of December 1557 yeirs. God caillit to witness.

amongst whom he laboured in the work of the ministry, openly disregarded, and did not forbear to attend his sermons, and afford unto him all necessaries.¹

These instances of tyranny the queen-regent dissembled her knowledge of, but the reformers were not without suspicion that the priests had her allowance for such conduct. And therefore, when the parliament sat down in December 1558, they moved for a repeal of the laws empowering the bishops to proceed against heretics; and that nothing might be judged heresy that was not condemned by the word of God. But the queen-regent told them that their desires could not be presently granted, because of the opposition made to them by the ecclesiastics. Upon that they protested, that whereas their requests proceeded from conscience, and tended to no other end, but only to the reformation of abuses in religion, according to order, it should be lawful to them to behave in matters of religion and conscience, as they must answer unto God; and that they were not to be blamed for the ill effects of rejecting their petition, and the violences that might follow.²

The regent's answer to this protestation was mild, and such as deceived the reformers for a while. Yet as soon as she had gained her end in relation to the dauphin, she changed her speech, and was often heard to say, "That being now freed from the vexations which most troubled her mind, she would labour to restore the authority, by some notable example, to that reverend esteem which, in the late times, it had lost."

This made several apprehend 1559. a storm was gathering. Accordingly, next spring, upon hearing that sundry of the ministers in the country had not observed Easter after the Romish way, she took up their names, and caused summon them to appear at Stirling against the 10th of May thereafter.³

The reformers, finding matters carried

on so far contrary to the queen's promises, resolved not to be wanting to themselves; and therefore sent the earl of Glencairn and Sir Hugh Campbell to the regent, to entreat her favour to the ministers. But she casting off the mask, and giving her passion a full vent, answered them roughly, "That maugre all that would take part with their ministers, they would be banished Scotland." When they replied, in great humility, That she would be pleased to call to mind, what she had often promised them; she answered them, "That promises of princes were no further to be urged upon them than it stood with their conveniency." The commissioners finding what they were to expect, and knowing what strength the reformers, their constituents, had to resist her violence, told her to her face, "that if she renounced her promises to them, they would renounce their obedience to her; and advised her to consider the consequences."⁴

The day appointed for the ministers to appear, drawing nigh, the professors in all parts of the country prepared to accompany them. And it is recorded to the honour of the inhabitants of Angus and Mearns, that they were almost wholly bent on making confession with them.⁵

When come so far on their way as Perth they halted and sent the laird of Dun before, to assure the queen, that they came in a peaceable manner, to give confession of their faith with their ministers. But, she, dreading they had other projects in agitation, desired him, being one to whom they paid great respect, to entreat them to disperse; and to assure them, in her name, that the diet should be deserted, and nothing done to the prejudice of their ministers. Dun, a gentleman naturally affable, and disposed to believe the best, did, in a letter to the reformers, show what promise and hope he had of the queen's favour; whereupon they resolved not to go forward. But see the faith kept, at that time, with protestants! as soon as, in the faith of these promises, many of the honest men

¹ Buch. lib. xvi. *Memoirs of the church of Scotland.* Knox, p. 123.

² Spotswood, p. 119. Knox, p. 124.

³ Knox, p. 126. Spotswood, p. 120.

⁴ Spotswood, p. 121. ⁵ *Ibid.*

were returned home, the queen, like a true papist, held the meeting intended, called over the names of the ministers, and outlawed them for absence. The laird of Dun, greatly ashamed of the queen's breach of promise, and hearing that lord Maxwell, though only a secret favourer of the reformation, was, upon some slight reason, confined, and that mischief was determined against himself, secretly left the court, and returned to Perth; where meeting with those who had not left the place, he excused himself to them for the advice he had given, informed them of the queen's proceedings against the ministers, and advised them to provide for the worst.

This being noised abroad, the multitude were so inflamed with anger, that neither the exhortations of the ministers, nor the commandment of the magistrates, though of their own party, could restrain them from destroying the places of idolatry. But says Buchanan,¹ the lords and armed men, with an unusual moderation, avoided all appearance of enriching themselves by this work, and let the priests go away laden with gold and silver. But as for the buildings, the work being thus begun, they demolished them, and caused their soldiers carry away the very stones and rubbish; so that in some places they hardly left any remembrance of them to posterity.²

And now the war was begun in earnest; for the breaking down of images, and the pulling down of monasteries, began to spread over the country. This provoked the queen so much, that she resolved to punish the town of Perth in a most exemplary manner. But she reckoned without her host; for the people let her see how little they feared her; and the same week, several other towns, as Cupar, Montrose, and others, did the like.³

In order therefore to put a stop to these proceedings, the queen raised an army, and marched directly against the protestant nobility then in Perth, in-

tending to surprise the town unawares. But they, getting notice of the preparations against them, sent messengers to all parts, where they knew their friends resided, for their aid. Many flocked to their assistance from Angus, Mearns, Fife, and the adjacent counties, and some also from the Lothians.⁴

But the celerity of Alexander earl of Glencairn, on this occasion, was most admired; for on notice sent to him of the danger to which the brethren in Perth were exposed, he assembled the protestants of Kyle and Cunningham, and found amongst them two thousand five hundred men well armed, and ready to hazard their lives in the cause; of which number were the lords Boyd and Ochiltree, Sir Hugh Campbell of Loudon, the lairds of Craigie-wallace, Cessnock, Cairnhill, Barr, and Gadgirth; and twelve hundred were horsemen. With these he made his way over the almost impassable mountains that lay betwixt him and Perth, and travelling night and day, got within six miles of that town, before his brethren there knew of his coming. Which supply, in a time of so great extremity, struck terror into the queen's faction, and was looked upon by the reformers as an evidence of the divine favour to them.⁵

The queen being assured, that there were now seven thousand armed men in the town, besides the burgesses, all resolute men; and knowing that many of the Scots who yet remained with her hesitated concerning the lawfulness of her present course, she was afraid to engage with the reformers. So an agreement was made; an amnesty or general pardon was promised for all that was past; matters of religion were referred to the next parliament; and the queen was to be received into Perth, on promise not to injure any of the townsmen, and that the French should not approach within three miles of the town.⁶

This agreement was made May 29,

⁴ Buch. lib. xvi. Knox, p. 134. Spotiswood, p. 122.

⁵ Buch. lib. xvi. Knox, p. 136. Spotiswood, p. 122.

⁶ Ibid.

¹ Lib. xvi.

² Spotiswood, p. 121. Knox, p. 128.

³ Buch. lib. xvi. Spotiswood, p. 122.

1559; and the congregation, by the mouth of Mr. John Knox, who arrived from Geneva the 5th of that month, gave public thanks unto God for the good issue of the present troubles.¹

But fearing the queen would not stand to her promises, the reformers agreed upon another bond for mutual assistance. This writing was subscribed by the earls of Argyle and Glencairn, lord James Stewart, the lords Boyd and Ochiltree, and Matthew Campbell of Terringland, in name of the rest, the 31st of May 1559.*

Upon the reformers leaving Perth, the queen entered into it; and contrary to the agreement just now mentioned, she brought her Frenchmen with her, and exercised great violence upon the townsmen, distressing them by extravagant fines, change of their magistrates, punishment of some, and murder of others; and at her departure, left a garrison of mercenaries in the town; and when her promises were objected to her, she answered, "Princes were not to be strictly charged with their promises, especially when they were made to heretics; and that she thought it no sin to kill and destroy them all; and then would excuse it, as well as could be, when it was done."² This alienated the affections of the whole nation from her, and issued at length in her ruin. Her friends, ashamed of her breach of promise, forsook her; and in many places, the people began more boldly to pull down images and to raze monasteries, which so startled the popish clergy, that they

¹ Knox, p. 136.

* At Perth the last day of Maii, the yeir of God 1559, the congregatioun of Eyfe, Perth, Dundie, Angus, Mernis, and Montrois, being conveyit in the town of Perth, in the name of Jesus Christ, for futhsetting of his glory, understanding nathing mair necessar for the sam, than to keip ane constant amitie, unitie, and fellowship together, according as they ar commandit be God, ar considerat, and become bundin and obleist, in the presens of God, to concurre and assist together, in doing all thingis required of God in his scripture, that may be to his glorie; and at their hail powers to destroy, and away put all thingis that deis dishonour to his name; so that God may be pairlie and trewlie worschipped. And in cais, that any

² Spotswood, p. 123. Knox, p. 139.

thought fit to shift for themselves the best way they could.

The queen perceiving that these commotions were not to be mastered by herself, represents to king Henry II. of France, that the insurrection of the reformers was done on purpose to shake off the French yoke; and desired a great force to reduce them. On the other hand, some were sent over from the lords to give a true representation of the matter; and to inform him, that an amnesty for what was past, and the free exercise of their religion for the time to come, would give full satisfaction. But that king died soon after; and the regent's brothers of the house of Guise, getting the management of French affairs into their hands, all moderate measures were laid aside.

In the mean time the queen-regent did all she could to suppress the reformers: for hearing that they had demolished the monuments of idolatry in Cupar, Crail, Anstruther, &c. and that they intended to do the like in St. Andrews, she marched towards them with her forces. But they were apprized of her approach; and having sent notice of their case to as many of their friends as they expected could in due time come to their relief, they increased against the next day, from about 300 men, horse and foot, to above 3000, well mounted and accoutred. And there were among them some of the most eminent of the nobility, such as Argyle, Glencairn, Rothes, Ruthven, lord James Stewart, and others.

The queen's army marched all night, trouble beis intendit against the saidis congregatiounis, or ony part, or member thair- of, the hail congregatioun sall concurre, assist, and convey togidder, to the defence of the sam congregatioun, or persone troubled; and sall not spair labouris, guidis, substances, bodies, and lyves in mantaining the liberties of the hail congregatioun, and everie member thair of, against quhatsoever power that sall intend the said trouble, for caus of religioun, or ony other caus depending thairupon, or layed to their charge under pretence thair of, althocht it happin to be enloured with ony other outward caus. In witnessing and testimonie of quihilkis, the hail congregatiounes foirsands hes ordneyed, and appointit the nobillmen, and persones underwritten, to subscrivye thir presens.

to surprise them. But she soon found she had made more haste than good speed. The reformers met her near Cupar, and resolved to give her a warm reception. The lord Ruthven led the gentlemen of Fife, Angus, and Mearns, who amounted to a thousand spears on horseback; the towns of Dundee and St. Andrews were likewise drawn up by themselves, and made a good brigade of foot; and their whole army was most advantageously posted.¹

When the queen's army saw that the reformers could not be attacked but with great hazard, the queen had recourse to her former way of treating with them. But they were not to be taken twice in one snare. They declined her proposal; bidding her fall on with her French cutthroats, for there was no safety in treating with her. However, the motion being renewed, and assurance given by some of our nobility with the queen, for her performance of what should be undertaken by her, they consented to come to a treaty, on condition, that all the French should be sent over the Forth, and that in eight days messengers should be sent by the queen to treat of a full peace.²

The French were accordingly transported over to Leith, and the lords waited sometime for the commissioners; but the queen never sent any to treat with them, as she had promised: so that the lords concluded the treaty broken, and from this time depended no more upon the queen's faith. Many of the principal nobility came in to them, and the country was almost universally disposed to support them; which made them resolve either to overcome or die.³

And, first, they marched to Perth, which they delivered from the oppression of the garrison which the queen had left there, and demolished the abbey of Scone. From hence, fearing the queen should prevent their advancing southward, and hearing that she intended to put a garrison into Stirling, they marched all night, and took possession

of the town before the queen's army came up.⁴

After staying three days there, and stripping all the churches of their popish ornaments, they set out for Edinburgh, and at Linlithgow, in their way, did the like to the churches there. Here they were joined by the duke of Chatterault, and his son the earl of Arran.

The queen might have perceived by this time that the whole nation was bent upon the reformation, and that there was no resisting it. But God had hardened her heart, and she would not understand what was visible to all the world: for the people of Edinburgh, hearing that the lords of the congregation were marching to them, did all the work to their hands, and they left no remnant of popery in any of the churches, even before the lords reached that city.

Archbishop Spotswood tells us,⁵ that the lords had but three hundred men in all their company when they marched from Stirling to Edinburgh; and the queen had near three thousand French soldiers, besides the popish party, and their adherents, who clave to her. And yet so terrible was that small company to the papists, that the queen fled to Dunbar with all her forces, in such haste, as if an enraged conqueror had been pursuing them at the heels.

The Congregation being now masters of the capital city, and the queen and her foreign troops fled, they appointed the reformed ministers to preach publicly in Edinburgh; which had not been openly done in any place before, except where their army was assembled.⁶

Things standing in this posture, the queen-regent published a proclamation, offering to refer the whole matter to the parliament to meet in January following, and giving liberty of preaching, &c. till then; but accused the lords with rejecting all reasonable offers, and with seeking the subversion of authority, and the usurpation of the crown. On the other hand, the lords, and particularly

¹ Spotswood, p. 124.

² Ibid.

³ Ibid. p. 125, 131. Buch. lib. xvi.

⁴ Buch. lib. xvi. Knox, p. 146. ⁵ P. 125.

⁶ Spotswood, p. 129. Knox, p. 155.

the duke and lord James, who were most blamed by her, purged themselves by public proclamations to the people, and messages to the queen; in all which they called God to witness, that their only intention was to banish idolatry, advance the true religion, and defend the preachers thereof; promising to continue in all duty towards their sovereign, and her mother the regent, provided they might have these things secured to them; and offered, in the mean time, to give assurance of their loyalty.¹

Several messages and returns passed between the queen-regent and them, and a meeting of commissioners to accommodate matters was agreed to on both sides, but two thousand men coming over from France, under the command of the marquis of Elbeuse, and assurances being sent to the queen, of greater forces to follow, she threw up with all accommodation, and came and fortified Leith.²

The Congregation were so alarmed at the fortifying of Leith, and the placing of French troops there, that they sent notice of it through all parts of the kingdom, and long messages, proclamations, charges, and recriminations passed between the queen-regent and them, in which they insisted upon the dismissing the foreign troops, and demolishing Leith. But all to no purpose.³

Upon this the lords took up arms again, and advanced to Edinburgh. The queen retreated to her new fortification; and shutting herself up there, with her French forces and friends, to the number of six thousand men, sent messages to the duke and the lords, by a herald, charging them with rebellion,⁴ &c.

The lords, in this extremity, convened a great assembly of the nobility, barons, and burgesses, wherein the lord Ruthven was president; and having objected many maladministrations to the queen, as her beginning and carrying on a war in the kingdom, and bring-

ing in strangers to subdue it, debasing the coin, governing arbitrarily without regard to the principal laws of the country, and without consent of the nobility, condemning their advice, and breaking her faith and promises to them, &c. they declared she had fallen from her regency, and, says bishop Burnet,⁵ suspended her administration till the next parliament.

After this there were mutual skirmishing betwixt both sides. But a new reinforcement having arrived from France, the reformers found the war was likely to continue beyond expectation, and that it was necessary for them also to have foreign assistance, and therefore they betook themselves to Elizabeth queen of England for relief, and at length obtained it.⁶

That princess, in performance of a treaty subscribed by the duke of Norfolk and the Scots, sent the lord Grey, with two thousand horse and six thousand foot, and after that a reinforcement of two thousand foot more, who besieging Leith, the loss was considerable on both sides, but that on the English side was more easily supplied.⁷

It should be here noticed, that after the English were arrived, the lords, barons, and gentlemen entered into what Mr. Knox calls the last band at Leith, but is dated at Edinburgh the 27th of April 1560. It contains an obligation to concur with all their strength in expelling the French, and espousing the common cause, as if it were the cause of every one of them in particular, &c.*

⁵ Burnet, lib. iv. ⁶ Knox, p. 137, 214, &c.
⁷ Ibid. p. 223.

* At Edinburgh, the 27th day of April in the year of God 1560 yeirs, we, whose names ar underwritten, have promitted and oblisched our selfis faythfully, in the presens of God, and be thir presentis promitts, that we altogither in generall, and every ane of us in special by himself, with our bodies, gudes, friends, and all that we may do, sall set forward the Reformation of Religioun, according to God's Word, and procure, by all means possible, that the truth of God's word may have free passage within this realme, with dew administration of the sacraments, and all things depending upon the said word. And sicklyke deiply weying with

¹ Buch. lib. xvi. Spotiswood, p. 126. Knox, p. 148, 181.

² Spotiswood, p. 131, 134. ³ Ibid.

⁴ Buch. lib. xvi. Knox, p. 133. Spotiswood, p. 135, 136.

During these things the queen-regent retired to the castle of Edinburgh, where she fell sick and died June 10, 1560. And soon after, a general peace between Scotland, England, and France, was concluded.¹ An amnesty was granted for all that was past; the French and English were to be sent out of Scotland; and all other things were referred to a parliament to be holden in the month of August following. During the queen's absence, the kingdom was to be governed by a council of twelve, all natives. Of these the queen was to name seven, and the states were to choose five. Accordingly, upon the 16th of July 1560, the English marched for Berwick, and the French set sail for France.

And within a few months thereafter Francis II. king of France and husband of our queen Mary died also; which event gave a very favourable turn to the reformation: for thereby Scotland was disengaged from French interest; and our queen being now a widow, the protestants got all the government into their own hands.

Peace being proclaimed, the lords of the congregation, and all the gentlemen, their adherents, who were there, met in the great church of St. Giles at Edinburgh, (now divided into four), to give solemn thanks unto God for their deliv-

our selfis the misbehaviour of the Frenche ministerishere, the untollerabill oppressioun committed be the Frenchmen of weir upon the pur subjectis of this realm, by maintenance of the quein dowager, under colour and pretence of authority, the tyranny of their captanes and leaders, and manifest danger of conquest in whiche the countrey presently stands, be resson of divers fortifications upon the sea coast, and uther novelities of leit attempted be thame; promitt that we sall, every one with uther, as weill as altogether, with the quein of England's armie presently cum in for our deliverance, effectualle concurre, joyn together, taking and hald plain parte for expulsion of the saids strangears, oppressours of our liberty furth of this realm, and recoverie of our ancient liberties and freedomes, to the end that in time cuming we may, under the obedience of the king and quein our soveranes, be onely rulled be the lawis and customes of the cuntry, and borne men of the land; and that nevir one of us sall have privy intelligence by wrytting, message, or communicatioun with any of our saids enemies, or adversaries

erance from the tyranny of foreigners, and the begun establishment of the true religion, &c.

The next thing done was, That, by common advice of the lords, and others, professing the true religion, the few ministers they had were distributed among the places they judged most needful, as Mr. John Knox to Edinburgh; Mr. Christopher Goodman to St. Andrews; Mr. Adam Heriot to Aberdeen; Mr. John Row to Perth; Mr. William Christison to Dundee; Mr. David Ferguson to Dunfermline; and Mr. Paul Methven to Jedburgh: these seven for the burghs. And for the landward, or country places, were named Mr. John Spotiswood for the Lothians and Merse; Mr. John Winram for Fife; John Erskine of Dun, Esq. for Angus and Mearns; Mr. John Willock for the bounds of Glasgow and Ayr; and Mr. John Carsewell for Argyle and the Western Isles; which five were, on account of their itinerary preaching through the respective bounds assigned to them, and oversight of the readers, called superintendents, by an allusion to the superintendents of victuals among the Grecians.

This superintendency is called by some an infant prelacy; and from thence they argue, that the reformation from popery was episcopal. But this difficulty may be sufficiently answered in a few observations in this caus, but by the advyse of the rest (at least of fyve) of the counsail.

Attour yet, we sall tender the common caus, as if it war the caus of every ane of us in particular; and that the causes of every ane of us now joyn't together, being honest and lawful, sall be all our causes in general; and he that is enemy to the causes foirsaid, sall be enemy to us all, in sa far, that quhatsoever persons will planely resist thir our godly interpryses, and will not concure, as ane gude and true member of this commounwelthe, we sall fortifie the authority of the counsail, to reduce them to thair dewty. Lykas we sall fortifie the authority foirsaid of the counsail, in all things tending to the furtherance of the said causes. And if any particular debait, quarrell or contraversie sall arisy, for quhatsoever causes bygone, present or to cum, betwix any of us (as God forbid) in that cais, we sall submit our selfis and our saids questiones to the decision of the counsail or to arbitratours to be maid be thame, &c. provyding always, that this be not prejudicial to ordinar jurisdiction of juges; bot that men may persew thair actiounes by ordour of law civilly or criminally as they ples.

¹ Knox, p. 220. Spotiswood, p. 147.

vations upon the office of superintendents, when we come to speak of the form of church policy, or First Book of Discipline.

In this posture affairs continued until the meeting of the parliament in August 1560; which was more numerous than usual. Here another dispute happened, which the popish party have still insisted on, viz. "How this could be called a parliament, since it was not called by the queen, neither had her majesty any commissioner there to represent her person." But the treaty of peace solved this, which being stipulated in the name and by the ambassador of the queen and her husband, had concluded, "That a parliament should be kept in the month of August, and that the same should be as lawful in all respects, as if it were ordained by the express commandment of their majesties." And this, by voices, was judged as a full legitimation of their meeting.¹

The first thing moved, was a supplication given in by the protestant nobility, gentry, burgesses, and other subjects, concerning religion; in which they craved, 1. That the doctrine of the Roman church, professed, and tyrannously maintained, by the clergy, should be condemned, and, by act of parliament, abolished. 2. That a remedy should be found against the profaning of the holy sacraments by men of that profession; and the true discipline of the ancient church revived and restored. And, 3. That the pope's usurped authority should be discharged, and the patrimony of the church employed on sustaining the ministry, the provision of schools, and the entertainment of the poor.²

Diverse of the nobility, being possessed of the church revenues, were averse to this last clause; but the rest of the supplication was opposed by none. Accordingly the ministers³ were desired to draw up, under proper heads, a summary of the doctrine which they craved to be established, that the same might be seen and considered by the parliament; (for,

before this time, the Geneva Confession was their test of orthodoxy). This was accordingly done;⁴ and the fourth day after, (which was the 17th of August) they exhibited to the estates "The Confession of the Faith and Doctrine believed and professed by the Protestants of Scotland;" which, with the Scripture proofs, we find recorded Act 4. Parl. 1. king James VI. and the same hath been since frequently reprinted. This confession is directed mainly against the errors and abominations of the Romanist; the great point upon which the testimony of protestants did then turn. It hath likewise been approved by all the best reformed churches in Europe, as we may gather from the harmony of their confessions, and it is doubtful if a purer and less exceptionable system of divinity hath been since composed.

The Confession thus agreed on was several times read in open parliament, the authorising thereof, as our standard of doctrine, publicly voted, and the same registered in the books of parliament, without altering so much as a single sentence,⁵ and without a contrary voice, except Athole's, Somervell's and Borthwick's, who said, they would believe as their fathers before them had believed. Yea, the popish clergy present, to the number of ten, were silent, and opposed it not, which drew from the earl Marshall the following exultation, "It is long since I carried some favour unto the truth, and was somewhat jealous of the Roman religion; but this day hath fully resolv'd me of the truth of the one, and falsehood of the other; for, seeing the bishops (who by their learning can, and for the zeal they should have to the truth would, as I suppose, gainsay any thing repugnant unto it) say nothing against the Confession we have heard, I cannot think but it is the very truth of God, and the contrary of it false and deceivable doctrine."

At the same time there passed three other acts in favour of religion. One

⁴ Burnet says, this Confession was penned by Knox. lib. iv.

⁵ Knox, p. 238, 253, 256. Spotiswood, p. 150.

¹ Spotiswood, p. 149.

² Knox, p. 237.

³ Spotiswood, p. 150.

for abolishing the pope's jurisdiction and authority within the realm. A second, generally annulling or abolishing all statutes made in preceding times for maintenance of idolatry. And a third, for punishment of the sayers and hearers of mass, with imprisonment for the first transgression, banishment for the second, and death for the third.

It would seem that the pains of this last named transgression have been thought somewhat too severe, for though there have been many instances of persons punished for idolatry with imprisonment and banishment, we know of none who have been put to death on that account. Yet, when it is considered, that the above statute was levelled against an error and practice which all true protestants account damnable to the souls of those who are infected with such idolatry, it was certainly an act most necessary for those early times; and we do not see why it may not be executed to its full extent upon obstinate idolaters to this very day. But passing this.

With these acts, Sir James Sandilands, a gentleman of good account, was sent over to France, to obtain a ratification of the same from the queen. But his message was treated with contempt. No less was expected, yet it was thought proper to try her disposition. Nor was her refusal much regarded; these acts were never a whit less solemnly observed by the reformers, and we will find them afterwards ratified in the first parliament of king James VI.¹

Popery being abolished, and the reformed religion publicly professed and authorised, the first General Assembly of the church of Scotland, consisting only of the twelve ministers formerly named, and several elders of chief note, sat down at Edinburgh on the 20th of December 1560. Their chief business was, appointing the few ministers they had to particular charges, or rather approving the destination already made of them, receiving candidates upon trial for that sacred office, and prescribing the form and order of the election of superintendents,

ministers, elders, and deacons, as may be seen at length in Mr. Knox's history, book third.

It is to be observed here, that the articles of the Confession of Faith contain all the doctrinal part of the reformers' profession, but have not one word of the discipline or government of the church, nor was the form of worship settled at that time. They had indeed a form of discipline and worship before this, which was the order of Geneva, the same which is bound up with our old psalm books. But the reformers not agreeing with it in some things, as funeral sermons, set forms of prayer, &c., were resolved to extract from the sacred records the form of their church policy; and wisely judging, that the doctrines of the true religion can no more be preserved without government, than a city can be without walls, a camp without a trench, or a garden without a fence; and that the Christian discipline is truly the mother and guardian of truth, as Nazianzen frequently calls it; a charge was given to Messrs. Knox, Willock, Winram, Spotiswood, Row, and Douglas, to draw up a book of policy and discipline, as they had done of the doctrine.² They obeyed, and after a short time presented it to the privy council, some of whom approved it, and wished to have the same ratified by law; but others perceiving that their manners were more strictly to be watched, and the church revenues craved to be detached from their estates for pious uses, were no ways satisfied; and therefore no judicial ratification of the book could be obtained. Yet the chief of the reformers signed it at Edinburgh, the 27th day of January 1560, according to the old style, and 1561 according to the present. These were the duke of Chattelearault; the earls of Arran, Argyll, Glencairn, Marshall, Monteith, Morton, and Rothes; lords James Stewart, Yester, Boyd, Ochiltree, Herries, and Lindsay, with the masters of Maxwell and Lindsay; the barons of Drumlanrig, Lochinvar, Garglies, and Bargeny; Mr. Alexander Gordon, bishop of Galloway; Alexander

¹ Knox, p. 255. Spotiswood, p. 150.

² Knox, p. 256.

Campbell, dean of Murray ; with a great number of burgesses and others.¹

This book, wrote with a simplicity suitable to reforming times, contains many excellent reformation principles ; for by it the government of the church by prelates is overthrown ; church sessions are established ; the thrusting ministers into congregations without their call or election is condemned ; the trial and admission of ministers contrary to the episcopal method is appointed ; the superstitious observation of Christmas, fast-days, and days dedicated to saints, is likewise condemned, and several other things tending to the right government of the church are determined : and though there be some offices and other things in it that were adapted to the then state of the church, as the compilers themselves declare ;² yet that it was, in the more material parts, intended for a public standard, is evident from the appending of the subscriptions of so many members of the privy council, the supreme legislators in the interim of parliaments, to the same. It seems likewise, that the general assembly made the subscription of that book a test of conformity to church officers : for the Assembly 1562 would not admit Mr. Alexander Gordon to be superintendent of Galloway, until he subscribed the same ;³ and the general assembly 1638, refer several times to it as of standing authority.⁴

It is true, that by this book, superintendents were allowed, for a short time, in our church, the paucity of settled ministers requiring that some should be appointed to preach through all the parts

¹ Knox, p. 257. Spotswood, p. 175.

² First book of Discipline, head iv., concerning readers. "To the church that cannot presently be furnished with ministers, men must be appointed that can distinctly read the common prayers, and Scriptures, for the exercise both of themselves, and of the church, until they grow to greater perfection." *Ibid.*, head v., concerning superintendents. "It is found expedient for the erecting and planting of churches, at this time, there be elected ten or twelve superintendents."

³ Calderwood's Hist. p. 32.

⁴ Act. Sess. 17, condemning the five articles of Perth.

of the country, rather than the greatest part of the nation should be left destitute of the word of life. And this superintendency is called by some an infant prelacy. But the difference betwixt these superintendents and our modern bishops doth quite destroy this allegation. For,

1. They differed in their election, examination, and admission.⁵ (1.) The superintendent was to be elected by all the kirks within the bounds allotted to him by the general assembly, "as well," say they, "to bring the church in practice of her liberty, as to make him better favoured of the flock whom themselves have chosen." But the people are utterly debarred from the election of bishops. (2.) The superintendent was to be strictly examined by the ministers of the province where he was to have charge, and superintendents next adjacent ; and every one was allowed to object to his life and doctrine, as they had reason. But in the trial of bishops the dean and chapter is convoked, not so much to try, as to consent, as constant practice verifies. And, (3.) The admission of the superintendent was to be by those who found him qualified for the office. But to the inauguration of a bishop is required only the metropolitan's consecration.

2. They differed in the exercise of their office.⁶ The superintendent behoved to preach thrice a-week ; nor was he to continue above three weeks in one place, till he had gone through his whole bounds ; and having thus finished his progress, he behoved, after at most three or four months stay in the chief town of his charge, to re-enter upon the visitation of the rest of the kirks in his bounds ; to which they applied themselves so conscientiously, that some of them were unable to undergo the fatigue of it, and were therefore glad to petition the assembly to be disburdened of that office.⁷ But we find bishops account preaching the least part of their charge ; and a gallant procession through the

⁵ Book of Policy, head v. ⁶ *Ibid.*

⁷ Calderwood, p. 65.

chief towns of their diocese, once in three, five, or seven years, is all the visitation which the poor flock are favoured with from them.

3. They differed especially in their power,¹ the distinguishing characteristic of presbytery and prelacy. The superintendents had neither the sole power of ordination nor excommunication, and were themselves subject to the censure of the ministers of the province, or synod, and general assembly, for as yet the scarcity of ministers prevented the erection of presbyteries.² And accordingly, the history of our church affords several instances of the assemblies censuring superintendents, and of their submission to the same.³ But bishops assume the sole power of ordination and excommunication, and to talk of their being subject to presbyters, were like pulling a bear by the ear.

4. Among superintendents we find no different degrees, but a perfect parity of power. But in the hierarchy we find bishops, archbishops, primates, and patriarchs, each of whom are allowed a more extensive jurisdiction than the former.

In short, although the book of policy requires ten or twelve superintendents, yet we had never so many; the few we had, were no more than a temporary expedient for the first planting of the church. Mr. Knox and the other ministers who appointed them, shewed by their whole conduct and behaviour, that they were the most anti-episcopal in principle that could be found, and so soon as the particular congregations were tolerably planted with ordinary pastors, we find this temporary office of superintendency put to the doors. So that most justly do our estates declare

¹ Book of Policy, head v. Calderwood, p. 40.

² *Historia motuum in regno Scotiae*, or, The history of the commotions in the kingdom of Scotland, p. 3. Before presbyteries were erected we had a weekly meeting of the ministers of the most neighbouring parishes, who exercised their gifts by turns, and every month they publicly discussed some point of controversy betwixt the papists and protestants. And this was called a presbyterial exercise.

³ Calderwood, p. 32, 33, 44—47, 61—64, 66, 67, &c.

in the claim of right at the revolution, "That prelacy, and the superiority of any office in the church above presbyters, is, and hath been, a great and insupportable grievance and trouble to this nation, and contrary to the inclinations of the generality of the people, ever since the reformation; they having reformed from popery by presbyters."

Before we proceed in the history, we beg leave to obviate another objection, which is still insisted on by those of the episcopal persuasion, viz. that in Scotland, the reformation, instead of settling extinguished learning; and for evidence of this charge, they assert, what we do not controvert, that the abbots converted their abbeys into temporal estates, and the bishops divided their lands among their bastards, or kindred. But then they should remember that learning suffered more by luxury in the times of popery, than ever it did by poverty in the times of protestantism; as will be admitted by all who are acquainted with the history of the church, before and since the reformation, and are willing to speak as they know. 2. Let it be observed, that the parity among churchmen, introduced by the reformation, stood in need of no such opulency as these gentlemen find necessary for supporting their dignities as lords in parliament. Nor, 3. Can it be instructed that learning flourished better before than since the reformation. Sure we are, that in times of popery, ignorance was the mother of devotion amongst the laity; and if any of the ecclesiastics were more intelligent than ours, they certainly were infinitely more inexcusable, while their ministrations were calculated for intrahling the people in popish darkness, and subjecting them to antichrist, the vicegerent of the devil: whereas the gospel of the Son of God, mercifully brought unto us by that reformation, natively tends to "turn sinners from darkness unto light, and from the power of Satan unto God." This objection is therefore most unjustly imputed to the reformation. And though it be true, that some

of our nobility, favourers of the reformation, were tainted with this ecclesiastic avarice; yet equity requires that we should distinguish between the guilty and the innocent. And therefore we observe, that our reformed ecclesiastics, and the greatest part of our laity, were utterly averse to the misapplication of the church-revenues. And the books of policy, or discipline, particularly book i., heads 5th and 6th, and book ii., chap. 9 and 11, do afford pregnant evidence of the truth of this assertion. But we return to our history.

In the following August, queen Mary arrived from France, and the very next Lord's day caused mass be said in the abbey chapel.¹ This gave offence to many; who declared that they could not be unconcerned spectators of such gross corruption of divine worship, or bear to see the land, which the Lord had graciously purged from idolatry, again defiled in their presence. And the queen having issued a proclamation for protecting her domestics in their idolatrous practices, the earl of Arran protested,² That if any of her majesty's servants should commit idolatry, say mass, participate with, or defend it, that proclamation should not be available for their protection, no more than if they should be guilty of murder; seeing the one is more abominable in the sight of God than the other; but that it should be lawful to inflict upon them the penalties threatened in God's word against idolaters, wherever they may be apprehended, without favour or respect of persons. And Mr. Knox likewise openly rebuked some of the courtiers who, though professors, and had sworn to extirpate idolatry, suffered this without opposition, adding,³ "That one mass was more fearful unto him, than if ten thousand armed enemies were landed in any part of the realm, of purpose to suppress our holy religion. For," said he, "in our God there is strength to resist and confound multitudes, if we unfeignedly depend upon him; whereof

we have hitherto had experience: but when we join hands with idolatry, there is no doubt but that both God's amiable presence and comfortable defence will leave us, and what shall then become of us?" But the queen was so bigoted to her idolatry, and some of the nobility so far ensnared with the preferments and flatteries of the court, that these zealous proceedings had not the desired effect upon them.

The queen having sent home the French who attended her to their own country, and chosen eleven of the nobility, with the bishop of Ross, to be of her privy council, she took a tour to Stirling, Perth, Dundee, St. Andrews, and other of the chief burghs, in all which she was sumptuously regaled; and returned to Edinburgh a little before Michaelmas. At that term the town-council were in use to elect their magistrates, and make statutes or bye-laws for the good of the town. Amongst other acts, there was one prohibiting the reception of mass-priests, &c. into the town. This the queen looked upon as an encroachment upon her authority, and resented it warmly; for she committed the provost to the castle, and by proclamation declared the city was free for all her subjects; next she ordered the council to choose a new provost, which they slavishly complied with; and being resolved to support, not only her authority but her party, she kept her mass more publicly than at the beginning, and caused it to be celebrated with greater pomp.⁴

The second national assembly met in December, when some debates arose concerning their meeting without the queen's authority. But matters were amicably adjusted, and for reasons in substance the same with those which will fall in, when we come to give the history of the general assembly 1638, they convened in virtue of the intrinsic power granted by the Lord Jesus to his church, and in his name and by the direction of his word and Spirit, they concluded their work without so much as petitioning

¹ Knox, p. 283. Spotiswood, p. 178.

² Knox, p. 286. ³ *Ibid.*, p. 287.

⁴ Spotiswood, p. 182, 183. Knox, p. 293.

for the countenance of the then civil powers.¹ Nor do we find that any were appointed to represent the sovereign in the general assembly of the church, for at least twenty years after the reformation; though during that time there were no less than thirty-nine or forty assemblies; and though frequently, especially during the regency of Murray and Lennox, the supreme magistrate was very friendly to the church and her interests.

At the next assembly, which sat 1562. down in June 1562, it was ordained, that an uniform order should be observed in the administration of the sacraments, according to the Book of Common Order, prefixed to the old translation of the psalms, which was the order observed in the English church at Geneva; and that in every assembly, superintendents and ministers should be tried as to their life and doctrine, and the discharge of their office.² And because it was found that the superintendents could not go through with the visitation of all the bounds committed to their care, Mr. John Knox and Mr. George Hay were appointed commissioners to supply the west and south country. Mr. Hay preached, with great success, for a month in the kirks of Carrick and Cunningham, and Mr. Knox in those of Kyle and Galloway.³

Besides preaching, Mr. Knox did so pathetically represent the danger which religion stood in from the popish faction, that a great part of the barons and gentlemen of Kyle, Carrick, and Cunningham assembled at the burgh of Ayr upon the 4th of September; where, after conference amongst themselves, and exhortation by the minister, they entered into an oath or bond to promote the true religion; to maintain the ministers of the gospel, and defend one another.*

¹ Knox, p. 294. Calderwood, p. 30.

² Calderwood, p. 32. ³ Knox, p. 316.

* We quhais names ar underwritten, do promise, in the presence of God, and in presence of his Son our Lord Jesus Christ, that we and every one of us, sall and will manteyne and assist, the preaching of his holy evangel, now of his mere mercy offered unto this realme: And also will manteyne the ministers of the sam against all persones,

This bond was subscribed by the earl of Glencairn; by the Cunninghams of Cunninghamhead, Corshill, Caprington, and Waterston, Robert lord Boyd, the master of Boyd, and the Boyds of Narton and Pemont, Allan lord Catheart, William Catheart his brother, and the Cathearts of Clawance, Gibsyeard, Carlton and Bardarat, lord Ochiltree, Stewart of Blantyre, the Campbells of Loudon, Kinzeanelough, Horsecleugh, Craydow, and Houthley, the Kennedys of Terriganth, Kirkmichael and Daljaroek, the Wallacees of Cragie, Cairnhill, and Meanfurd, the Chalmerses of Gadgirth and Martuein, the Muirs of Rowallan and Wole, the Crawfords of Leforneis, Kers, and Walstoun, the Reids of Barskimming and Chappelhouse, the lairds of Stair, Kersland, Montgreenan, Hazlehead, Dreghorn, Hunterston, Halrig, Cloustang, Kelwood, Corsclays; and by many other gentlemen of rank, and by several burgesses.⁴

We have next in the history of those times, long accounts of a proposed interview between queen Mary of Scotland, and queen Elizabeth of England,⁵ which was prevented upon the very same grounds as that between king James V. and Henry VIII. which we have noticed in a former section; likewise of the remarkable defeat of the earl of Huntly at the head of the Gordons, all papists, and yet rebels against their popish queen, by James earl of Moray, a most eminent protestant, at Corriche, in October 1562;⁶ and also a narrative of the queen's

power and authority, that will oppone the self to the doctrine proponed and by us received. And further, with the same solemnity, we protest and promise, that every one of us sall assist uthers; yea, and the hole bodie of the Protestants within this realme, in all lawful and just actions, against all persones: so that quhosoever sall hurt, molest or truble any of our body, sall be reputed enemy to the hole, except that the offendare will be content to submit himself to the judgement of the kirk, now established amongst us. And this we do, as we desyre to be accepted and favoured of the Lord Jesus, and reaccounted worthie of credite and honestie in the presence of the godlie. At the burgh of Aire the ford day of September the yeir of God 1562.

⁴ Knox, p. 317.

⁵ Spotswood, p. 135.

⁶ Spotswood, p. 187. Knox, p. 320.

amours with Henry lord Darnley son to the duke of Lennox,¹ from whence so many mischiefs ensued. But the particulars of these affairs we omit, as more proper for a civil history.

1563. We pass the year 1563, with a single instance concerning superintendents.—Some of them were by this time become remiss in the discharge of their trust, and others of them were overloaded with it, and besought a release therefrom; wherefore, the general assembly, which met in June, gave commission to some ministers to plant kirks, confer benefices, procure the demolishing of all the monuments of idolatry not already destroyed, and suspend, deprive, and transplant ministers, in like manner as did the superintendents, and with the like assistance of reformed congregations, of learned men in the parts next adjacent, of synods, and of ministers, meeting for the exercise of teaching; for as yet presbyteries were not, nor could be constitute through the scarcity of ministers.²

Soon after the defeat of the Gordons, the queen called a parliament, in which she made so many concessions to the protestants, that some flattered themselves with the hopes of her espousing the reformed religion, but she had other projects in view. She found the protestant nobility were averse to her marrying lord Darnley; and rightly judged that the only way to gain their consent was to yield to what she knew they principally desired. Accordingly having summoned the estates to meet her at Stirling in May 1564, there was little opposition made either to the match, or any other thing her majesty desired. Only the lord Ochiltree bravely opposed it; and openly declared that he would never consent to admit a king of the popish religion.³

No sooner was the consent of the states made known than the papists began to exult, and the protestants to exclaim; the latter saying, that the lords had broken their engagements, and would overthrow the reformation. Several tumults

also happened, particularly in Edinburgh, which the queen revenged with great severity.⁴

The general assembly was sitting at the same time, and as strong apprehensions filled the heads of all who were concerned for religion, they presented a petition to the queen, containing eight articles; the second of which was, that the protestant religion should be openly professed by all persons, and by the queen herself.⁵ But she told them plainly that she would not change her religion, nor lose the favour of the French king, and other great princes, her friends and confederates.

This answer served to inflame those who already suspected her, and to open the eyes and revive the zeal of the duke of Chatterault, and the earls of Argyll, Rothes, and Moray, who, with the lord Ochiltree, entered into a confederacy to oppose the intended marriage. The queen was nevertheless married to the lord Darnley, now created duke of Rothesay, in July 1564; and he was the next day, by sound of trumpet, proclaimed king, and declared to be associated with her majesty in the government.⁶

The discontented lords finding their representations disregarded, began to arm, but the queen being beforehand prepared to oppose them, they moved from place to place, till at last they landed at Newcastle. From thence they sent Moray to the English court, to intreat queen Elizabeth's intercession for them. Their desire was at length granted; and letters were dispatched to the queen of Scots, requesting that these lords might be again received into favour. But her majesty of England was desired to mind her own affairs, and not to meddle with the subjects of Scotland, but leave them to their sovereign's discretion. Upon this the duke found other means to make a separate peace for himself, and was well received.⁷

In December this year the assembly met as usual; and solicited the queen of new for her favour to religion, and for sti-

¹ Spotiswood, p. 188. ² Calderwood, p. 33.

³ Spotiswood, p. 169.

⁴ Spotiswood, p. 190. ⁵ *Ibid.*

⁶ *Ibid.* p. 191.

⁷ *Ibid.* p. 192.

pends to their ministers. With respect to the former they received no satisfaction; but, through the favour of Mr. Alexander Gordon, now made a lord of session, and a privy councillor, they obtained some supply out of the bishops' rents.

We conclude this year with mentioning a few things which fell out in the beginning thereof, and may be justly reckoned prodigies in nature; such as, a great fall of rain upon the 20th of January, which froze so vehemently in the very falling, that the face of the earth might be said to be but one sheet of ice; the fowls were frozen alive, and many of them died; in that same month the sea was observed to become calm, and neither ebb'd nor flow'd for the space of twenty-four hours; and upon the 15th and 18th days of February following, were seen in the firmament, as it were two armies fighting one against another. These things, saith Mr. Knox,¹ were observed, spoken of, and constantly affirmed by men of judgment and credit; and by these God declared that he was offended with the iniquity committed within the realm.

1565. The murder of David Rizzio, formerly the queen's musician, now her secretary for French affairs, began the year 1565. The occasion of it was this. The queen resolving to ruin the lords who had fled, called a parliament to attain them; and, says Spotiswood,² the queen designing that Rizzio should act as chancellor in this parliament, Morton, who, after Huntly's death, had supplied that place, took it as an affront to him; and having upon the surmise of a criminal correspondence betwixt the queen and him, got the king to engage in the plot, these two, with the lord and master of Ruthven, lord Lindsay, and some others, their accomplices, came into the court, took Rizzio from the queen's table, who was then at supper, and slew him in the parlour below stairs.

The author of the Memoirs of the Church of Scotland, said to be Daniel Defoe, a French refugee, justly observes

here,³ that, by this fact, the enmity between the king and queen, which was before begun, was made so irreconcilable, that as he never rested till he had caused the Italian to be murdered, the queen never rested till she had caused her husband to be murdered; and divine justice after all never rested till it had caused her to be murdered, so that blood followed blood till the whole knot was destroyed.

The same author adds, that the murder of this obscure fellow had this effect, that the banished lords took courage to return home; and the parliament sitting at that time, they offered themselves to trial, and none accusing them they were acquitted; again, the queen, terrified with the strength of her husband's party, faced about to the lords who had fled, received them into favour, and bent her fury against the murderers of her favourite.

During these commotions, the 1566. queen was delivered of a son, afterwards king James VI. of Scotland and I. of England, who was born in Edinburgh castle, June 19, 1566; for which the nobles and people gave solemn thanks to God in the church of St. Giles. The assembly, being then met, sent some of their number to congratulate the queen on her happy delivery, and to desire that the prince might be baptized according to the form used in the protestant church. Her majesty gave no answer to this request at that time; but very effectually made a reply to it afterwards, by causing him to be baptized after the popish manner, at Stirling castle, by the archbishop of St. Andrews.⁴

In December this year the general assembly met at Edinburgh, and being grieved at the promotion of the archbishop to his jurisdiction, which took place about this time, and in collation to benefices, and several other things clashed with the authority of the church, and the laws establishing the reformation,⁵ they judged it incumbent upon them to remonstrate against the same, but despairing of a favourable hearing from

³ Hist. p. 53.

⁴ Spotiswood, p. 196, 197.

⁵ Ibid. p. 193.

¹ Hist. p. 346. ² Hist. p. 194.

the queen, they formed a supplication against it; by way of appeal to the nobility and secret council. About this time also some of the better reformed in England suffering deprivation, and other hardships, for not using the surplice, &c. this assembly, to shew their sympathy with these brethren, ordained a letter to be directed to the bishops of England, to intreat their lenity to their brethren of the presbyterian persuasion there.¹ It is observable, that in this letter the assembly call the bishops of England their brethren; but, at the same time, it is as observable, that they gave an ample testimony against their superstitious ceremonies, which they reckon dregs of popery, and the practice thereof a connivance with antichrist. At this assembly likewise the confession commonly called the latter confession of Helvetia, was approved, but with exception as to some holidays which the Helvetican church retained.²

We have next an account of the murder of the king.—From the time that he had deprived the queen of her favourite Rizzio, she hated him mortally. She would not so much as admit him unto her company, and even proceeded so far as to revoke her grant of associating him with her in the government. From that time she mightily caressed the earl of Bothwell; with whom she was said to have criminal intercourse. Through his instigation she formed a design to cut the king off; and, in order to the execution of the hellish plot, it was found necessary to have him nearer her person; for he had retired to his father's house, soon after cutting off the unhappy Italian, and was lying at Glasgow indisposed. Wherefore all of a sudden the queen visited the king; she pretended a mighty kindness for him, apologized for her past behaviour, and earnestly solicited him to return to Edinburgh. A seeming reconciliation being thus brought about between them, the king was by the queen's order carried to Edinburgh in the end of January 1567, and had a lodging prepared for

¹ Calderwood, p. 41.

² Ibid.

him in a remote place, on the south-east side of the town, nigh to where the Royal Infirmary now stands. The design of lodging him in that obscure place was coloured over with a pretence of his being more quiet there, and more likely to recover, than if he were lodged in the palace. The queen visited him daily, and expressed the strongest wishes for his recovery. After he had stayed in that house scarce two weeks, the evening before his tragical exit, the queen sat up very late with him, shewed him uncommon tokens of affection, and parted from him that night with warm expressions of kindness and love, and ardent wishes for the recovery of his health. But the unhappy prince was that very night cut off in the flower of his youth. The king, and the servant who attended him, were both strangled, and their dead bodies were found next morning in an orchard adjoining to the house; and it was pretended they were carried thither by the violence of the powder, which, upon the back of the horrid scene, blew up the house where he lodged. But on examining the bodies, none of their bones were found broken, nor could any signs of fire or powder be observed about them.

Our historians who lived in, and wrote of that time, agree, that this barbarous murder was contrived by the queen and her new favourite the earl of Bothwell, that it was perpetrated by the latter, and his accomplices.³ Buchanan, who was then in town, and had the best access to know the fact, mentions several glaring presumptions to this purpose, two of which we cannot omit, as falling little short of positive evidence. In the *first* place, the queen's writing several amorous letters to Bothwell, and signing a contract of marriage with him while the king was yet alive, and while the marriage between Bothwell and his lady subsisted, which letters and contract were found in Bothwell's cabinet after his defeat, which will fall to be noticed presently. And, *secondly*, The

³ Buch. lib. xviii. Knox, p. 405. Spotswood, p. 200. Melvil's Memoirs.

queen's marriage with Bothwell, how soon as a divorce betwixt him and his wife could be obtained, which was accomplished with the greatest precipitation, and not without strong presumptions of bribery. If these do not amount to pregnant evidence of the queen's accession to this horrid murder, we leave to every one to determine.

After the king's death the queen formed several designs, and secretly attempted to get the custody of the young prince out of the hands of the earl of Mar, hereditary keeper of the king's children; which caused many suspect, and the earl of Athole spoke it plainly out, that mischief was designed against the royal infant.¹

This moved the protestant lords to enter into a bond for the protection of the prince, and their mutual defence. On report of this, the queen pretended a journey for settling the borders, and summoned the subjects to attend her for fifteen days, with arms and provisions, according to custom. As no reason appeared for such a journey, it was believed that her majesty's intention was to seize upon the young prince, and commit him to Bothwell; whereupon the lords began to arm. The queen also and Bothwell raised forces; and now the longest sword must decide the controversy. But when both sides were ready to engage at Carberryhill near Musselburgh, Bothwell's heart, through a consciousness of guilt, failed him, and the queen's army were not forward to hazard a battle. These, and other circumstances made the queen, driven almost to despair, surrender herself into the hands of the lords, who carried her first to Edinburgh, and from thence, because the castle was under the command of Sir James Balfour, a creature of Bothwell's, they sent her to the house of Lochleven, and with her ended the reign of barefaced popery in Scotland.²

Nor did justice pursue the queen alone for these wicked proceedings. Bothwell never saw her more. After the queen's surrender he fled, first to

Shetland, where, for a time, he acted as a pirate; but being driven from thence, he fled to Denmark, where, after undergoing a tedious imprisonment, and the hardships of extreme poverty, he died raving mad.³

The queen being confined, as we have noticed, the estates considered upon settling the government and deposing her, rightly judging, that the protestant religion could not be safe under the dominion of a bigoted papist, and that due progress could not be made in the reformation, while her authority subsisted. The first step to this was to persuade the queen to demit, or resign the crown, in favour of her son. This at first she resolutely opposed, but afterwards signed any thing they brought to her, upon this supposition, that what she did while under confinement would not be binding on her for the future. Accordingly she signed one instrument for the surrender of the crown to her son; another for nominating the earl of Moray regent of the kingdom, during the prince's minority; and also several other papers. In consequence of this, the lords proclaimed the young prince king of Scotland, and crowned him July 29, 1567; and appointed James earl of Moray regent; he was then in France, but being sent for, he returned with all expedition, and readily accepted the office.⁴

After the queen had suffered about eight or ten months imprisonment she made her escape from Lochleven castle, revoked all the writings which she had signed, and raised an army about Hamilton. On the other hand, the regent marched to Glasgow, and, at Langside, near two miles from that city, gave her battle, and overthrew her forces, after an obstinate engagement, with an army much inferior to that of the queen; after which, he, with his army, gave solemn thanks unto God for giving them this signal victory.⁵

The queen after this fled into England, where, after suffering a tedious imprisonment, she was at length executed 1587,

³ Spotswood, p. 213.

⁴ *Ibid.* p. 211.

⁵ *Ibid.* v. 215, 216.

¹ Spotswood, p. 204.

² *Ibid.* p. 207.

for conspiring against queen Elizabeth. And with her fell all the hopes of reviving and re-establishing popery in Scotland. But we return to narrate a few of the intervening occurrences.

SECTION V.

Of the further progress of the Reformation from the year 1538 to 1595; the several attempts made to introduce prelacy during that period, and how the same were crushed.

1553. THE former section left the church in the full enjoyment of her doctrinal articles, encouraged by authority, fenced with laws, blessed of, and glorying in her Maker; and knowing her safety is not to sit still, she sets forward; and notwithstanding of many and great obstructions thrown in her way, arrives at length at as great a pitch of reformation in point of discipline and government, as formerly she had reached in point of doctrine and worship.

The first thing that presents itself to our view after this is, The Form and Order of Excommunication. This treatise had been formerly wrote by Mr. Knox, and voluntarily acquiesced in by many; yet, that the same might have the greater solemnity, it was by order of the general assembly, which met in July this year, revised, and ordered to be printed. And it is observable, that though ministry, session, and kirk be frequently mentioned in it, yet not one word of the superintendent, unless where the church was not reformed.¹

Hitherto it seems due order had not been observed in constituting the assembly. Wherefore, upon a motion made by Mr. Willock, it was ordained, that none should have power to vote in subsequent assemblies, except the superintendants, commissioners appointed for visiting kirks, ministers and commissioners of shires, who should be chosen at the meeting of the synods, commissioners of burghs, appointed by the council and session of their respective towns, and commissioners from univer-

sities; and, lest this should turn to a perpetual election of a few, it was ordained that there should be a change of members in every assembly. And this order was continued until presbyteries were erected.²

Nothing remarkable occurs after this, until the death of James earl of Moray the good regent. His grace was a great eye-sore to all who knew their crimes merited punishment; particularly to the Hamiltons, whose chief pled the regency as his right, and being disappointed of that, was constantly attempting the queen's restitution to the government. This faction despairing of being ever able to effectuate their designs while the regent lived, resolved to cut him off by violence; and as great mercies are seldom long-lived, God, to shew how little deserving the nation was of so good a governor, left the devil and his instruments to their liberty for a time. Accordingly James Hamilton of Bothwellhaugh, nephew to the archbishop of St. Andrews, incited by his uncle and others, undertakes the bloody task; and upon the 23d of January 1570, kills the regent with the shot of a bullet, as he was coming out of the palace of Linlithgow, amidst a vast crowd of attendants and spectators.

"His death," say Buchanan,³ and after him Spotiswood,⁴ "was lamented by all good men, who loved him alive, and lamented him when dead, as the public father of his country. For, besides his many other noble achievements, they called to mind, that, not a year before, he had so quieted all the troublesome parts of the kingdom, that a man was as safe on the road, or at his inn, as in his house; and envy dying with him, they that were disaffected to him when alive, really praised him when dead. They admired his valour in war, which yet was always accompanied with a great desire of peace; his celerity in business was always so successful, that the special providence of God seemed to shine on all his actions; besides, his clemency was

² Calderwood, p. 45. Spotiswood, p. 210.

³ Lib. xix.

⁴ Hist. p. 233.

¹ Calderwood, p. 44.

on all his actions; besides, his clemency was great in moderately punishing, and his equity as great in his legal decisions. When he had any spare time from war, he would sit all day long in the college of justice; so that his presence struck such a reverence into the judges,¹ that the poor were not oppressed by false accusations, nor tired out by long attendance. His house, like an holy temple, was free not only from impiety, but even from wanton words; and was so ordered that it did more resemble a church than a court. For, besides the exercise of devotion, which was duly observed twice a-day, if there were any eminent scholars present, as frequently there were a great many, and such were still well respected by him, he would ask their opinions of what portion of the Holy Scripture was then read; which he did, not out of vain ambition, but a desire to conform himself to its rules." In a word he was a good, great man, deserving, as regent, to be ranked amongst the best governors this nation ever enjoyed, and in his private character was a pattern worthy of imitation; and happy were it for us if those of our nobility who still retain the presbyterian character were found sincerely treading in his steps.

After this melancholy disaster, great contention broke out among the several parties. The nobility met several times to choose a regent, but could not agree upon one, and the queen's faction, taking advantage of these confusions, grew very strong. At last, upon the 12th of July, Matthew earl of Lennox, grandfather to the young king, was chosen regent. He carried on the war with the queen's party for near two years; and had several skirmishes with her troops at Leith, Dalkeith, and other places. But at length, upon the 3d of September 1571, he, and the nobles that attended him, were, by a party of the queen's faction, surprised in the town of Stirling.

¹ At that time the salaries of the senators of the college of justice were so small, and our municipal laws so defective, that many inconveniencies behoved to take place in the administration of justice, which the present happy constitution hath secured us against.

The regent was shot to death and some others made prisoners,² but the royalists being thus instructed to behave with more circumspection in time coming, God was pleased to stir up the Lord Erskine, governor of the castle of that town, with his small garrison, to make head against the assailants, to give him victory over them, and to crown his valour with the rescue of his friends, whom these rebels had made prisoners.³

Two days thereafter the same Lord Erskine, afterwards known by the title of Mar, was chosen regent. He also carried on the war with the queen's party, but with so little success, that he died, as was supposed of grief, at Stirling the 8th of October 1572, and was succeeded in the regency by James earl of Morton, on the 24th of November following.

While the earls of Moray and Lennox were at the helm, religion prospered, and the judicatures of the church were allowed the free exercise of their powers, in planting the church, censuring the disobedient, and performing the other parts of their function; but Mar, though a protestant, being much inclined to episcopacy, and having a good part of his estate made up of the church-rents; Morton being likewise ambitious of sharing the same, and both of them inclinable to promote any method that might secure these revenues to themselves; a commission was granted to six of the council to meet with as many of the members of the church, whom the court could most easily draw to their side, to consider of, settle, and conclude all things relating to the policy of the church. These twelve having assembled at Leith in January 1572, and assumed to themselves the name of a convention, with the power of a general assembly, they concluded, "That the names and titles of archbishops and bishops should not be changed, nor the bounds of the dioceses confounded, but stand and continue in time coming as they did before the reformation, at least till the king's majority, or consent of parliament:

² Buch. lib. xx. Spotiswood, p. 256.

³ Ibid.

That all archbishops and bishops that should be admitted thereafter, exercise no farther jurisdiction than the superintendents, till the same be agreed upon; and that they be subject to the kirk and general assembly thereof *in spiritualibus*, as they are to the king *in temporalibus*," &c. And these conclusions were allowed and approved in the king's name, by his regent at Leith, the first of February following.¹

This motley scheme of church government being thus introduced, it became a bone of contention to that and the succeeding ages. The friends of the hierarchy allege,² that the superintendents being old, and several of them serving upon their own charges, it was not to be expected that others, when they were gone, would undergo that burden; and that therefore the assembly sought, and by their commissioners obtained, the form now mentioned. On the other hand presbyterians affirm,³ that that convention was procured by the court for worldly purposes, especially that titles of bishops, abbots, and priors, which were not proper in the persons of noblemen, might be given to ministers, with some small portion of the benefice, that the noblemen themselves might reap the benefit of the rent; which was the cause of the Scottish name of *tulchan* bishops at that time, a name not improper for them, a *tulchan* in our language being the skin of a calf stuffed with straw, and set up beside the cow to make her give milk to the owner. And they refuse that that convention was an assembly of the church. For evidence of this, they observe, that it was not a meeting appointed by the preceding assembly; that the register calls it only a convention, not an assembly; that the succeeding assembly did not approve these conclusions, and many of the members declared, under protestation, their opposition unto it; that though they tolerated that form for

¹ Calderwood, p. 49—55.

² Spotswood, p. 253. Guthrie's Memoirs, p. 1.

³ Calderwood, p. 50. A true representation by the estates of Scotland of the proceedings of that kingdom, printed anno 1640, p. 67.

a short space, till a more perfect one should be obtained, they laboured earnestly, on all occasions, for a more perfect reformation in that matter.

Yet notwithstanding this opposition, the court went on in their course. In consequence of which Mr. John Douglas was, through Morton's influence, promoted to the archbishopric of St. Andrews, and Mr. James Boyd, through lord Boyd's moyen, to that of Glasgow; Mr. John Paton to the bishopric of Dunkeld, and Mr. Andrew Graham to that of Dunblane.⁴

These proceedings did not however relish with the reformers. Mr. Knox, who had left Edinburgh, and retired to St. Andrews, during the troubles raised there by the queen's party, being urged by Morton to inaugurate the archbishop of that see, gave a doctrinal protestation against it, and solemnly pronounced his anathema, or great curse, upon that course.⁵ And the same being no less grievous to the ministry in other places, they gave public testimony of the evil of that course. They earnestly contended for a parity in church-government.⁶ And as these new bishops were less fettered under the power of the general assembly, several of them were afterwards delated for not preaching, and for not attending at their charge. The bishop of Dunkeld was actually deposed for dilapidation of benefices; the bishop of Glasgow was delated for not preaching, and the superintendent of Lothian was censured for inaugurating the bishop of Ross.

During this cloudy period, Mr. John Knox, our famous reformer, died at Edinburgh upon the 24th of November 1572. "When we have done that we came for, it is time for us to be gone," said a pious and learned prelate.⁷ "This earth is only made for action, not for fruition. The services of God's children should be ill rewarded, if they must stay here always. Let no man think much that those are taken away

⁴ Guthrie, p. 3.

⁵ Calderwood, p. 55.

⁶ Guthrie, p. 3.

⁷ Bishop Hall's Contemplations on the death of Moses.

who are faithful to God ; they should not change, if it were not to their preferment.—He that lends them to the world, owes them a better turn than this earth can pay them. It were injurious to wish that goodness should hinder any man from glory. The death of God's saints is the more precious that it is certain."

Of Mr. Knox's life we have formerly given some hints ; and if we follow him to the last we shall find his latter end peace. The extraordinary fatigue of his life, and the troubles of the time, particularly the death of the good regent in Scotland, and especially the infamous massacre committed at Paris, the 24th of August preceding, upon the great and good admiral Coligni, and about 10,000 protestants assembled there, by invitation from the French king, on occasion of a feigned marriage betwixt the protestant king of Navarre and the popish daughter of that blood-thirsty tyrant, followed with the butchering of about 50,000 more protestants, in other parts of that kingdom, soon thereafter, are said to have deeply wounded his public spirit, and supposed to have greatly hastened the time of his death.

This holy man finding his dissolution at hand, and being anxious to have his flock comfortably provided with a faithful gospel minister, and being assured of the fitness, for that purpose, of Mr. James Lawson, at that time professor of philosophy in Aberdeen, a man especially famous for his preaching faculty, he dealt with the council and kirk-session of Edinburgh, and got them to concur with him in an invitation or call to Mr. Lawson to be his successor in the work of the ministry.

That call was accepted, and though by the time of Mr. Lawson's admission, Mr. Knox's voice was become so weak as not to be heard at any distance, and his strength so abated, that scarce could he crawl to the church, yet would he be present and preach ; which he did to the admiration of many ; for at no time was he heard to speak with greater power, or give more satisfaction to the hearers. In the end of his sermon, having called

God to witness, that he had walked in a good conscience amongst them, not seeking to please men, nor serving either his own, or other men's affections, but had in all sincerity and truth preached the gospel of Christ, he earnestly exhorted them, in the most pathetic terms, to stand fast in the faith they had received ; and concluding with a fervent prayer for the continuance of God's blessings upon them, and the multiplying of his spirit upon the person who was then to be admitted, he took his last farewell of them.—The people convoyed him to his lodging : and hardly could they be drawn from it, so loath were they to part with him, and that same afternoon, he was forced by sickness to take to his bed, from whence he never arose.¹

While on his death-bed he was frequently visited by persons of all ranks, to whom he spake most comfortably.—Amongst others who came to him he addressed himself to Messrs. Lindsay and Lawson, ministers, and the elders and deacons of the church, as follows, " Brethren, the time is approaching, for which I have long thirsted, wherein I shall be relieved of all cares, and be with my Saviour Christ for ever. And now God is my witness, whom I have served with my spirit in the gospel, that the end I proposed in all my preaching, was to instruct the ignorant, and to confirm the weak ; to comfort the consciences of those who were humbled under the sense of their sins, and bear down, with the threatenings of God's judgments such as were proud and rebellious. I am not ignorant that many have blamed and yet do blame my great rigour and severity, but God knows, that in my heart I never hated those against whom I thundered God's judgments. I did only hate their sins, and laboured with all my power to gain them to Christ. That I did forbear none of whatsoever condition, I did it out of the fear of God, who had placed me in the function of the ministry, and I knew would bring me to an account. Now, brethren, for yourselves I have no more to say, but to warn you, that you

¹ Spotswood, p. 265.

take heed to the flock over whom God hath placed you overseers, and whom he hath redeemed by the blood of his only begotten Son. And you, Mr. Lawson, fight a good fight, do the work of the Lord with courage, and with a willing mind, and God from above bless you and the church whereof you have the charge. Against it, so long as it continueth in the doctrine of truth, the gates of hell shall not prevail.¹

Having dismissed the elders and deacons, he detained the ministers, to whom he said, "There is one thing that grieveth me exceedingly: you have sometimes seen the courage and constancy of the laird of Grange in God's cause, and now, unhappy man, he hath cast himself away. Will you two take the pains to go unto him, and say from me, that unless he forsake that wicked course wherein he is entered, neither shall that rock in which he confideth, (meaning the castle of Edinburgh, which he then held out for the queen against the king) defend him, nor the carnal wisdom of that man whom he accounteth half a god (this was young Lethington) make him help; but shamefully he shall be pulled out of that nest, and his carcase hang before the sun. The soul of that man is dear unto me, and if it be possible, I would fain have him to be saved." The ministers went as he desired, and conferred a long space with Grange; but with no persuasion could he be diverted from his course, till the castle was next year taken for the king, and Grange, with a few other of the rebels, publicly executed, as Mr. Knox had foretold.²

Next day he gave orders for making his coffin; and was that day (as during the whole time of his sickness) much in prayer, ever crying, "Come, Lord Jesus; sweet Jesus, into thy hands I commend my spirit." Being asked by those about him, if his pains were great? he answered, "That he did not esteem that a pain, which would be to him the end of all trouble, and beginning of eternal joys." Frequently, after meditation, he burst forth in these words: "O serve the Lord

in fear, and death shall not be terrible to you. Blessed is the death of those that have part in the death of Jesus." The last night of his life he groaned much in his sleep; and being asked the reason, he answered, "Ofttimes Satan hath cast my sins in my teeth to drive me to despair; and now that subtle serpent seeks to persuade me, that my labour and fidelity hath merited heaven and immortality. But blessed be God who brought to my mind these scriptures, 'what hast thou that thou hast not received? and not I but the grace of God in me:' with which he hath gone away and shall no more return; and now, I am sure, my battle is at an end, and that, without pain of body, or trouble of spirit, I shall change this mortal life for that happy and immortal life." After prayer he was asked, whether he had heard it? He replied, "Would God that ye had heard it with such an ear and heart as I have." Then he said, "Lord Jesus receive my spirit;" and, without any emotion, as one falling asleep, rather than dying, he resigned his soul into the hands of God. Thus died this great man, and in him the church was deprived of a burning and a shining light.

I have insisted longer upon Mr. Knox's death, than perhaps some, whom I am loath to offend, would have wished; but considering the part he acted all alongst, was such as hath procured him a famous character, from writers of different denominations, and that his example is so much calculated for inciting to holiness of life, soundness of doctrine, and boldness in reproving vice, the reader who wants profit, as well as pleasure, will no doubt pardon the present digression.

The castle being taken, and the chief of the queen's faction broken, the regent laid hold on that opportunity to get them for ever kept under, and wisely judging, that contrary interests would be studied, while contrary religions were tolerated in the land, he procured an act to be passed in the third parliament of the young king,³ ordaining, that none

¹ Spotswood, p. 265. ² Ibid. p. 266, 272.

³ Act 47. Parl. 3. king James VI.

should be reputed loyal and faithful subjects to the king, or his authority, but be punished as rebels, who made not profession of the true religion, &c. ; which statute contributed no less to the stability of the throne, than to the security of religion.

Yet this he did not out of any favour to the church. On the contrary, he shewed many evidences of his dislike of assemblies, and embraced every opportunity of curbing their authority, by imposing several other bishops upon this church, besides those formerly named, allowing them a kind of jurisdiction independent of the assembly, cutting the ministers short of their livings, and preventing the increase of their number, by appointing several parishes, or congregations, to one minister,¹ by which methods he lost the good opinion of the ministers; and laid them under necessity of asserting their power.²

1573. This year, 1573, is very memorable in the United Provinces, for their shaking off the Spanish yoke, and laying the foundation of their commonwealth under the conduct of the prince of Orange, which I mention because of the great accession of strength that hath been thereby brought unto the protestant powers in Europe, and particularly unto the cause of religion and liberty in Britain, which that republic have been honoured oftener than once, to keep from being swallowed up of popery and tyranny.

1575. In the year 1575 Mr. Andrew Melville returned from Geneva, and did bear a chief sway in the management of ecclesiastical affairs, for many years after. From his return, the patrons of episcopacy³ date the church of Scotland's plea for presbyterial government; and as if she had been formerly of their opinion, they say,—in the church this year began the innovations to break forth, that to this day have kept it continually in trouble and confusion; and that Mr. Melville gave such a character of

the presbyterial discipline exercised in Geneva, as not only confirmed the few who formerly favoured it, but also gained so far upon others, that, shortly thereafter, the most part of ministers turned presbyterian. But while we agree with them in Mr. Melville's account of the discipline of the church of Geneva, and must say farther, that the great learning of that man, and excellent testimony given of him by Beza and others, behoved to gain him great respect amongst his countrymen, yet we can by no means admit that presbytery in Scotland took its rise from him. We were formerly blessed with the great Mr. Knox, whom we may suppose to have been as thoroughly acquainted with the discipline of Geneva, and as anxious for introducing it amongst his countrymen, as Mr. Melville could be; and it is admitted by these gentlemen, that Mr. Knox shewed his inclination this way on several occasions, only they allege, that his endeavours were not so successful. But in this they exceed. The offices—courts—parity of power in them—and in general, the whole former conduct and proceedings of the church in her discipline and government, are a continued evidence to the contrary. And though the office of superintendents, formerly in use, had a shadow of episcopacy, it is to be observed, that this office was owing only to a defect of ministers for constituting presbyteries, as always happens when truth begins first to emerge from the thick darkness of ignorance and superstition; for as the labourers were few, the restricting of them to particular parishes would have been a depriving the far greater part of the nation of the privilege of the gospel, and leaving them exposed to certain danger: and it was for this weighty reason, that out of the few pastors who then preached the gospel faithfully and purely, some were appointed to act that part which, by the book of discipline, was declared to belong properly to presbyteries. But of that office we have said enough in the former section, and therefore return to our history.

¹ Spotiswood, p. 273.

² Calderwood, p. 61, 63, 64.

³ Spotiswood, p. 275. Guthrie, p. 3.

The disturbances raised in the church by bishops increasing continually, and the censures passed upon them for their indolence and immorality, having been rendered in a great measure abortive, by the countenance they met with from the regent, the ministers began seriously to toss the question, Whether that function ought, by any law, to be tolerated in the church?

In this the assembly 1574 began by voting the bishops pastors of one parish only, to which some of them submitted. The assembly 1575 proceeded farther, for they asserted their own superiority, and their power to turn the bishops out.¹ After which they stated the thing in general thus, "That the name of a bishop is common to every one that hath a particular flock, over which he hath a peculiar charge, as well to preach the word and to administer sacraments, as to execute ecclesiastical discipline with consent of his elders, and that this is his chief function by the word of God," &c.² And it is admitted by Spotiswood,³ that the archbishop of Glasgow, with the bishops of Dunkeld, Galloway, Brechin, Dunblane, and the Isles, &c. were present when these resolutions were past in the assembly, and did not so much as open their mouths against the same.

This year also the general assembly came to a resolution to change the commissioners of provinces from year to year. This office was like a second edition of the superintendents, with this difference, that the one was at first intended for life, the other during pleasure; but lest these gentlemen's continuance for any long space might give them too great a relish for superiority, the assembly thought good to change them annually, as we have said. And how soon as presbyteries were constituted, this office, and likewise that of visitor, introduced the following year, an office near of kin to the latter, only that the bounds assigned them was smaller, were wholly extinguished.⁴

We pass other acts made by the assem-

bly about this time, as their condemning civil offices and secular businesses in churchmen, the censuring of a reader for presuming to dispense the sacraments, forbidding the observation of Christmas and saints' days, the trial and censure of the bishops for negligence, &c., and appointing of committees to prepare and revise the book of policy, with which Mr. Calderwood's history abounds.

The court, finding that the assembly was not by subtilty to be diverted from their begun work of reducing episcopacy, made an open assault upon the liberties of the church; for archbishop Douglas of St. Andrews dying, the regent appointed the chapter to choose Mr. Patrick Adamson, his chaplain, to succeed the bishop. The chapter deferred the election to the next meeting of the general assembly, and acquainted them with it. Adamson, who was present in the assembly, being interrogated concerning the same, gave such answers as discovered that a direct invasion of their authority was intended. Upon this the assembly discharged Adamson to accept. On the other hand, the regent commanded the chapter to elect him in defiance of the general assembly, and they did so.⁵

The assembly, no ways discouraged by this insult, gave a commission to the superintendent of Fife, and three other ministers, to convene Adamson before them, and prohibit him to exercise any episcopal jurisdiction;⁶ and for preventing further disputes of this kind, they resolved, if possible, to be at a point with respect to a settled form of church discipline. For this purpose, the book of policy, which had been under the consideration of many former assemblies, was now revised and presented to the regent, 1577. but his eminence's great aversion thereto, and the troubles which about that time fell out in the state, put a stop to its being approved by authority.

For factions rising amongst the nobility, as well against the regent, as amongst themselves, and he being unable to suppress them, was advised to demit the re-

¹ Spotiswood, p. 276.

² Calderwood, p. 69.

³ Hist. p. 276.

⁴ Calderwood, p. 68.

⁵ Spotiswood, p. 276. Calderwood, p. 74.

⁶ Ibid.

gency, which he did, into the king's hands (now near twelve years old) at Stirling, the 11th of March 1577, and his majesty's acceptance of the government was quickly proclaimed all over the kingdom with great solemnity.¹

The king, though young, was no sooner entered upon the government, than he began to betray great prejudices against the boldness of the churchmen, and a strong inclination to intrench upon the power of the general assembly. Morton, though out of power, was yet highly in favour, and being a keen promoter of the state of bishops, was continually impressing his majesty with the same sentiments, which, with the near prospect he had of succeeding to the crown of England, and that, by such measures, he would endear to himself the ecclesiastics in that kingdom, riveted these prejudices to the full, and kindled in his majesty's breast the desire of an absolute power over his own mother church.

It was not however found practicable to attempt the wished-for changes at first, and the assembly, wisely improving their liberty, went on in the begun reduction of bishops. Accordingly in the third session of the assembly, which met this year, it was ordained, that all 1578. bishops, and others, bearing ecclesiastical function, be called by their own names, as brethren only.

In the seventh session of the same assembly, they ordered, that no bishop should be admitted before the next meeting of assembly; and next year the assembly made that law perpetual, and appointed a committee to wait upon the king with a supplication for the ratification of the Book of Policy.²

This committee was kindly received by the king; and a certain number of the council were appointed to confer with them. Yet nothing could be obtained by that conference, by reason of the aversion which the court had at the strictness and severity of the presbyterian discipline.

However, the church having espoused the book of policy, and resolved to act

up to it, went on against the bishops, and fell particularly upon the archbishop of St. Andrews, and archbishop Boyd of Glasgow, which issued in the submission of the latter; but the former proved not so complaisant.³

But while the church was thus proceeding upon the footing of the policy as their right, the king makes an attack upon them in a letter dated from Stirling the 6th of July 1579, by which 1579. he prohibits them to proceed, and orders them to refer all the matters undetermined in the policy of the church, to the decision of the next parliament.⁴

Notwithstanding of this letter, the assembly, considering the commandment of their great master Christ Jesus, the sole head of the church, to convene when she is in any trouble, and to purge her of all corruptions, they persisted in their work, but with all possible caution and respect. For they presented an address to the king, desiring a further conference upon the affair of the policy; and followed this with a long supplication, to move his majesty to promote the ratification of the book of discipline.

While these things were in agitation, and some years were spent in pressing that book on the one hand, and shifting it on the other, the general assembly finding, that what they had formerly, for the sake of peace, yielded with respect to bishops, was improved by the court against them, they resolved to pull it up by the roots, and remove the very name of it out of the church. In order to this, the assembly which met at Dundee in June 1580, unanimously deter- 1580. mined,⁵ that that authority which the bishops claimed to themselves over the church, was an antichristian usurpation; and declared it void and unlawful, as having no warrant or foundation in the word of God; and by another act they ordained, that the several synods should see to the observation of that act, and censure the recusants. To which acts the bishop of Dunblane conformed himself presently; and the rest were

¹ Spotswood, p. 279, 280.

² Calderwood, p. 82.

³ Calderwood, p. 37.

⁵ Ibid. p. 90.

⁴ Ibid. p. 86.

glad not long after this to feign submission to the church, the copies of which, galling their successors, have been razed out of the registers.¹

Nor was this the only thing remarkable done at that time. The assembly likewise declared the office of readers, exhorters, and visiters, (a necessary expedient in the times of ignorance, and scarcity of ministers) to be no longer tolerated.² And by another act of the same date, they ordered the Second Book of Discipline, now finally settled, to be engrossed in their records for a testimony to posterity, and published for the common benefit of all. Yea, in the cause of protestantism, the court also seemed to vie with the church. For the papists beginning to gather new strength from the jars betwixt the king and the church, and the encouragement given by the king to the earl of Lennox, who had lately come from France, several jesuits and priests having also come over, and the jealousies of many being greatly increased, by the intercepting of certain dispensations sent from Rome, whereby the catholics were permitted to promise, swear, subscribe, and do what else should be required of them, so as in mind they continued firm;³ the king caused his minister, Mr. John Craig, form the short Confession of Faith,* commonly

¹ Calderwood, p. 91.

² Ibid. p. 92.

³ Spotswood, p. 308.

* We all, and every one of us underwritten, protest, that, after long and due examination of our owne consciences, in matters of true and false religion, are now thoroughly resolved in the truth, by the word and Spirit of God, and therefore we beleeve with our hearts, confesse with our mouths, subscribe with our hands, and constantly affirme before God, and the whole world, that this onely is the true Christian faith and religion, pleasing God, and bringing salvation to man, which is now by the mercy of God, revealed to the world by the preaching of the blessed evangel.

And received, believed, and defended by many and sundry notable kirks and realmes, but chiefly by the kirk of Scotland, the king's majestie, and three estates of this realme, as God's eternal truth, and onely ground of our salvation; as more particularly is expressed in the Confession of our Faith, stablished, and publicly confirmed by sundry acts of parliaments, and now of a long time hath been openly professed by the king's majestie and whole body of this realme,

called the first National Covenant of Scotland, wherein, all the corruptions of Rome, as well in doctrine as outward rites, are abjured, and a clause inserted because of these dispensations, by which the subscribers did call God to witness, that in their hearts they did fully agree to the said Confession, and did not dissemble in any sort. This covenant the king, with his privy council, did publicly swear and subscribe, for an example to others, at Edinburgh the 28th day of January 1581. The 2d of 1581. March following, a charge was given by the king to all the subjects, of whatsoever rank, to subscribe the same; and, in April thereafter, the general assembly approved the Confession, and annexed the sanction of their authority for the subscription of the same.

And because presbyteries were not as yet everywhere erected, the king gratified the assembly by sending the plan of fifty presbyteries, inclosed in a letter bearing to be with the advice of his privy council, upon which presbyteries were erected, where they were wanting.

The church being thus planted, and her judicatories constitute, no vice of any person whatever escaped censure; error no sooner set out its head, but it was perfectly crushed by one of these;

both in burgh and land. To the which confession and forme of religion, we willingly agree in our consciences in all points, as unto God's undoubted truth and verity, grounded onely upon his written word; and therefore we abhorre and detest all contrary religion and doctrine, but chiefly all kinde of Papistrie in generall and particular heads, even as they are now damned and confuted by the word of God and kirke of Scotland: but in speciall, we detest and refuse the usurped authoritic of that Roman Antichrist upon the scriptures of God, upon the kirk, the civill magistrate, and conscience of men: all his tyrannous lawes made upon indifferent things against our Christian liberty. His erroneous doctrine against the sufficiency of the written word, the perfection of the law, the office of Christ, and his blessed evangel; his corrupted doctrine concerning original sin, our naturall inability, and rebellion to God's law, our justification by faith onely, our imperfect sanctification and obedience to the law, the nature, number, and use of the holy sacraments. His five bastard sacraments, with all his rites, ceremonies, and false doctrine, added to the ministration of the true sacraments without the word of

and being thus terrible to adversaries, they were no less comfortable to the godly; and the gospel flourished wonderfully, and was found of many to be the power of God unto salvation.

Yet these halcyon days were not of long continuance. For Lennox and Arran ruling affairs at their pleasure, assaulted the church on many occasions, as particularly in imprisoning Mr. John Dury, and prosecuting Mr. Walter Balcanquhal, two worthy ministers in Edinburgh, for expressing their displeasure at these proceedings; preferring Mr. Robert Montgomery, minister at Stirling, upon a simoniacal paction betwixt Lennox and him, to the archbishopric

God. His cruell judgment against infants departing without the sacrament. His absolute necessitie of baptisme. His blasphemous opinion of transubstantiation, or reall presence of Christ's bodie in the elements, and receiving of the same by the wicked, or bodies of men. His dispensations with solemne oathes, perjuries, and degrees of marriage forbidden in the word. His crueltie against the innocent divorced. His divellish masse. His blasphemous priesthood. His profane sacrifice for the sinnes of the dead and the quicke. His canonization of men, calling upon angels or saints departed, worshipping of imagerie, reliques, and crosses, dedicating of kirks, altars, dayes, voves to creatures. His purgatory, praiers for the dead, praying or speaking in a strange language, with his processions and blasphemous letanie, and multitude of advocates or mediators, his manifold order, auricular confession. His desperate and uncertaine repentance. His generall and doubtsome faith. His satisfactions of men for their sins. His justification by works, *Opus operatum*, works of supererogation, merits, pardons, peregrinations, and stations. His holy water, baptizing of bells, conjuring of spirits, crossing, saining, anointing, conjuring, hallowing of God's good creatures, with the superstitious opinion joynd therewith. His worldly monarchy, and wicked hierarchy. His three solemne voves, with all his shavellings of sundry sorts. His erroneous and bloudy decrees made at Trent, with all the subscribers and approvers of that cruell and bloudy band, conjured against the kirke of God. And finally, we detest all his vaine allegories, rites, signes and traditions brought in the kirke, without or against the word of God, and doctrine of this true reformed kirke. To the which we joyn our selves willingly, in doctrine, faith, religion, discipline, and use of the holy sacraments, as lively members of the same, in Christ our head: promising and swearing, by the great name of the Lord our God, that we shall continue in the obedience of the doctrine and disciplinē of this kirke, and shall defend the same, according to our vocation and power, all the dayes of

of Glasgow; abusing the presbytery of Glasgow for inquiring into that infamous affair; prohibiting the just censures of the assembly against Montgomery; annulling the sentence of excommunication when passed, and several other instances too tedious to relate.

These and other pieces of misconduct, proving intolerable to the nation, the earls of Mar, Gowry, and Glencairn, the lords Lindsay, Boyd, Glams, and Oliphant, with other brave patriots, finding no other way to free the king from such bad influence, surprised him as he returned from the hunting in Athole, August 20, 1582, and detained him some days at the 1582.

our lives, under the paines contained in the law, and danger both of body and soule in the day of God's fearfull judgement. And seeing that many are stirred up by Satan and that Roman antichrist, to promise, sweare, subscribe, and for a time use the holy sacraments in the kirke deceitfully, against their owne consciences, minding hereby, first, under the externall cloak of religion, to corrupt and subvert secretly God's true religion, within the kirke; and afterward, when time may serve, to become open enemies and persecuters of the same, under vaine hope of the pope's dispensation divised against the word of God, to his greater confusion, and their double condemnation in the day of the Lord Jesus.

We therefore, willing to take away all suspicion of hypocrisie, and of such double dealing with God and his kirke, protest, and call the Searcher of all hearts to witness, that our minds and hearts do fully agree with this our confession, promise, oath, and subscription; so that we are not moved for any worldly respect, but are perswaded only in our consciences, through the knowledge and love of God's true religion, printed in our hearts by the Holy Spirit, as we shall answer to him in the day when the secrets of all hearts shall be disclosed. And because wee perceive, that the quietnesse and stability of our religion and kirke doth depend upon the safety and good behaviour of the king's majesty, as upon a comfortable instrument of God's mercie granted to this cuntry, for the maintenance of his kirke, and ministration of justice amongst us, we protest and promise with our hearts under the same oath, hand-writ and paines, that we shall defend his person and authority, with our gear, bodies, and lives, in the defence of Christ his evangel, liberties of our cuntry, ministration of justice, and punishment of iniquity, against all enemies within this realme, or without, as we desire our God to be a strong and mercifull defender to us in the day of our death, and comming of our Lord Jesus Christ: to whom, with the Father, and the Holy Spirit, be all honour and glory eternally. Amen.

house of Ruthven, whence this enterprise was called the raid of Ruthven. They presented a declaration to his majesty, containing the reasons of their conduct, and shewed by their whole deportment, that they intended no more than to deliver him from these two corrupt tutors. And in this they never desisted, till they procured their expulsion, and a declaration of the injustice and illegality of the encroachments made upon the liberties of the church.

And to induce all to judge favourably of this action, the associated lords had the address to procure an approbation of their proceedings both from the general assembly and convention of estates, proceeding upon a narrative of his majesty's declaring, that their attempt was no less for his safety than the safety of religion, which was equally exposed to danger by the evil counsel of the above two lords, who had got the ascendant over him.

Upon this turn of affairs, the assembly proceeded with vigour in erecting presbyteries where there were none before, empowering them to try the bishops, and others, for such offences as they should be accused of, and in laying their grievances before the convention of estates.

Thus stood the affairs of the church 1583. at the beginning of the year 1583.

But the king, impatient of the good government of the lords, deserted them, and taking shelter in the castle of St. Andrews, August 28, to him repaired the earls of Arran, Argyle, Marshall, Montrose, Rothes, and others of the opposite faction; by whose advice the raid of Ruthven was condemned, and many of the actors put to great trouble and hardships.

Nor did their resentment stop here.—The church, as if she had been the sole instrument of it, was made to bear a large share of the royal displeasure. Mr. Dury, for persisting in the vindication of that attempt, was, by his majesty's command, banished to Montrose, and Mr. Andrew Melville was likewise accused before the council for his freedom in doc-

trine, and declining them as competent judges thereof in the first instance; he was charged to enter his person in Blackness within the space of twenty-four hours, but understanding that worse was intended against him, and that upon some of his expressions he was to be tried for treason, he prevented it by a timeous flight into England. And then, says archbishop Spotiswood,¹ "Did all the pulpits sound, that the light of the country, and he that was only most fit to resist the adversaries of religion, was exiled, and compelled for safety of his life to quit the kingdom." And, adds he, "Pity it was to think, how the king was then used, for though he cleared himself by proclamations,—that he meant not to have used him with any rigour, yet nothing was believed, and everywhere people began to stir." But here I must repeat an observation made upon this historian by another of his own profession, and of at least equal veracity,² "That there is a great defect runs through archbishop Spotiswood's history, where much of the rude opposition the king met with, particularly from the assemblies of the kirk, is set furth; but the true ground of all the jealousies they were possessed with, is suppressed by him." Mr. Petrie observes, for the same reason, that the archbishop's history ought rather to be called the *Calumny* than the *History* of the church of Scotland. And how truly the archbishop asserts, that no rigour was designed against Mr. Melville, may be easily learned from what follows.

The general assembly held at 1584. St. Andrews in April 1584, was by their enraged enemy, and the king's commissioner Graham of Halyards, commanded, on pain of rebellion, to condemn the raid of Ruthven, and their act approving it; which they evited by a silent dropping out of town.³ Messrs. James Lawson, David Lindsay, Patrick Galloway, Andrew Hay, John Davidson, James Carmichael, Andrew Polwart, and several others of Mr. Melville's judg-

¹ Spotiswood, p. 330.

² Bishop Burnet's history of his own time, vol. i. p. 5.

³ Calderwood, p. 151.

ment were sought after to be apprehended, but they all made their escape for that time.¹ But the earl of Gowrie was taken and executed, and other friends to the church were obliged to fly into England.

The court was now resolved, in conjunction with the bishops, who assumed their places on that occasion, to overthrow the assembly, and ruin the cause of presbytery. For this end the king called a parliament to meet at Edinburgh the 22d of May; and affairs being conducted with the greatest secrecy, an act was passed, whereby the royal power and authority over all estates, and in causes, as well spiritual as temporal, was confirmed; and it was declared, that those who declined the king, or his council, as their judges in any of these, did thereby incur the crime and pains of treason.² And to cut the throat of the intrinsic power of the church, they discharge all jurisdictions and judicatories, spiritual or temporal, not approved by the king and estates.³ And not content with these, they thought fit to gag the ministers' mouths with an ordinance, that none of whatsoever function, quality, or degree should presume privately or publicly in sermons, declamations, or familiar conferences, to utter any slanderous speeches to the reproach of his majesty, his council and proceedings, or to the dishonour, hurt, or prejudice of his highness, his parents, and progenitors, or to meddle with the affairs of his highness and estates, under the pains contained in the act of parliament against the makers of lies.⁴ And besides these, several other acts encroaching upon the liberty of the church.

Yet notwithstanding all their endeavours to conceal these acts, till published, from the knowledge of the church, the ministers got notice, and sent Mr. David Lindsay to pray, in the humblest manner, that the assembly might be called and

heard in parliament before any thing was done to the prejudice of the church. But an order was issued for his confinement in Blackness, where he remained prisoner near a year. And though Messrs. Pont and Balcanqual had the courage, when these acts were proclaimed, to protest against them in the church's name, they were likewise obliged to fly, and retired into England for a time; as did also Mr. James Lawson, and several others, who took part with them.⁵

The author of the memoirs of the church of Scotland justly observes here,⁶ "That no sooner was episcopacy, upon any occasion, set up in the church of Scotland, but it began always to persecute the presbyterian church." And this was the case here; for upon the 22d of August the parliament sat again, and according to Mr. Calderwood,⁷ for I find it not amongst their printed acts, they passed an act enjoining all ecclesiastic persons to appear within forty days, and give it under their hands that they would observe the acts of the last parliament, and submit themselves to their diocesan, on pain of losing their stipend.

To this act some submitted simply; many did it with a salvo; and others refused absolutely, for which they were deprived and otherwise prosecuted; several were forced to fly into England, where they remained until the return of the banished lords, which happened next year.⁸

For on the 26th of July 1585, 1585. at a meeting of the wardens on the borders, on either side, to adjust some disputes, instead of an agreement, they fell to blows. In this unexpected adventure, the lord Russel, with some other English gentlemen, being basely slain by Thomas Ker of Fernihurst, queen Elizabeth, justly offended with such proceedings, and resolved to revenge it, smiles upon the Scots refugees, and encourages them with money, and promises of assistance, to return into their own country in a forcible manner; and

¹ Calderwood, p. 151, 154.

² This act is the 129, parl. 8. king James VI. and, saith Sir G. M'Kenzie, was occasioned by Mr. Melville's declination of the king and his council.

³ Act 131.

⁴ Act 134.

⁵ Calderwood, p. 155.

⁶ P. 104.

⁷ Hist. p. 165.

⁸ Calderwood, p. 166, 170, 171, 185.

they, foreseeing no other way of recovering their liberty, laid hold on that occasion as offered by Heaven for their return, declaring the causes of their enterprise to be the defence of the truth, deliverance of the king from corrupt counsellors, and the preserving of amity with England.¹

Accordingly the banished lords from abroad, and the discontented at home, rendezvoused at Jedburgh, about the beginning of October, and found they had near 10,000 men well provided. With this force they advanced towards Stirling; where the king, and his pernicious favourite the earl of Arran, then lay with few troops. But Arran, with the archbishop of St. Andrews, and their companions, pursued faster by their own guilt than by their enemies, left the king to shift for himself. "And now," saith Defoe, "the hypocritical face being put outermost, the lords are received with kindness and favour, though nothing less intended or desired;—the king owns he has been abused, promises to be directed by their counsel, and pretends to acknowledge the good hand of God in bringing things to their due course again, and restoring them, who were his faithful friends, without bloodshed."²

The scene being thus changed, episcopacy vanished in a moment; a parliament was summoned; and the general assembly, which had been suppressed for near three years, was appointed to meet on the 23d of November. The place named was Dunfermline; because the plague raged at that time both in Edinburgh and Stirling. But when the ministers came to that town, they found the ports shut against them by the laird of Pitfirren, provost; wherefore they adjourned to Linlithgow.³

At this assembly an application was agreed upon, for the repeal of the acts of parliament 1584, before noticed, being the present grievance. But when a committee waited on the king with their explication, he gave them the most opprobrious language, and scolded them

out of his sight. The committee, meeting with this repulse from the king, applied next to the lords. But his majesty perceiving he could not recover his old friends who had fled, and having plied these new favourites with intrigues, promises, and preferments, they generally became cold with respect to the church's interest, and all of them inclined to put it off to another time. Yet, notwithstanding, the church did so importune his majesty for redress, that he allowed them to offer to him what they had to say against these acts. This they did in a paper, entitled, *Animadversions, &c.*, which the reader will find in Calderwood.⁴ To which the king answered in a declaration explaining these acts, and justifying them in all points. And in this posture affairs stood for a while.

In the mean time the church were resolved to exercise the liberty left them. Amongst others the synod of Fife, which had been discontinued, by order of the court, for having fallen upon the archbishop of St. Andrews, resumed the process; and finding he had added obstinacy and contempt of the synod to all he had been formerly charged with, they laid him under the greater excommunication, and ordained that sentence to be intimated by the mouth of Mr. Andrew Hunter, minister at Carnbie, one of their members.

From this sentence the archbishop appealed, and though his reasons were answered at large by Mr. James Melville, yet he proceeded with a very high hand, and carried his resentment the length of excommunicating some of the ministers. But being at length deprived of the king's favour, the chief staff on which he leaned, he fell into extreme want; in which condition he got leisure to reflect upon his past conduct; and the remembrance thereof did so sting, as fully convinced him of his demerit, the validity of the sentence pronounced against him, and the necessity of its being taken off, otherwise than we shall speak of by and by, which was done, upon evidence given by him of a sincere

¹ Calderwood, p. 135, &c.

² Memoirs, p. 108. ³ Calderwood, p. 136.

⁴ Calderwood, p. 187, 188.

repentance, with the unanimous consent of the synod of Fife, which met in April 1591, about ten months before his death.¹

These things amused the nation until the next general assembly, which met in 1586. May 1586. At this time the ministers first gave evidence of the influence of fear and flattery upon weak and inconsiderate men. For the king prevailed with them to adjourn to the chapel-royal, where he and the court had the easier access to wheedle and persuade, and next to agree to a conference concerning the policy of the church, and, at last, to the name of bishops, provided the person enjoying it took the charge of a particular congregation, and submitted himself to the general assembly. But this interim agreement was overturned the year following.²

It was at this time also, that the king prevailed with the general assembly to absolve archbishop Adamson from the censure passed upon him by the synod of Fife. Against which absolutor Mr. Hunter, who pronounced that censure, entered a very solemn protest, to which most of the ministers, especially the synod of Fife, did afterwards adhere; and which, as an instance of the zeal and simplicity of that time, I have added in a note.*

Nothing else remarkable occurs till 1588. we come to the year 1588. Twice hath the year eighty-eight proved a most remarkable era in Britain. Then, and a hundred years thereafter. On both these occasions we had the greatest reason for joining with the church of old in acknowledging, "If it had not been the Lord who was on our side, when men rose up against us: then they had

swallowed us up quick, when their wrath was kindled against us;" for, in both cases the approaching destruction seemed extreme; and, in both, the infinitely wise and all-sufficient Jehovah triumphed gloriously, and got himself victory, without making much use of man's aid. The latter falls not under our present consideration, nor shall we insist at any length upon the other.

For some time preceding the Spaniards were piqued for the damage they received from the English fleet under the command of admiral Drake and others, and for the assistance given by them to the Dutch, but their main design was to conquer the isle, partly for the worth of it; partly that they might have it more in their power to recover the Netherlands, which had lately revolted from under their iron yoke; partly to cut off the English from sharing the wealth of the East and West Indies, which they had lately begun to enquire after; and chiefly to extirpate protestantism, the great eye-sore of the papists.

Four years had that proud nation prepared to invade England at a vast expense. And now, having received the pope's benediction, who arrogantly christened it the invincible armada, they set sail with 130 large ships of war, wherein were about 3000 sailors, 20,000 soldiers, 2000 galley-slaves, besides many gentlemen and volunteers, 2680 great ordnance, and abundance of all necessary provisions; and steered their course straight for England. Their direction was to invade that nation, in conjunction with 50,000 old troops, under the prince of Parma, which that fleet was to

said absolviture by himself nor by his procurators, before the very time wherein they absolve him; I therefore, for my part, and in name of all the other brethren and true Christians who will be participant with me, take God to record of the dealing of that provincial assembly and this assembly general; protesting also before the Almighty, his holy angels, and saints here convened, that I have no assurance in God's word to my conscience to assent, allow or approve this his absolviture. And therefore until the time I perceive his conversion to be true and effectual, I cannot but hold as one justly delivered to Satan notwithstanding of the said absolutor.—*Mr. Hunter's Protest.*

¹ Calderwood, p. 199—201, 257, &c.

² *Ibid.* p. 206, &c., 215, &c.

* In respect that the provincial assembly of the kirk, gathered in Christ's name, holden at St. Andrews the 12th day of April 1586, for manifest crimes and open contumacy, hath justly and formally, according to the word of God, and sincere custom of this kirk, excommunicated Mr. Patrick Adamson, and that in this general assembly they take upon them to absolve the said Mr. Patrick from the sentence of excommunication, the process not being tried nor heard in publick, the person excommunicate declaring no signs of true repentance, nor craving the

have convoyed over from Flanders. But God being our friend, he fought for us: he sent a great storm which mightily distressed them, and whether the prince of Parma had not time to prepare himself, or that he was kept in by the Dutch, he came not as was expected. And while this formidable foe oppressed the ocean betwixt Plymouth and Calais, the English fleet, commanded by the lord Howard and vice-admiral Drake, did considerable damage to some of their ships at a distance from the main fleet. One ship took fire, and another perished upon a sand-bank off Calais, where Drake, by a stratagem of sending eight crazy light vessels full of combustible stuff into the midst of their navy in the night season, whilst they lay at anchor, and setting the train on fire, put the cowardly Spaniards in such fear, that they cut their cables, and made to the sea; and the seas being narrow, a number of them perished on the sands, not knowing whither to steer in that confusion. And though next morning their navy ranged themselves again in order; yet, perceiving that Providence fought against them from all quarters, they bent their course homewards. The English ships pursued and destroyed several of them, but that damage was little to what they met with otherwise. For a great part taking the north seas, and what by their unskilfulness of those seas, and what by the tempestuous weather, which was unusually severe at that season, above forty of their large ships were cast away in those seas, and of the whole fleet, fifty-three only returned home; 13,500 of their soldiers were lost, besides mariners, and scarce was there a family of any note which lost not either a son, a brother, or kinsman in that expedition.

On this occasion the Scots justly reckoning themselves on the same bottom with the English, and looking for no other from the Spaniards in that case, than that which Polyphemus promised to Ulysses, namely, to devour him after his fellows were devoured, exerted themselves with great devotion towards their Almighty Maker and Preserver, and

alacrity and courage among themselves. For this purpose the king and certain of his estates entered into a solemn oath, called the general bond for religion, by which they bound themselves mutually to concur in the maintenance of religion, the preservation of the king's majesty, and the defence of one another against the invaders, and all other enemies whatsoever.¹ And as, from the very first appearance of that invasion, the bulk and generality of the nation began with sowing in tears, deprecating deserved wrath, and imploring undeserved mercy, so now that terrible enemy being defeated they failed not to offer unto God the sacrifice of praise and thanksgiving.²

Yet, notwithstanding this so dazzling a display of the goodness of divine Providence to this island, the papists were not at rest, but, being encouraged by a letter from the prince of Parma the year following, they would needs undertake something of themselves; accordingly, the earls of Huntly, Crawford, and Errol, with their friends in the north, and the earl of Bothwell, with his friends in the south, rose in arms. But the same Providence still watched over us, and crushed that attempt without the effusion of much blood.³

It was upon occasion of these intestine dangers, that, on a supplication from the general assembly, which met at Edinburgh in March 1590, the bond for religion was again ratified in 1590. council, and two commissions were given, the one to about ninety-six of the ministers in the several parts of the kingdom, to convene before them the godly and well affected of all ranks, for so the commission bears, and minister unto them the oath of the National Covenant, or Confession of Faith, and take their subscriptions thereto, and to the bond above mentioned; and the other, to about 130 of the nobility and gentry, to give their concurrence to the ministers, for the better and more ready discharge of their commission, and to see the laws

¹ Calderwood, p. 223.

² Ibid. p. 219, 226, 227.

³ Ibid. p. 243.

put in execution against jesuits, seminary priests, and excommunicate persons. And those commissioners were ordered to report their diligence to the council, betwixt and the 20th of May that year, under the pains of law.¹

In consequence of the said commissions, the confession, with two blank leaves appended, for containing the names of subscribers, and the bond, with other two blank leaves, for holding the subscriptions to it, together with the act of council containing the above commissions, were printed and dispersed all over the kingdom, and cheerful obedience yielded to the same.²

The zeal, courage, and constancy of the ministers upon these occasions, recommended them so much to the king's favour, or at least, he found it so much for his interest to insinuate himself into their favour, that the general assembly being convened at Edinburgh, in August following, his majesty met with them in their eighth session, and having, upon the moderator's request, promised the ratification of their liberties, and purging the land from jesuits, &c. and his concurrence for provision of suitable stipends in every parish: he stood up, uncovered his head, and with his eyes and hands lifted up to heaven, he brake out, as it were, in an ecstasy of thanksgiving unto God, "That he was born in such a time, as in the time of the light of the gospel, and that he had honoured him to be king to such a place, and over such a kirk, the sincerest kirk of the world." And, as if this had not been enough, he exclaimed against the superstitions of other protestant churches, particularly of England, as bordering upon idolatry; and in the end concluded with an exhortation to the assembly to stand to their purity, and promised, while his life and crown were left to him, to maintain the same against all deadly. Which exhortation and promise, and above all, the affectionate manner in which they were spoken, and their coming from the mouth of their

king, without the remotest expectation on their part, did so affect the auditory, that many burst out into tears for joy, praising God, and praying for the king.³

While the king continued in this mood, the church flourished, her judicatures were acknowledged, and her enemies submitted to her; for besides the favour shewed to them by his majesty, it was about this time that archbishop Adamson gave in his recantation, and was absolved from the censures of the church, which we mentioned formerly; which submission from two so noted opposers of the church's liberty, was indeed looked upon by many as extorted by the force of truth, and consequently as no mean testimony unto her divine institution.

And now the church thought that an opportunity was presented, when her discipline and government might be confirmed in parliament, wherefore the same assembly recognized the book of discipline, and enjoined subscription to the same, upon all who did bear office in the church. Yet could they not prevail with the king and courtiers to get it enacted in parliament, until June 1592, when they had the favour to obtain a ratification of the liberties of the church; of her general and provincial synods, presbyteries, and sessions; the abrogating or explaining of certain acts, particularly of the parliament 1584, inconsistent therewith, and ordaining presentations to benefices to be directed to presbyteries, who are thereby empowered to give collation, and put order to all matters ecclesiastical.⁴ Which act having afterwards been made the basis of the settlement of presbyterian church government in Scotland, both in the year 1640 and 1690, will be found below.*

³ Calderwood, p. 256.

⁴ Act 129, Parl. 12. James VI.

* We under-subscribing, considering the strait linke and conjunction betwixt the true and Christian religion presently profest within this realme, and soveraigne lords estate and standing, having both the selfe same friends and common enemies, and subject to the like event of standing and decay, and weighing therewithall the imminent danger threatened to the said religion, the preserva-

¹ Calderwood, p. 248, &c.

² Ibid. p. 253, 254.

And now, when a public zeal for religion ran so high, the church expected to have seen an universal reformation of manners; but to their great grief, they found the contrary: Wherefore the general assembly sent several articles to the king, and ordered their com-

tion whereof being dearer to us then whatsoever we have dearest in us in this life; and finding in his majestic a most honourable and Christian resolution, to manifest himself to the world that zealous and religious prince which he hath hitherto professed; and to imploy the meanes and power that God hath put into his hands, as well to the withstanding of whatsoever forraigne force shall meane within this land, for alteration of the said religion, or endangering of the present state, as to the repressing of the inward enemies thereto amongst ourselves, linked with them in the said antichristian league and confederacie; have therefore in the presence of Almighty God, and with his majesties authorising and allowance, faithfully promised, and solemnly sworne, likeas hereby we faithfully and solemnly swear, and promise to take a true, effauld, and plain part with his majestic amongst our selves, for diverting of the appearing danger threatned to the said religion, and his majesties state and standing, depending thereupon, by whatsoever forraigne or intestine plots or preparations. And to that effect, faithfully, and that upon our truth and honours, binde and oblige us to others, to convene and assemble our selves publicly, with our friends in arms, or in quiet manner, at such times and places as we shall be required by his proclamations, or by writ or message direct to us from his majestic, or any having power from him, and being convened and assembled, to join and concurre with the whole forces of our friends and favourers, against whatsoever forraigne or intestine powers or papists, an their partakers, shall arrive or rise within this land, or any part thereof, ready to defend or pursue, as we shall be authorised and conducted by his majestic, or any others having his power and commission, to join and hold hand to the execution of whatsoever mean or order shall be thought meet by his majestic, and his councill, for suppressing of the Papists, promotion of the true religion, and settling of his highnesse estate, and obedience in all the countries and corners of this realme, to expound and hazard our lives, lands, and goods, and whatsoever meanes God hath lent us, in the defence of the said true and Christian religion, and his majesties person and estate, against whatsoever jesuites and seminarie or masse-priests, condemned enemies to God and his majestic, to their utter wracke and exterminion, according to the power granted to us by his majesties proclamation, and acts of parliament; to try, search and seeke out all excommunicates, practisers, and others papists whatsoever, within our bounds and shire where we keepe residence, and dilate them to his highnesse and his privie councill, and conforme us to such directions, as from time to time we shall receive from his majestic and his

missioners gravely to admonish his majesty to have respect to the state of true religion, to the many murders and oppressions daily multiplied through lack of justice, and to discharge the kingly office in both, as he would avert God's wrath off himself, and the whole land.¹

councill in their beheltes. And specially so many of us as presently are, or hereafter shall be appointed commissioners in every shire, shall follow, pursue, and travaile by all meanes possible, to take and apprehend all such papists, apostates, and excommunicates, as we shall receive in writ from his majestic. And we, the remanent within that shire, shall concurre and assist with the saids commissioners with our whole friends and forces, to that effect, without respect of any person whatsoever. And generally to assist in the meane time, and defend every one of us another, in all and whatsoever quarrels, actions, debates, moved, or to be moved against us, or any of us upon action of the present band, or other causes depending thereupon. And effectually joine in defence and pursuit against whatsoever shall offer or intend any injury or revenge against any one of them for the premises, making his cause and part that is pursued, all our parts; notwithstanding, whatsoever privie grudge, or displeasure standing betwixt any of us, which shall be no impediment or hinder to our said effauld joyning in the said common cause; but to lye over, and be misknown, till they be orderly removed, and taken away by the order under-specified. To the which time, we for the better furtherance of the said cause and service, have assured, and by the tenour hereof, every one of us taking the burden upon us for ourselves, and all that we may let, assure each other to be unhurt, unharmed, or any wayes to be invaded by us, or any our foresaids for old feid or new, otherwise then by ordinary course of law and justice: neither shall we, nor any of our foresaids, make any provocation, or tumult, trouble or displeasure to others in any sort, as we shall answer to God, and upon our honours, and fidelitie to his majestic. And for our further and more heartie union in this service, we are content and consent, that all whatsoever our feids and variances fallen, or that may fall out betwixt us, be within fortie days after the date hereof amicably referred and submitted to seven or five indifferent friends chosen by his majestic of our whole number, and by their moderation and arbitrimen componed and taken away. And finally, that we shall neither directly nor indirectly seperate nor withdraw us from the union and fellowship of the remanent, by whatsoever suggestion or private advice, or by whatsoever incident regard, or stay such resolution as by common deliberation shall be taken in the premisses, as we shall answer to God upon our consciences, and to the world upon our truth and honours, under the pain to be esteemed traytours to God and his majestic, and to have lost all honour, credite and estimation in time coming.

¹ Calderwood, p. 268.

With this freedom the ministry were reproached, and some few exaggerated the matter in their doctrinal reprehensions, which moved the assembly, for vindication of themselves in this matter, to make an act ordaining, "That no minister within this realm, utter from the pulpit any rash or irreverent speeches against his majesty, or his council, or their proceedings, but that all their public admonitions proceed upon just and necessary causes, and sufficient warrant, in all fear, love, and reverence, under pain of deposing the offenders."

1593. And as this must clear them from the charge of contemning lawful authority, it is also necessary to repeat to their honour, that they proceeded in the plain and upright exercise of discipline amongst themselves, and gave a special commission to certain of their number to visit all the presbyteries of the kingdom, to try the doctrine, life, conversation, diligence, and fidelity of the several pastors, and with advice of the presbytery of the bounds to proceed against offenders, according to the rules of the church.¹

Yet notwithstanding this impartiality in the church, offenders in the state, and especially papists, were suffered to go with impunity. To remedy this, the church, with one accord, joined in a solemn fast on account of the growth of popery, profaneness, and immorality in the land. To this the assembly added a deputation to the king, "Plainly to tell his majesty (these be their own words) that which all his true subjects think, touching his too much bearing with, favouring and countenancing papists and traytors, his negligence in repressing idolatry, and establishing the kingdom of Christ within his realm, and do declare freely to his majesty the resolution of all his godly and faithful subjects, viz. that they are ready to give their lives, rather than to suffer the same."² Nor did they stop here;—the synod of Fife, the most vigilant at that time within the kingdom, excommunicated the earls of Huntly, Angus, and

Errol, with the laird of Auchindown, and Sir James Chisholm, for their idolatry, heresy, blasphemy, apostacy, perjury, and professed enmity to the church.

This sentence the next general assembly approved, but the king took great umbrage at it, and having openly received the popish nobility at Fala,³ a convention of ministers, commissioners of burghs, and barons met, and in short desisted not till they prevailed with the king to outlaw the lords. Upon 1594. which they broke out into open rebellion, but were defeated at Balrinness, by the king's army, under the command of the earl of Argyle.⁴

We pass over several things that occurred during this and the following year, and come to the year 1596, 1596. a year remarkable to the church of Scotland. "It was now come," says Mr. Calderwood, "to the greatest purity it had ever attained to;"⁵ so that she was terrible to the adversaries of religion, and her beauty was admired by foreign churches.

The popish lords being now forfeited, the assembly met in March, and set themselves to reform whatever abuses they perceived in their members; and made themselves famous for three things. First, For their search into, and regulation of their own corruptions as ministers; secondly, For their humble, but faithful representation to the king of the sins, as well of his person and family, as of his council and nobility, with the remedies thereof; and, thirdly, For that famous humiliation, and solemn renewing of the national covenant. The reader may find these recorded at length in Calderwood's history,⁶ and in the register of that assembly. But this last is so remarkable, and had such visible symptoms of the countenance of the Holy Spirit, as cannot fail to recommend the duty of national covenanting, and put to silence gainsayers, especially such of them as have experienced any mea-

³ Calderwood, p. 291.

⁴ Ibid. p. 306.

⁵ Ibid. p. 311.

⁶ Ibid. p. 312, &c.

¹ Calderwood, p. 266.

² Ibid. p. 269.

sure of divine illumination ; we hope therefore a more particular account of it will be very acceptable.

Upon Tuesday the 30th March, the ministers and other commissioners of the general assembly met at Edinburgh, found it duty by themselves to convene in the Little Kirk, now known by the name of Haddock's-hole, at nine o'clock ;—one of the doors being shut, and the other kept open for the meeting only ; for humbling themselves, and wrestling with God, to pursue a national as well as a personal reconciliation, the whole number, amounting to four hundred ministers, and some select Christians, and elders of the church with them. Where, after prayer, and Mr. John Davidson minister at Salt-preston, now better known by the name of Prestonpans, a minister very famous in his time, chosen to preside amongst them, he caused the third and thirty-fourth chapters of Ezekiel to be read, and then said ; “ Seeing it had pleased the Lord to move them to choose him, who was the unworthiest and unmeetest of the number for that place, of a preacher that day, they were not to look that he came to be censured by them, but to use the authority of a teacher, as to hearers, without any prejudice to that liberty given them of the Lord to try the spirits, whether they be of God or not. He shewed what was the end of their meeting,—that it was the confession of sins, and to promise a forsaking thereof, to turn unto the Lord, and enter into a new covenant and league with him, that thus by repentance they might be the meeter to provoke others to the same.” In which he was followed with that power for moving of their spirits in application, that within an hour after they were entered into the church, they looked with another countenance than that wherewith they entered. And whilst he exhorted them to that retired work of meditation, and acknowledgment of their sins, whilst then together, for the space of a quarter of an hour, they were thus humbling themselves ; yea, such a joint concurrence with those sighs and groans, and with shedding of

tears amongst the most, every one provoking another by their example, and the teacher himself by his, so as the very church resounded, and that place might worthily be called Bochim, for the like of that day had not been seen in Scotland since the reformation. After prayer and public confession he treated upon scripture, Luke xii. 22, wonderfully assisted by the Spirit of the Lord, for the work both of casting down and raising up, which exercise continued till near one o'clock afternoon. And, when they were to dissolve, they did there solemnly join, and enter into a new league and covenant with God, holding up their hands thereto, with that seriousness and weight, as was a moving sight to all present. And that afternoon was the renewing of the covenant in particular synods concluded on by the general assembly.¹

How the covenant was renewed in provincial synods, take that of Fife, which met at Dunfermline the 12th of May, for an example. The articles for reformation of the church set down in the last assembly were read in public, and ordained to be insert, and thereafter did Mr. James Melville the moderator, gravely discourse upon the last chapter of Joshua with that evidence and demonstration of the power of God therewith, as all who were there were enforced to a strange and unusual motion, groans, and tears, yea, then to some retired personal meditation, for searching each of them their own ways. And after some time did he make public confession in name of the rest, of unthankfulness, negligence, coldness of spirit, instability, unsuitableness in speech and conversation, as too visibly fashioned after the world ; yea, thus with trembling and weeping for the misusage of so honourable a calling, and the ear, and dread of the weight of the wrath of God lying over them, for the blood of so many souls belonging to their charge, did then weep bitterly, and pour out their souls before the Lord, pleading for grace, and an effectual help to be strengthened against these evils. After which the

¹ Calderwood, p. 317.

Lord, having been so marvellously present, a minute of this solemn work was, by consent of the synod, inserted in their register, both for their own use and an example to posterity.¹

The covenant was likewise renewed in presbyteries and parishes, with great solemnity, but it was delayed in many parishes, and neglected in some, particularly in Edinburgh, where a great defection followed soon.

For the devil, envying the happiness and laudable proceedings of the ministry and assemblies of the church, stirred up both papists and politicians to disturb her peace, insomuch that she was obliged to betake herself to the defence of her own liberties, and of that holy discipline which was her bulwark. In a word, in the end of this year began a fearful decay and declining of this church, a relation of the course of which shall be the subject of the next section.

SECT. VI.

Of the encroachments made by the civil powers upon the church; the restoring of bishops; the defection of many unto Episcopacy, and the sufferings of many others for opposing the same, betwixt the years 1596 and 1625.

1596. WHEN we survey the preceding narrative, we find that it hath been the usual lot of the church of Scotland, to be tossed betwixt waves, and assaulted with one storm after another; and that her times of serenity and peace have been but of short continuance. Seldom, if ever, had she been blessed with more gracious manifestations of the divine favour, and never had she been more hearty and zealous in a thorough and universal reformation, than now she seemed to be; and yet, which may seem strange, from that very time was a stop put to her laudable proceedings, and from a conqueror, she was obliged to stand to her own defence, and in the end to give way to the prevailing foe, and passively to suffer what punishments were inflicted. More particularly,

While the ministers were prosecuting the reformation of corruptions, and urg-

¹ Calderwood, p. 323.

ing the king to purge the land of papists, a more dangerous sore broke out. The court, now galled with the severity of the church's discipline, and grieved at her influence and authority over the people, set themselves to undermine, and at last to overthrow her. And,

First, they began with moving some questions concerning the extent of church power;² and being resolute upon curbing ministerial authority, the privy council attacked Mr. David Black, minister at St. Andrews, and caused summon him to answer before them against the 13th of November, for some expressions uttered by him, in a sermon some weeks before, which gave offence to the court.

When the time of Mr. Black's compareance drew near, the general assembly being then convened, and perceiving that the court had a farther design in that matter, and that they were thrust at through Mr. Black, they advised him to decline the council as incompetent judges of his doctrine; which he did. The reasons of this declinature, with an additional one given in by him, by the same authority, a few days thereafter, being of consequence, both for the subject-matter, and the great numbers who afterwards approved of them, are abridged in the foot note.*

² Calderwood, p. 334.

* Unto your Majesty, and lords of secret council, with all reverence in Christ, humbly meaneth, I Mr. David Black, minister of the evangel at St. Andrews, That where I am charged to answer for certain irreverent, infamous, and indecent speeches, alledged uttered by me in some of my sermons, in the kirk of St. Andrews, in October last, —wherein albeit the consciousness of my innocence upholdeth me sufficiently, and that I am ready to give a confession, and to stand to the defence of the truth of God uttered by me in the said sermons, before your majesty or council, so far as shall be requisite for clearing and defending of the truth and my ministry, and may be done without prejudice of that liberty which the Lord Jesus hath given to the spiritual office-bearers in his kingdom; yet, seeing I am brought to stand before his majesty and council, as judges of my doctrine, and lest to the manifest prejudice of the liberties of the kirk, my answering to the said accusation might import an acknowledgment of your majesty's jurisdiction in matters merely spiritual, and move your majesty to attempt further in the government of the house of God, and in end prove either a plain sub-

Nevertheless, the council found themselves judges of all the particulars libelled against Mr. Black;¹ and the king banished him from his flock, and ordered him to confine himself beyond Tay during pleasure.² On the other hand, "The brethren," says that grave historian Mr. Calderwood, "thought good that the doctrine of the preachers should be directed against the interlocutor of the council, as against a strong and mighty hold, set up against the Lord Jesus, for the overthrow of the freedom of the gospel."³

verting or confounding of the spiritual jurisdiction with the civil; Therefore I am constrained in all humility to use a declination of this judgment, *in prima instantia*, for the reasons following.

1. Because the Lord Jesus, the God of order, of whom only I have the grace of my calling, as his ambassador,—hath given me his word, as the only instructions whereby I should regulate my calling in preaching of the word, &c. I cannot in the discharge thereof be subjected to any civil law, but in so far as I shall be found to pass the bounds of my instructions, which, according to the order established by God, must be judged by the prophets, whose lips should preserve knowledge, and to whom he hath subjected the spirits of the prophets.

2. Because the liberty and discipline of the kirk has been confirmed by divers acts of parliament, and peaceably enjoyed by the office-bearers of the kirk in all points, particularly the judgment upon the preaching of the word *in prima instantia*.

3. Because there are two jurisdictions established and exercised within this realm,—the one spiritual, the other civil; the one respecting the conscience, the other external things; the one directly procuring obedience unto God, the other obedience to civil laws; the one persuading by the word, the other compelling by the sword; the one spiritually procuring the edification of the church, the other procuring the peace and quietness of the commonwealth, which, having ground in the light of nature, proceeds from God as he is the Creator, and so termed by the Apostle,—*humana creatura*, 1 Pet. 2. varying according to the constitution of men; the other above nature, grounded upon the grace of redemption, proceeding immediately from Christ Jesus, only head and king over his church, Eph. 1. Col. 2. which is his spiritual body, from whose Spirit flow all spiritual gifts and graces, by whom are appointed all spiritual offices and functions, 1 Cor. 12. by whom are given to the church and effectually called all office-bearers, Eph. 4. to whom he hath intrusted the preaching of the Gospel, 1 Cor. 9. whom he reproveth and punishes, and of whom he craveth an account of reckoning of the transgressions of the people, Ezek. 34. Ezek. 32. whom he has planted in

¹ Calderwood, p. 349.

² *Ibid.* p. 356.

³ *Ibid.* p. 349.

The foundation of discontent betwixt the court and the church being thus laid, all things tended to an open rupture. Attempts were made to accommodate matters; but these having failed of success, the commissioners of the assembly were, by a proclamation in December, charged to depart the city of Edinburgh within a few hours; which they obeyed, after publishing a declaration for vindicating their proceedings, and exhorting the presbytery of Edinburgh to fidelity and diligence in their calling.⁴

It would appear that the presbytery

their spiritual ministry over kings and kingdoms, to plant and pluck up by the roots, to edify and demolish, Jer. 1. to cast down strong-holds and whatsoever lifteth itself up against the knowledge of God;—unto these he hath given spiritual armour for that effect, and to take revenge of all stubborn disobedients, 2 Cor. 10. whom he has commanded not only to "preach the word and to be instant in season and out of season." 2 Tim. 4. but also to "divide the word aright,"—Matth. 24. 2 Tim. 5. to admonish, rebuke, convince, and threaten, 2 Tim. 4. to deliver unto Satan, 1 Cor. 5. 1 Tim. 1. to bind the impenitent in their sins, to lock out and debar from the kingdom of heaven, Mat. 10. John 20. to whom he has given the keys of the kingdom of heaven, Mat. 16, and power to assemble themselves to this effect, Mat. 18. Acts 15. 1 Cor. 15. promising his presence and assistance, Mat. 28. and in short, the spiritual administration as he has put it in their hand, making them judges to try and cognose in spiritual matters, 1 Cor. 14. even so he chargeth them with vehement attestations by the great God and glorious coming of the Prince of pastors, 1 Pet. 5. to do these things without respect of persons with all attention, 1 Tim. 5. 6. 2 Tim. 4. 1 Pet. 5. Tit. 2.

And therefore, in so far as I am one of the spiritual office bearers, and have discharged my spiritual calling in some measure of sincerity, should not, nor cannot, be lawfully judged for preaching and applying of the word of God, by any civil judge, I being an ambassador of the Lord Jesus, Mal. 2. having my commission from the king of kings, and all my instructions set down in the Book of God, that cannot be extended, abridged, or altered by any mortal, 2 Tim. 3. Deut. 4. Pro. 30. Rev. 22.; and seeing I am sent to all sorts of men, to lay open their hid sins, to preach the law and repentance, the evangel and forgiveness of sins, and to be a savour of life unto life to those that are appointed for life, and a savour of death unto death to those that are appointed for death, 2 Cor. 2. my commission, the form and delivery thereof, cannot be lawfully judged by them to whom I am sent, they being as both judge and party, sheep and not pastors, to be judged by this word, and not to be judges thereof.

⁴ Calderwood, p. 353.

of Edinburgh complied with the exhortation given; for the same month the king fell upon them, and without condescending upon any accusation, charged four of their members, viz. the famous Mr. Robert Bruce, Messrs. James Balfour, Walter Balcanqual, and William Watson,¹ to go to prison; and they not proving so complaisant, the magistrates of Edinburgh were charged to apprehend and imprison them. But they fled into England; where Mr. Bruce published an apology for their flight: and twenty-four of the citizens, eminent for their zeal to the reformation, were, for taking part with their ministers, constrained to take the same road.

Nor did the court halt here; they next framed a writing, called the bond, containing an approbation of their proceedings, and ordained it to be subscribed by every minister under pain of losing their stipend.² This the generality did modestly refuse, and gave their reasons for doing so. But the king, no ways satisfied therewith, caused an act of council be made and proclaimed, requiring all magistrates, &c. to interrupt any of the ministers, if they should utter any speeches in reproach of the king, his council, and proceedings, and to imprison and detain them till orders were given concerning them.³

But when that course failed, the court devised fifty-five questions concerning the discipline of the church;⁴ and being bent upon dividing the ministers among themselves, the king, who now claimed the sole right of indicting assemblies, though the church had by no means yielded that point, called a mixed assembly of statesmen and churchmen, especially from the north, to meet at Perth the 1597. last of February 1597; and preferred these questions to them for their resolution.⁵

For some time the honester part of the ministers opposing themselves boldly, would not yield to the discipline of the church being called in question, nor to

the lawfulness of that meeting: but, at length many of the northern ministers being gained to the court-side by the hopes of gain or dignity, the others were outvoted, and went off with a protest.

Upon this turn of affairs, the court-faction easily sustained their jurisdiction: and the aforesaid questions being, for their ease, reduced to thirteen articles, they made over-hasty answers to the same, and gave an ample commission to the northern brethren concerning the banished lords, which issued in their absolution.⁶

In the mean time, the lawful assembly of the church having been appointed to meet at St. Andrews the 27th of April, Mr. Robert Pont, moderator of the former assembly, went thither accordingly; and though the number was small, they constituted themselves regularly, appointed a fast, made protestation for the liberty of the church, and referred all other business to their next meeting.⁷

But the king disowned this assembly, and appointed another of his new mode to meet at Dundee the first of May following; who, having met accordingly, finished what the assembly at Perth had begun.⁸

The introduction of episcopacy, the grand design which the court had at heart, came next upon the stage: but because the conduct of the former bishops was still fresh in people's minds, and their pride so hateful, that one durst scarce make mention of the name with a safe character, the court found it needful to work cunningly with the church; and, being intent upon their purpose, were content to do that by degrees, and under a mask, which they would gladly have done openly and all at once. And,

The first direct step that was taken by the court towards the subversion of the discipline of the church, was the bringing in some ministers to vote in parliament. This they held forth as of great advantage to the church, both for preventing her prejudice in parliament, and preferring her desires there: and

¹ Calderwood, p. 367.

² Ibid. p. 368.

³ Ibid. p. 369.

⁴ Ibid. p. 382.

⁵ Ibid. p. 393.

⁶ Calderwood, p. 394.

⁷ Ibid. p. 402.

⁸ Ibid. p. 403.

having gained some corrupt churchmen to his side, the king made use of these as tools for promoting his design. In order to this, a commission of the last general assembly, consisting only of fourteen ministers, whereof seven were a quorum, gave in a petition to the parliament which sat in December, in name of the church, but falsely, for the ministers to vote in parliament.¹ Which request was too acceptable to the court to meet with opposition there; so they enacted, That such pastors and ministers as his majesty shall at any time please to provide to the office, place, title, and dignity of bishop, abbot, or other prelate, shall at any time have vote in parliament. But the intermeddling of ministers in these civil employments, was extremely disagreeable to, and opposed by, the sincerer, and more judicious part of the church, not only in the pulpit, and otherwise without doors, but even in the following royal assemblies.

For the king finding assemblies were likely to become more pliable, he calls another to meet at Dundee in March 1563. Thither came Messrs. Andrew Melville and John Johnston, professors of St. Andrews, but they were excluded, and, by the king's authority, charged to leave the town under the pain of horn-ing, and then the assembly proceeded to the court project. At first Messrs. Robert Bruce, James Melville, John Carmichael, John Davidson, and others, who were allowed to stay, opposed themselves boldly unto that course. Yet the majority of the assembly being over-awed by the king, they approved the act of the parliament 1597, for ministers to vote in parliament. Against which Mr. John Davidson protested, and left the meeting, and about forty ministers following him to the south side of the river, subscribed the same.²

Notwithstanding a vote in parliament was carried through, only to make it seem the more plausible, and procure the easier compliance therewith, they

proposed certain cautions limiting and regulating the persons who should represent the church, and the assembly which met at Montrose in March 1600. 1600. finished the work; they agreed to these cautions, and that they should be ratified in parliament.³

But they soon found it had been better wisdom to have kept the thief at the door, than to have watched him in the house; for the main point being gained, the cautions were suppressed, a number of articles favouring bishops were substituted in their place, and the persons preferred to that privilege soon let their constituents find that they were rulers out of the church, as well as in it. And *hinc illæ lachrymæ* the miseries that followed upon this unhappy division and alteration were deplorable, and are specially pointed out by the two subsequent assemblies which were holden at Burntisland in May 1601, and at Holyroodhouse in November 1602.⁴

The thread of our history permitted us not to observe in the order of time, that upon Saturday the 25th of February 1598, there was a most terrible eclipse of the sun; the whole face of that glorious lamp was, for some short space, so darkened that none could read upon a book; the sea and air were still, beasts and fowls flocking together, mourned after their kind, and people were astonished as if it had been the day of judgment.⁵ Yet this was soon over; but the cloud hanging over our church at this time was not so. Another incident fell out at that time, which, says Dr. Welwood,⁶ was in itself so improbable a thing, and attended with so many inconsistent circumstances, that it was disbelieved at the time it was said to have been attempted, though posterity has swallowed it down for a truth; and that was Gowrie's conspiracy. That earl, with his brother, were both slain on that pretence, and several of the ministers of Edinburgh, and others, particularly worthy Mr. Bruce, were banished, because they hesitated to comply with

¹ Calderwood, p. 412.

² Ibid. p. 415, 418, 420.

³ Calderwood, p. 439.

⁴ Ibid. p. 451.

⁵ Ibid. p. 415.

⁶ Memoirs, p. 14.

the king's demand to them, to bless God for his deliverance from that conspiracy.

The time now drew near that the king was to be promoted to the crown of England, and, says bishop Burnet,¹ "He fearing opposition to his succeeding to the crown of England, from the popish party, which, though it had little strength in the house of commons, yet was very great in the house of lords, —employed several persons who were known to be papists, though they complied outwardly: the chief of these were Elphinston secretary of state, whom he made lord Balmerinock; and Seaton, afterwards chancellor and earl of Dunfermline. By their means he studied to assure the papists, that he would connive at them. A letter was also written to the pope by him, in the year 1599, giving assurance of this, which when it came to be published by Bellarmine, upon the prosecution of the recusants after the discovery of the gunpowder plot, Balmerinock did affirm, that he, out of zeal to the king's service, got his hand to it, having put it in a bundle of papers that were signed in course, without the king's knowing any thing of it. Yet when that discovery drew no other severity but the turning him out of office, and the passing a sentence condemning him to die for it (which was presently pardoned, and he was, after a short confinement, restored to his liberty) all men believed that he knew of the letter, and that the pretended confession of the secretary was only collusion to lay the jealousies of the king's favouring popery which still hung upon him."

As he took these methods to manage the popish party, he was much more careful to secure to himself the body of the English nation, which he did most effectually by means of Cecil afterwards earl of Salisbury, secretary to queen Elizabeth, and by his ambassador Bruce, a younger brother of a noble family in Scotland, whose services he afterwards amply requited.

At last the time comes he had so long

¹ Hist. of his own time, p. 5.

wished for. Upon the 31st of March 1603, an express arrived from 1603. England bringing news of the death of queen Elizabeth, with letters of recognition from the privy council there, who had proclaimed his majesty king of England and Ireland. He succeeded to that crown as lineally descended from his great grandmother, Margaret, wife to king James the fourth of Scotland, and daughter of king Henry the seventh of England, and by verbal designation of queen Elizabeth upon her death-bed.

Immediately the lords congratulated him, the court rung with joy, and he was proclaimed at the market-cross of Edinburgh, king of England, France, and Ireland.²

Next Sabbath he came to the great church, where he made a flattering speech, and gave great assurances of his resolution to see them frequently, and cause justice be administered impartially amongst them. He set out for London the 5th of April, where he arrived the 7th of May, and he and his queen were crowned at Westminster the 15th of July.

Next year he ordered a new translation of the Bible, the same which is in use at this day, and endeavoured to unite the two kingdoms, but that came to nothing.

The succession to the crown of England, the solemnities attending it, and other affairs of that kingdom, took the king almost wholly off Scots affairs for some years thereafter, which was the reason that the begun innovations in Scotland were not pushed on so fast as was expected; but the throng of these being over, he fell to his old trade, invading the principles of the church, and persecuting those ministers who were the most deserving of his protection; and to shew with what spirit he was animated, he began with an act of personal revenge. For Mr. Robert Bruce, who, for some time after the king's departure, had been permitted to attend his charge in Edinburgh, was again brought into trouble on account of Gow-

² Calderwood, p. 471.

rie's conspiracy, and silenced by the commission of the church, who consisted of fit persons for going through with the drudgery of the court; and he having disobeyed that unjust sentence, was, by the king's order, sent prisoner to Inverness, where he entered the 27th of 1605. August 1605, and remained four years in that confinement.¹

The next step was an attack upon the church's privilege of holding general assemblies once in the year, and oftener *pro re nata*. This privilege the general assembly, which met at Holyroodhouse anno 1602, insisted for, and having prevailed with his majesty to appoint their next meeting to be held at Aberdeen in July 1604, for reformation of certain corruptions, which especially prevailed in the north, the several presbyteries named their members for that assembly; but the king, by a new order, changed the day that was set, adjourned the assembly to meet at the same place in July 1605, and at length by another royal writ, the assembly was prorogued to an uncertain day.²

Honest ministers beheld this with the greater grief, that many of the people, sensible of the king's aversion to general assemblies, had begun to elude the censures of inferior judicatures by appeals to the general assembly; and fearing that the king would never name a new assembly, unless it were by the advice of those who favoured episcopacy, who were resolved to desire no more assemblies, till, being advanced to greater power and dignity, they could turn them which way they had a mind. For this reason a number of commissioners from presbyteries did meet at Aberdeen upon that particular day to which the king had prorogued the assembly, but the number being small they did no more than constitute, call, and continue the diet, for preservation of their privilege, to be at the same place in September following. But the king's commissioner discharged that meeting under pain of rebellion.

¹ Calderwood, p. 495.

² *Ibid.* p. 489.

³ *Ibid.* p. 491.

Many were the troubles which there upon ensued to the members of that assembly. The moderator Mr. John Forbes, with Messrs John Welch, Robert Dury, Andrew Duncan, Alexander Strachan, and John Sharp, were apprehended and sent prisoners to Blackness; Messrs Charles Fairholm, and John Munro, to the castle of Down; Messrs Nathaniel Inglis and James Greig to Dumbarton; and Messrs. James Irvine, John Ross, and William Forbes to Stirling.⁴

Nor were the court resolved to stop here. The first six were summoned to compare before the court of judiciary in October that year, to answer for their convening after the king had continued the diet; when they, having declined the jurisdiction of the court in that affair, were (notwithstanding of a declaration made by them under protestation, that they were ready to obey his majesty and the court in all points wherein obedience is due from other subjects) found guilty of high treason, and it was expected that they would have been put to death; but the country being therewith greatly inflamed, and the king loath to be called by such a name as these violent proceedings entitled him to, the punishment was mitigated, and those ministers were only banished forth of the realm during life.⁵

This punishment they endured with great patience, constancy, and resolution; and their behaviour in time of trial, and during their exile, especially that of Messrs. Forbes, and the great and prophetic Welch, are topics entertaining, and very affecting, but too long for this place.⁶

The other imprisoned ministers were little better used, for they were banished to different remote places of the country, there to remain under pain of death, during the king's pleasure, viz. Mr. Fairholm to Bute, Mr. Monro to Kintyre, Mr. Irvine to Orkney, Mr. William Forbes to Shetland, Mr. Ross to Lewis, Mr. Grieg to

⁴ Calderwood, p. 494, 498.

⁵ *Ibid.* p. 499, 549, &c.

⁶ *Ibid.* p. 514, 516. *Fulf. Scrip. Parts 1st and 3d.*

Caithness, Mr. Inglis to Sutherland, and Mr. Robert Youngson, who having once recanted, and finding no rest in his conscience, had compared while the first six were under trial, and taking part with them, was banished to Arran.¹

And by a proclamation soon thereafter, all other ministers were forbidden to recommend in their prayers, or sermons, any of those so sentenced.²

While the king was thus gratifying his resentment, without consulting his interest, the providence of God reproved his impiety in a most terrible manner: the plague broke out, and raged with such violence, in and about London, that it was reckoned near seventy thousand persons died of it; which desolating judgment overtook us also, and numbers died of it, particularly in Edinburgh, Leith, St. Andrews, &c.³

And though these reproofs seem to have had little, if any effect, upon the king; yet, at the same time, did God rescue him, and the best part of the kingdom of England, from the very jaws of destruction. For the parliament being to meet the fifth of November this year, the papists had laid a plot to blow up the king and all his parliament, by gunpowder, which they had placed in vaults below the parliament house: but the horrid wickedness was seasonably discovered; the conspirators were convicted, and many of them executed in January following, and an act made for solemnizing the fifth of November yearly, as a day of thanksgiving for the discovery of that plot, in all time thereafter.

Yet notwithstanding of such a conspicuous display, both of judgment and mercy, the king was resolved to go on with his favourite scheme of setting up episcopacy in Scotland; and, that he might meet with the less opposition in it, Messrs. Andrew and James Melville, James Balfour, William Scott, John Carmichael, Robert Wallace, Adam Colt, and William Watson, eminent ministers, and who had considerable weight in the judicatories, were called up by the

king's authority to London, where they were detained with conferences, and other sham pretexts, which issued in smoke, till episcopacy was settled in Scotland. After which, six of them were, upon conditions, suffered to return to their own country; but Mr. James Melville died in his exile at Berwick, and Mr. Andrew Melville was taken up on a pretence of disrespectful speeches, and some Latin verses made by him, reflecting on the cathedral worship in England; and after three years confinement in the tower of London, was permitted to accompany the duke of Bouillon to France, where he ended his days.⁴

And now, the king reckoning himself sure of success, called a parliament to meet at Perth in the month of July, when the estate of bishops were restored to their ancient honours, dignities, prerogatives, privileges, livings, lands, tiends, and rents, as they were before the act of annexation made in the parliament 1587. Against this act a number of the ministry, who yet retained their integrity, gave in a solemn protestation, which merits a place, and therefore is added in a foot note.*

⁴ Calderwood, p. 518, 537, &c.

* The earnest desire of our hearts is to be faithful, and in case we would have been silent and unfaithful at this time, when the undermined estate of Christ's kirk craveth a duty at our hands, we should have locked up our hearts with patience, and our mouths with taciturnity, rather than to have impeached any with our admonition: but that which Christ commandeth, necessity urgeth, and duty wringeth out of us, to be faithful office-bearers in the kirk of God, no man can justly blame us to do it, providing we hold ourselves within the bounds of that Christian moderation which followeth God without injury done to any man, specially those whom God hath lapped up within the skirts of his own honourable stiles and names, calling them gods upon earth.

Now therefore, (my lords, conveyed in this present parliament, under the most high and excellent majesty of our dread sovereign) to your honours is our exhortation, that ye would endeavour with all singleness of heart, love, and zeal, to advance the building of the house of God, reserving always unto the Lord's own hands that glory, which he will communicate neither with man nor angel, to wit, to prescribe from his holy mountain a lively pattern, according to which his own tabernacle should be formed, remembering always, that there is no absolute and undoubted authority in this world, ex-

¹ Calderwood, p. 507. ² Ibid. p. 517.

³ Ibid. p. 473.

The right of voting in parliament being now secured to the clergy by the force of a law, these lordly gentlemen

cept the sovereign authority of Christ, the king, to whom it belongeth as properly to rule the kirk, according to the good pleasure of his own will, as it belongeth to him to save his kirk by the merit of his own sufferings. All other authority is so entrenched within the marches of divine commandment, that the least over-passing of the bounds set by God himself, bringeth men under the fearful expectation of temporal and eternal judgments. For this cause, my lords, let that authority of your meeting in this present parliament be like the ocean sea, which, as it is the greatest of all other waters, so it containeth the self better within the coasts and limits appointed by God, than any rivers of fresh running waters have done.

Next remember, that God hath set you to be nursing fathers of the kirk, craving of your hands, that ye would maintain and advance by your authority, that kirk which the Lord hath fashioned by the uncounterfeited work of his own new creation, as the prophet speaketh, "he hath made us, and not we ourselves;" but not that ye should presume to fashion and shape a new pourtraiture of a kirk, and a new form of divine service, which God in his word hath not before allowed, because that were to extend your authority further than the calling ye have of God doth permit. As namely, if ye should (as God forbid) authorise the authority of bishops, and their pre-eminence above their brethren, ye should bring into the kirk of God the ordinance of man, and that thing which the experience of preceeding ages hath testified to be the ground of great illness, palpable ignorance, unsufferable pride, pitiless tyranny, and shameless ambition in the kirk of God. And finally to have been the ground of that antichristian hierarchy which mounted upon the steps of pre-eminence of bishops, until that man of sin came furth as the ripe fruit of manis wisdom, whom God shall consume with the breath of his own mouth. Let the sword of God pierce that belly, which brought furth such a monster: and let the staff of God crush that egg which hath hatched such a cockatrice: and let not only that Roman antichrist be thrown down from the high bench of his usurped authority; but also, let all the steps whereby he mounted up to that unlawful pre-eminence be cut down, and utterly abolished in this land.

Above all things, my lords, beware to strive against God, with an open and displayed banner, by building up again the walls of Jericho, which the Lord hath not only cast down, but also hath laid them under an horrible interdiction and execration; so that the building of them again must needs stand to greater charges to the builders, than the re-edifying of Jericho to Hiel the Bethelite, in the days of Ahab, for he had nothing but the interdiction of Joshua, and the curse pronounced by him, to stay him from building again of Jericho: But the noblemen and states of this realm, have the reverence of the oath of God, made by themselves, and subscribed with their own hands

prepare themselves for invading an ecclesiastical jurisdiction over their co-presbyters, and in a royal assembly held at

in the Confession of Faith, called the kings majesty's, published oftner than once or twice, and subscribed and sworn by his most excellent majesty, and by his highness, nobility, estates, and whole subjects of this realm, to hold them back from setting up the dominion of bishops; because it is of verity, that they subscribed and swore the said Confession, containing not only the maintenance of the true doctrine, but also of the discipline professed within the realm of Scotland.

Consider also, that this work cannot be set forward, without the great slander of the gospel, defamation of many preachers, and evident hurt and loss of the people's souls committed to our charge. For the people are brought almost to the like case, as they were in Syria, Arabia, and Egypt, about the 600 year of our Lord, when the people were so shaken with contrary doctrines, some denying, and others allowing, the opinion of Eutiches, that in end they lost all assured persuasion of true religion; and within short time thereafter, did cast the gates of their hearts open to the peril, to receive that vile and blasphemous doctrine of Mahomet; even so, the people in this land are cast in such admiration to hear the preachers who damned so openly this stately pre-eminence of bishops, and then within a few years after, accept the same dignity, pomp, and superiority in their own persons, which they before had damned in others, that the people know not what way to incline, and in end will become so doubtful in matters of religion and doctrine, that their hearts will be like an open tavern door, patient of every guest that likes to come in.

We beseech your honours to ponder this in the ballance of a godly and prudent mind, and suffer not the gospel to be slandered by the behaviour of a few number of preachers, of whom we are bold to affirm, that if they go forward in this defection, not only abusing and appropriating the name of bishops to themselves only, which is common to all the pastors of God's kirk, but also taking upon themselves such offices that carry with them the ordinary charge of governing the civil affairs of the country, neglecting their flocks, and seeking to subordinate their brethren to their jurisdiction. If any of them, we say, be found to step forward in this cause of defection, they are more worthy as rotten members to be cut off from the body of Christ, than to have superiority and dominion over their brethren within the kirk of God.

This pre-eminence of bishops, is that Dagon which once already fell before the ark of God in this land, and no band of iron shall be able to hold him up again. This is that pattern of that altar brought from Damascus, but not shewed to Moses in the mountain, and therefore it shall fare with it, as it did with that altar of Damascus, it came last into the temple, and went first out. Likewise the institution of Christ was anterior to this pre-eminence of bishops, and shall consist and stand within the house of

Linlithgow in December this year, consisting of statesmen, and such ministers, as were believed ready to comply with

God, when this new fashion of altar shall go to the door.

Remember, my lords, that in times past your authority was for Christ, and not against him; ye followed the light of God, and strived not against it; and like a child in the mother's hand, ye said to Christ, "draw us after thee." God forbid that ye should now leave off, and fall away from your former reverence borne to Christ, in presuming to lead him whom the Father hath appointed to be leader of you; and far less, to trail the holy ordinances of Christ, by the cords of your authority, at the heels of the ordinances of men.

And albeit your honours have no such intention to do any thing which may impair the honour of Christ's kingdom; yet remember, that spiritual darkness, flowing from a very small beginning, doth so insinuate and thrust itself into the house of God, as men can hardly discern by what secret means the light was dimmed, and darkness creeping in got the upper hand, and in end, at unawares, all was involved within a misty cloud of horrible apostacy.

And lest any should think this our admonition out of time, in so far as it is statute and ordained already by his majesty, with advice of his estates in parliament, that all ministers provided to prelacies, should have vote in parliament; as likewise, the general assembly, (his majesty being present thereat,) hath found the same lawful and expedient. We would humbly and most earnestly beseech all such to consider, first, that the kingdom of Jesus Christ, the office-bearers, and laws thereof, neither should nor can suffer any derogation, addition, diminution, or alteration, besides the prescript of his holy word, by any inventions or doings of men, civil or ecclesiastical. And we are able, by the grace of God, and will offer ourselves to prove, that this bishoprick to be erected is against the word of God, the ancient fathers, and canons of the kirk, the modern most learned and godly divines, the doctrines and constitutions of the kirk of Scotland since the first reformation of religion within the same country, the laws of the realm, ratifying the government of the kirk by the general and provincial assemblies, presbyteries, and sessions; also against the well and honour of the king's most excellent majesty, the well and honour of the realm, and quietness thereof; the established estate and well of the kirk, in the doctrine, discipline, and patrimony thereof; the well and honour of your lordships, the most ancient estate of this realm; and finally, against the well of all and every one the good subjects thereof in soul, body, and substance.

Next, That the act of parliament granting vote in parliament to ministers, is, with a special provision, that nothing thereby be derogatory or prejudicial to the present established discipline of the kirk and jurisdiction thereof in general, and synodal assemblies, presbyteries, and sessions.

Thirdly, and lastly, the general assembly, (the king's majesty sitting, voting, and con-

them, called by and named in his majesty's letters, without any regard had to commissioners from the presbyteries,

senting therein), fearing the corruption of that office, hath circumscribed the same with a number of cautions. All which, together with such others as shall be concluded upon by the assembly, were thought expedient to be insert in the body of the act of parliament that is to be made for confirmation of their vote in parliament, as most necessary and substantial parts of the same; and the said assembly hath not agreed to give thereunto the name of bishops, for fear of importing the old corruptions, pomp, and tyranny of papal bishops, but ordaineth them to be called commissioners for the kirk to vote in parliament. And it is of verity, that, according to these cautions, neither have these men now called bishops, entered to that office of missionary to vote in parliament, neither since their ingrying have they behaved themselves therein: And therefore, in the name of the Lord Jesus Christ, who shall hold the great court of Parliament, to judge both the quick and the dead at his glorious manifestation; and in the name of his kirk in general, so happily and well established within this realm, and whereof the said realm hath reaped the comfortable peace and unity, free from heresy, schism, and dissention, these forty-six years bypast; also in name of our presbyteries from which we have our commission, and in our own names, office-bearers, and pastors, within the same, for discharging of our necessary duty, and disburdening of our consciences in particular, we except and protest against the said bishoprick and bishops, and the erection, confirmation, or ratification thereof at this present parliament. Most humbly craving, that this our protestation may be admitted by your honours, and registrate among the statutes and acts of the same, in case (as God forbid) these bishopricks be erected, ratified or confirmed therein.

This Protest was subscribed by,

Mess. And. Melville	Mess. James Davidson
Ja. Melville	James Row
William Scot	William Row
James Ross	Robert Mercer
John Carmichael	Edmund Myles
John Gillespie	John French
William Areskin	Patrick Simpson
Col. Campbell	John Dykes
James Muirhead	William Young
Jo. Mitchel	William Couper
Jo Davidson	William Keith
Adam Banatine	H. Duncan
John Row	James Mercer
William Buchanan	Robert Colvil
John Kennedy	William Hog
John Ogilvy	Robert Wallace
John Scrinzeour	David Barclay
John Malcolm	John Wemyss
James Burden	William Cranstoun
J. Blackfoord	Jo. Coldon
J. Strachan	Jo. Abernethy.

N.B. Three of these, viz. Mr. Adam Banatine, Mr. William Couper, and Mr. John Abernethy, accepted bishopricks in a few years.

they obtained an act for constant moderators in every presbytery.¹ And though many who attended that meeting confidently affirmed, that nothing was then concluded concerning the moderating in synods, yet, when that act came down refined from court, a clause was found in it appointing the bishops, or their vicars, constant moderators in the synods also; and all synods and presbyteries were charged, under pain of rebellion, to admit the constant moderators; yet Mr. Calderwood saith,² that none of the synods except that of Angus accepted the constant moderator. Many presbyteries resolutely refused; and though, according to the Latin historian,³ some of the presbyteries admitted them, being compelled thereto under pain of rebellion, yet it was under condition, that the matter should be canvassed in a free and lawful assembly; but others who would by no means admit of it, were, adds he, cruelly treated, some of them were banished, and others thrown into prison, of which there are several instances condescended on in Calderwood's history, too tedious to be here repeated.

These ecclesiastic lords being thus frustrated of their expectation, used all efforts that they might obtain a full jurisdiction over the church. At first they tried to have got her own consent for this, in a meeting held at Linlithgow in the year 1603,⁴ and in a conference with certain of the ministers at Falkland in the year 1609, but still they were disappointed.

However, finding that all the arts hitherto used, for subverting the church, could not procure an universal compliance from the ministers, they were resolved to make them do it by force.

For this end, in the month of

February 1610, they obtained from the king a jurisdiction over their co-presbyters, which they knew they would never obtain with the consent of the church, under the title of commissioners of the king in the jurisdiction of the church, or judges of the

high-commission court.⁵ Of these courts there were two, one for the archbishopric of St. Andrews, and another for the archbishopric of Glasgow; both of them were composed of ecclesiastics and laics, and both were invested with power to suspend and deprive ministers of their office, and excommunicate, and to compel any minister to pronounce the sentence, or to publish it when past, with power also to fine, imprison, and prosecute the contumacious, under pain of rebellion, &c., which proved the greatest exercise of habitual tyranny that had ever been practised in Scotland, for it actually put the king in possession of the bodies and goods of all his subjects, and empowered him to use them absolutely by his agents, to the destruction not only of the liberties of the church, but even of the whole country.

And, in order to obtain some shew or appearance of the consent of the church, a general assembly was appointed to be held at Glasgow in the month of June that year, where were present, not, as was enacted by the law, and received by constant practice, such as had a free deputation from the presbyteries, but the constant moderators, supported by an annual pension, and encouraged by the hopes of a more handsome fortune, with two ministers out of the several presbyteries, whom they expected to bring over with threatenings, or entice with rewards, and under that name the earl of Dunbar was sent with the king's letters, as his commissioner, attended by his majesty's life-guards. In presence of this commissioner they were to treat concerning the bishops, who were already possessed of civil dignities and fat benefices, and who had already got the ministers under their belt, and who were armed with the dubious sword of a high commission.⁶

It is not then to be thought strange, that all things were allowed to pass at that meeting agreeable to the mind of the bishops;⁷ such as, The condemnation of the assembly at Aberdeen, and acknowledging the calling of assemblies to

¹ Calderwood, p. 550. ² Hist. p. 565.

³ Hist. Mot. p. 12. ⁴ Calderwood, p. 589.

⁵ Cald., p. 616. ⁶ Ib. p. 623. ⁷ Ib. p. 631.

be the prerogative of the crown ; that no ordination of any pastors should be confirmed in aftertimes, unless the act of ordination was consummated by a bishop ; that no minister be deprived but with the consent and approbation of a bishop ; that the bishops, if present, should preside in all the provincial synods and assemblies, and in absence of bishops, such as they should name for their vicars ; to them also was committed the visitation of dioceses. In fine, whatever formerly belonged to the presbytery was taken from the presbytery, and referred to the bishop : and, to secure all, every minister at his admission was to swear obedience to his majesty and ordinar, in the form subjoined.*

In the mean time, it was not the mind of the meeting that it was lawful for bishops to exercise any acts of jurisdiction by themselves, exclusive of presbyteries, but at most they allow them a negative power in conjunction with the presbytery. Which clause they artfully urge may be suppressed, and in place thereof advise to substitute the following, viz., meeting of ministers, that no offence might be given to his majesty, who, as was said, could not hear presbytery named without indignation. But in fact, as the event shewed, they wanted to have presbyteries abolished altogether, and in their place, that they should be at liberty to choose what pastors they pleased, to witness their acts of jurisdiction.¹ As to the consecration of bishops, no mention was then made of it, because they knew,

* I, A. B. nominated and appointed to the Church of ——— utterly testify and declare in my conscience, that the right excellent, right high and mighty prince, James the Sixth, by the grace of God king of Scots, is the only supream governor of this realm, as well in things temporal, as in the conservation and purgation of religion.* And that no foreign prince, prelate, state, nor potentate, have, or ought to have, any jurisdiction, power, superiority, pre-eminence, or authority ecclesiastical and spiritual within this realm ; and therefore I utterly re-

* In the ratification of this oath, these words,—conservation and purgation of religion, were changed into,—in matters spiritual and ecclesiastical, as in things temporal.

¹ Hist. Mot. p. 17.

that, neither by fraud nor violence, were they ever able to persuade or compel the greatest part of that meeting to distinguish the office of a bishop from that of a presbyter or ordinary pastor, and to warrant the distinction from the word of God, nor to find that a bishop can by divine right do any thing that a presbyter cannot do ; yet, no sooner was the meeting dismissed than they evidently discovered the tendency of their aims and designs. For three of them, viz., Mr. John Spotiswood, bishop of Glasgow, Mr. Andrew Lamb, bishop of Brechin, and Mr. Gavin Hamilton, bishop of Galloway, went straight to London, there to be consecrated unto the office of bishop, who, at their return, consecrated others, without consulting with either presbytery or synod. And in all their actions they behaved themselves so, as they did not own they were obliged to the church of Scotland, for that superior power and dignity they had received, but that it belonged to them by divine right.²

These are the steps by which they gradually imposed the yoke of the English hierarchy upon the church of Scotland, that they might with greater ease introduce the hotch potch of English ceremonies. Which innovations were the more alarming to discerning men, when they considered, that these men who have freedom to do more than is right, will more frequently be disposed to do more than is lawful. Nor was this fear groundless, as we shall shew

nounce and forsake all foreign jurisdictions, powers, superiorities, and authorities, and promise that from this forth, I shall, and will bear faith and true alledgiance to his highness, his heirs and lawful successors, and to my power shall assist and defend all jurisdictions, privileges, pre-eminences, and authorities, granted and belonging to his highness, his heirs and lawful successors, or united and annexed to his royal crown. And further, I confess to have and hold the said church, and possession of the same, under God, only of his majesty and crown royal of this realm ; and for the said possessions, I do homage presently to his highness, in your presence : And to his majesty, his heirs and lawful successors, shall be faithful and true. So help me God.

² Calderwood, p. 644.

after we have named a few intervening occurrences.

1612. In the year 1612, the act of Glasgow assembly, which had already been approved by the king's proclamation, was enlarged and ratified in parliament.¹

1614. Upon the fourth of March 1614, the ministers were commanded by proclamation, to prepare the people for the Lord's Supper, and to minister it to them on Easter-day: and the people were likewise charged to communicate that day at their own parish-churches, which many obeyed, notwithstanding of several acts of assembly formerly made against it. And next year that anniversary solemnity was, by another proclamation, made perpetual.²

1615. The same year 1615, Spotswood archbishop of Glasgow, was inaugurate archbishop of St. Andrews, in the room of Gladstones deceased, and bishop Law translated from Orkney to Glasgow, and in December that year, the two courts of high commission were, by a new commission from the king, united in one, and that commission was again renewed and further enlarged in the year 1619, against all those who did not conform to the present course, or who found fault with those who did so.³

1616. In the year 1616, a royal assembly (for there were no other since the assembly 1605) was held at Aberdeen, where they made several acts against papists, and a new Confession of Faith was framed and substituted in place of the old one, which was thought too straitening to the bishops.⁴

1617. Next year, the king, out of his salmond-like desire, as he called it, made a tour to Scotland, arrived at Edinburgh on the 16th of May, and had the English service performed with great pomp in the chapel-royal on the Sabbath following.⁵

The parliament met upon the 17th of June, and the lords of the articles passed

some articles which were like to have cut the cords of the remaining liberty of the church; one of which was, that the king, with advice of the archbishops and bishops, and such a number of the ministry as his majesty should think expedient, were in all time coming to have full power to advise and conclude matters decent for the external government of the church, and that such conclusions should have the strength of ecclesiastical laws. But a supplication, containing a protestation thereagainst, having been subscribed by above fifty ministers, and communicated to the court, several of whom were not so tame in those matters as the rest, it was thought proper to drop the same for that time; yet the ministers who chiefly conducted it, particularly Mr. David Calderwood our author, and Mr. Archibald Simpson minister at Dalkeith, were exposed to much trouble on that account, and occasion then taken to quarrel Mr. Calderwood for not attending synods, when he shewed that he had for several years been prohibited from coming to them, and though now the high-commission allowed him to attend them, yet he refused, (the king himself being present, and putting the question) to attend these courts, choosing rather to expose himself to any kind of suffering, than by his presence acknowledge the jurisdiction of the bishops; and accordingly he was for that reason deprived and banished.⁶

But what the king could not effectuate in his parliament, he found easy to obtain in the national assembly of the church; and therefore one was called to meet at Perth, in August 1618. 1618. To that assembly his majesty invited by his letters, above thirty noblemen and gentlemen, who were sensible that it was the king's desire to have the form of worship in the church of Scotland changed, and the many and various rites of the English church introduced amongst us, that thereby the union of his two kingdoms, might be the stronger; the bishops also finding that they want-

¹ Calderwood, p. 646. ² Ibid. p. 649, 650.

³ Ibid. p. 650, 651.

⁴ Ibid. p. 657, 663.

⁵ Ibid. p. 674.

⁶ Calderwood, p. 676, 679-684.

ed farther means to make the people stumble; and the ministers who were called to accompany them on that occasion, considering that they durst not venture to oppose, without rushing upon the point of both swords, the assembly admitted the five following articles, viz. kneeling at the sacrament of the supper; the celebration of five holy-days, (the nativity, passion, resurrection and ascension of Christ, and the descent of the Holy Spirit); private baptism; the private administration of the holy supper; and English confirmation. They saw that their labour would be in vain if they should alter the simplicity of divine worship all at once, and therefore they picked out the few now mentioned, as the most plausible, which they voted without reasoning; and for soothing the country into an indifference about them, they promised then to leave the practice of those ceremonies arbitrary, and solemnly declared, that the king had no design to urge the remaining dregs of English ceremonies.¹

Those articles were, by the like indirect means, ratified in the parliament which met at Edinburgh in July 1621, though not without great opposition. For fifteen of the nobility, and forty-four commissioners for shires and burghs voted against it; and a number of the most judicious and best disposed of the ministry, did, in the name of the reformed church of Scotland, solemnly protest against the same. Yea the heavens also, or rather the God of heaven, seemed to declare his royal dissent; for the very moment that lord Scone the king's commissioner stood up to touch that act, three flashes of lightning, one immediately after the other, darted in at the window, and struck directly in the commissioner's face; which flashes were rendered the more visible by an exceeding dark cloud which for some minutes before hung directly over the city: the thunder which followed upon the back of these flashes respectively, and broke upon the city, and, as it were, more immediately on the parliament house, was very

terrible, especially the third clap of thunder; the darkness occasioned by the said cloud increased to such a degree, that it became frightful, and the whole was followed by so violent and so heavy a rain, that the like had not been known in the memory of man.²

And yet a darker cloud, threatening desolation to the church now appeared. The bishops and their instruments, pressed these articles with great violence, and when any refused to practise them, which according to a short relation of the state of the church of Scotland printed in the year 1638, now before me,³ was the case with the most part of the particular congregations, there was matter for their high commission to work upon. Near thirty ministers and a number of laics, were, for not practising these articles, exposed to great suffering; the ministers were suspended, or deposed, and several both of the ecclesiastics and laics banished, and these before Perth articles had the sanction of a law:⁴ by which we may easily guess at the treatment of non-conformists, after their persecutors were armed with the force of an act of parliament. Multitudes were cited before the high commission, and condemned by it; even probationers for the holy ministry, when they were licensed, or invested with the office of preaching, were taken bound by oath, to maintain the lawfulness of Perth assembly, and of the conclusions there agreed to; and to approve of episcopal government as then settled in the church of Scotland, with other things of that nature, which tended to establish the authority of bishops, and make way for the more easy introduction of the rest of the English ceremonies. Whosoever was unwilling to submit to that oath, as was the case with several of the best qualified, was rejected. But if any, unmindful of the oath once sworn, did set himself to oppose any thing appertaining to that course, he was sure to be arrested, not indeed before his presbytery or synod, but before the high commission,

² Calderwood, p. 764, &c. ³ P. 7

⁴ Ibid, p. 742, 744, 749, 750, 756.

¹ Calderwood, p. 697, &c.

and dealt with according to the utmost rigour of law, by having an oath *ex officio* tendered, whereby he was held to accuse and condemn himself. Which oath was originally introduced into the English church under Henry IV. when the bishops wanted to detect the Lollards; and was contrary to the Scripture, which forbids an accusation against a presbyter or elder to be admitted, unless before two or three witnesses,—and to the statutes of the ancient Romans, for even Trajanus, though an enemy to the Christian faith, appointed, that without a certain author, no accusation ought to be admitted; for, said he, it is a very bad example. Hence that common maxim, deduced from the very spirit and nature of the law, That no man ought to be obliged to produce witnesses against himself. Much less then is he to be forced to give evidence against himself by this oath *ex officio*.

To all these, the foresaid short relation of the church of Scotland adds,¹ “That at diocesan synods, for there were no general, and few synodical assemblies after this, the bishops sat as judges rather than simple moderators, they ordained ministers, not in the presence, or with consent of the congregation, but in some remote place, and sometimes without the presence of any minister of the presbytery or bounds where the minister was to serve;—they gave orders to sundry, without the charge of any flock;—they convoked ministers to promiscuous meetings, and directed their mandates from these, as from the representative church of Scotland;—they stopped process against papists;—they taught popish and armenian points of doctrine, or preferred such as did the like, and did sit as judges in council, session, and exchequer, contrary to the word of God.”

Nor is this the *ipse dixit* of a party only. Dr. Burnet, though of the same fraternity, and a great patron for episcopacy, observes, in *The History of his own Times*,² that it was thought no sort of practice was omitted, by threatenings, bribery, and otherwise, to get the state

¹ P. 7.² P. 10.

of bishops restored in Scotland, and matters conducted to their good liking; and, “That the persons preferred to that dignity did their part very ill. They generally grew haughty; they neglected their functions, and were often at court, and lost all esteem with the people; some few that were stricter and more learned, did lean so grossly to popery, that the heat and violence of the reformation became the main subject of their sermons and discourses.”

The Lord having thus drawn back his right hand from before the enemy, the tongue of a Jeremiah, nor the pen of a Nazianzen, cannot fully express the miseries that ensued.

The most judicious and best affected of the ministry, who had seen the church in her former glory, being either removed by death, or banished their country, or confined in prisons, or remote and obscure places of the country, or prohibited from attending their presbyteries and synods, or overawed with the thunder of the high commission, no wonder though many of the rest went down with the stream, and couched with Issachar under the burden.

Yet this was not the case with the famous Mr. David Dickson, Mr. John Murray, Mr. George Johnston, Mr. John Row, Principal Boyd, Mr. Robert Blair, Mr. John Ker, Mr. Thomas Hogg, and many others of the ministry, who suffered what severities their enemies were pleased to inflict upon them, rather than forego their innocence; and this also was the fate of many professors, who, refusing to practise the before-named ceremonies, and following, protecting, or harbouring the above, or other non-conform ministers, were also haled before the high commission, and imprisoned or banished. Of this number were William Rigg, one of the bailies of Edinburgh, and John Hamilton, John Mein, William Simpson, and John Dickson, citizens.

And because it would appear, 1624. that the magistrates and town council connived at private meetings, and the resorting thither of the suspended and deprived ministers, the privy coun-

cil made an act, discharging all private conventicles, and the king, by his letter, rebuked the magistrates for not giving obedience to Perth articles, and not punishing such as refused to give obedience, and threatened them with the removal of the session, and other courts of justice.

At length when the king had, in the manner we have related, shewed his gratitude to the presbyterians who set him upon the throne, and who with the utmost peril had protected him against the many insults of his mother's faction; when he had thus given full proof of his zeal and affection to that church, which, in the most solemn manner he avowed to be the purest and best reformed under heaven; and when he had defaced her glory, and by degrees brought in division for unity; anarchy for authority; episcopacy for a moderate parity; antichristian ceremonies for purity of external worship; and by these means, banished

the remarkable power and presence of God from the solemn assemblies, an express from London brought the news, that king James died at Theobald's 1625. the 27th of March 1625, unlamented by any, except the bishops and their faction, who, as they were his own creatures, were guilty of the most gross and abject flattery towards him. His reign in England, says bishop Burnet, was a continued course of mean practices, and, adds he, it is certain no king could die less esteemed than he was.

By his death, the high commission was dissolved of course, all proceedings before them dropped, and abundance of good men were, for the present, delivered from the oppressions of the bishops. But his successor having been no less zealous in the cause of episcopacy, the church of Scotland got no other advantage by the change, than the stop above mentioned, as we shall relate in the history itself.



HISTORY
OF
THE CHURCH AND STATE
OF
SCOTLAND,

FROM THE DEATH OF KING JAMES VI. TO THE RESTORATION.

BOOK I.

FROM THE DEATH OF KING JAMES VI. ANNO
1625, TO THE BEGINNING OF THE REFOR-
MATION FROM PRELACY, ANNO 1637.

THE period now before us is perhaps the most silent that hath taken place in Scotland since the reformation from popery. We had not the face of a general assembly during all those twelve years, nor of a parliament except one; much is not therefore to be expected. The bishops knew well, that those assemblies did not consist either with their worldly peace or interest; and the king had learned so much king-craft, as to trust nothing to a parliament which he could accomplish without them. Besides, the generality of our statesmen, now gained to a good liking of the king's measures, by the good entertainment which he, as now sovereign of a much more opulent nation than Scotland, was able to afford them, did readily give way to his despotic government; and the most part of our old, worthy, faithful, and zealous ministers, who had known the sweetness of liberty, and made a vigorous struggle for it under the oppressions of the former reign, being likewise removed by death, confinement, or banishment, the

rest were, more or less, carried away with the course of defection.

The bishops being now masters of the field, they, as is incident to prelacy, shewed abundance of inclination to keep presbyterians under; and perceiving the king's good affection to their state, they spent so lustily upon his favours, as if that fountain could never run dry; and, having waxed fat by it, they kicked at some even of the nobles, which incensed almost the whole against them; and they corrupted the doctrines of our church with arminian and popish errors, and the worship with vain rites and superstitious ceremonies. By these methods they brought their mother church to the very brink of destruction; but, contrary to all men's expectation, when those prelates had reached the highest pinnacle of their glory, God was pleased to pour contempt upon them, to throw them out of his church, and revive his work and people in the midst of their bondage.

Having thus given a general view of the scope of the history of that period, we shall illustrate it in a relation of the transactions of each year in order, so far as our vouchers will carry us; and, that the reader may not be wearied with a prolix narrative, we shall make a pause in the middle, and divide the same into the two following chapters.

CHAPTER I.

On the state of affairs at the succession of king Charles I to the crown, and other occurrences, to the year 1633.

CHARLES I., and only surviving son of king James VI. by Anne daughter of Frederick II. king of Denmark, succeeded to the crown, on the decease of his father, the 27th of March 1625.

It seems to be generally agreed, that the father's madness laid the foundation for his successor's woes, and that the son exactly followed the father's steps. The fatal spring from which all the misfortunes of king Charles may said to have flowed, was king James's overstretching of the royal prerogative. "This," saith Rapin,¹ "was not only in some points and on certain occasions, but by general principles, which being once admitted, did, by necessary consequence, clothe the sovereign with an unlimited authority." These principles king James endeavoured, upon all occasions, to instill into his subjects, and especially into the mind of his son, in which he was most fatally successful. From this source proceeded his overturning and new-modelling of the discipline and government of the church of Scotland, and rarely convening and brow-beating of the parliament, which soured the spirits of the generality of the Scots nation. In England likewise he managed by the same principles, filled the kingdom with monopolies, compelled his subjects to lend or give him money, dissolved the parliaments for not allowing his principles, imprisoned some members for venturing to speak freely, and even declared publicly he would call no more parliaments.

The king's measures must appear the more infatuated, when it is considered what special need he then stood in of the affection and assistance of his subjects. At that very time his son-in-law Frederick count palatine, who in the year 1619 had been elected king of Bohemia,

¹ B. xix. fol. 238.

as the most powerful prince of the empire of Germany, to oppose the house of Austria, and protect the liberty of that kingdom, was scarce sooner crowned than he lost both his new kingdom and his ancient inheritance of the Palatinate, by the battle of Prague, wherein his army was entirely defeated, and himself forced to flee to Holland, leaving both Bohemia and the palatinate a prey to the emperor.²

Though both the nations of Scotland and England were abundantly forward to restore the Palatine family by force of arms, yet the Spanish ambassador did so lull king James asleep, with the hopes of a marriage betwixt prince Charles and the Infanta of Spain, that neither the cries of his daughter the queen of Bohemia, nor those of her children, nor the repeated solicitations of his parliament and subjects in their behalf, could awaken him, till the protestant religion being rooted out of Bohemia, the electoral dignity transferred from the Palatine family to that of Bavaria, the Palatinate itself lost, and the liberty of Germany overthrown, the match with the Infanta, which had for several years been upon the anvil, was abruptly broken off. And then, indeed, when out of time, the king declared war against the emperor of Germany and the king of Spain; but he was carried off before that war could be brought to any bearing.

When king Charles mounted the throne, the nation hoped that their condition would be mended, under a prince of so much virtue as he was said to be possessed of; but they soon found that their hopes had been ill-founded.³ For the king being full of high-flown notions of prerogative and absolute obedience, and being young and his passions strong, he not only refused to redress the grievances introduced during his father's reign, but also added others more intolerable. He soon let his subjects see, not only that their grievances did not touch him, but that it was offen-

² Melville's Memoirs, p. 17.

³ Rapin, b. xix. p. 239.

sive to seek redress. In a word, he very plainly intimated, both in his speeches and conduct, that he looked upon parliaments only as assemblies designed to grant supplies; and that, in case of refusal, he could proceed without their assistance. Accordingly he dissolved several parliaments, because they did not readily grant the sums he demanded, offered violence to many parliament members, and extorted from his subjects what money he wanted, by forced loans, or taxes imposed by his own authority. This needs not be reckoned strange, since, besides the lessons taught him by his father, he had the same favourite Buckingham, the same ministers of state, and the same counsellors which his father had, all creatures of Buckingham's.

These things the ingenious Rapin shews clearly, and at great length, and therefore we shall not dip farther into them than seems necessarily connected with our own history, to which we return.

The same day on which king James died, king Charles wrote to the privy council of Scotland, and ordained them to signify by proclamation, that it was his will and pleasure, that all magistrates and officers in his dominions should hold, use, and exercise all such power and authority as they held of his father, until his farther pleasure were known. Accordingly, upon Thursday the last of March, the day the news reached Edinburgh, the council, with as many of the nobility and gentry of note as were then in town, accompanied by the city magistrates, went to the cross of Edinburgh, and, with as much solemnity as the suddenness of the action would admit of, proclaimed his majesty's title, and, with uplifted hands, promised all due obedience to him.¹

About the beginning of April, Sir George Hay of Kinfauns, lord chancellor, John Erskine earl of Mar, lord treasurer, Thomas Hamilton earl of Melrose, secretary of state and president of the session, the archbishop of St. Andrews, with many other nobles, knights, and gentlemen of good quality, set out

for London to congratulate their new king, to witness his father's funeral, and to use their influence for themselves and their friends. Before their departure, David lord Carnegie, and nine others, were by the secret council authorised to govern the kingdom until their return.

Upon Sabbath, the 3d day of that month, the ministers of Edinburgh having intimated to the people, that the sacrament of the supper was to be celebrated there next Lord's day, many were displeased, both at the season thereof, being Pasch Sunday, and also at the leaving off the custom of desiring the ministers and people to convene upon the Tuesday next after the intimation, for accommodating all differences amongst neighbours, and removing all offences, whether in the people or church-officers, which could be any just bar in the way of their admission to that holy ordinance. This amiable practice had been punctually observed in Edinburgh from the time of the reformation; and the omission of it at that time was reckoned the more grievous, that of late years the observance of Perth articles had introduced great jarring amongst many who had formerly lived in great amity.²

During these transactions the clan Euan of the western isles betook themselves to the seas, and committed many villainies. To reduce these rogues to obedience, the lords of the privy council ordered Archibald lord Lorn to raise 2000 men in Argyle, Lorn, and Kintyre, for protecting those countries from the rebels' depredations; and the laird of Kilsyth, captain of the west seas, to fit out two ships of sixteen or twenty guns each, and some frigates, to prosecute them by sea.³ But what became of them we know not. On Thursday the 8th of May, the lady Henrietta Maria, daughter to Henry king of France, was solemnly espoused, after the popish manner, by proxy, to king Charles. This, according to scripture-truth, has always been accounted a dangerous preparative to a strange God: "Surely," says the Lord,

² Hist. Collect. p. 321.

³ Balfour's Annals, p. 425.

¹ Balfour's Annals, p. 425.

"they will turn your heart away after their gods." The wisest of kings was not proof against this infection. And king Charles shewed himself no less fallible. And there is no reason to doubt, that the consequences of this match was one chief reason of the following clause in the first article of the incorporating union with England, viz. That all papists, and persons marrying papists, shall be excluded from, and for ever incapable to inherit, possess, or enjoy the imperial crown of Great Britain, and the dominions thereunto belonging, or any part thereof. For, by the treaty of marriage betwixt the king (then prince of Wales) and the queen, signed at Paris the 10th of November 1624, sworn to by the king and the prince, and, after the marriage, ratified in the most solemn manner by the king of Great Britain, it was stipulated, "That the queen, with all the children of the marriage, and all her domestics, should be secured in the free exercise of the Roman catholic religion; that she should have a bishop invested with all necessary authority in things relating to religion, with twenty-eight priests or monks, and a chapel in every place where she shall reside;" and (which she improved to the ruin of the king's family, and almost of church and state with them) "she was to have the education of her children till the age of thirteen years."¹

Besides these public articles, it was secretly agreed, That the catholics imprisoned since the last proclamation which was issued on occasion of the breach with Spain, should be all set at liberty, and their goods restored; and that the English catholics should be no more searched after, nor molested for their religion.

The queen landed at Dover on the 13th of June, where the king met her. Next day she was conducted to Canterbury, and on the 16th their majesties arrived at London.

As the king had thus chosen one plague, and the court were employed in little else but revelling on that account,

God sent them another. No sooner was the queen's mass, the plague of the soul, received, than a raging pestilence broke out in the city of London and the parts adjoining, which in a short time cut off above 40,000 persons.² It is not our sphere to interpret God's providence; but, when we see such a manifest resemblance betwixt the one and the other, and that the punishment doth, as with a sunbeam, point out the cause of it, we apprehend our observation cannot be impeached with presumption.

The plague raging so terribly at court, and there having, from the middle of May, been such excessive and continued rains all over the island, as threatened the destruction of the crop upon the ground, the king appointed a general fast all over his dominions, that his subjects might intreat the Lord to put a stop to those sore judgments, and to give success to the fleet which had been fitted out last year, and was now to go on an expedition against the Spaniards. This fast was accordingly observed upon Wednesday the 20th of July, when the presbyterians added other causes, as they judged the times called for. But passing this.

The ministers who stood out against the observation of Perth articles having had favourable accounts of the king's piety and moderation, they resolved to supplicate his majesty for redress, and dispatched to court Mr. Robert Scot, minister at Glasgow, to present their supplication;³ but at his return, they found no relief was to be expected, and that the king was resolved to maintain the government which his father had established.

This put them to other thoughts, yet could they not better themselves: the king was resolute in pressing conformity. For this end he wrote to archbishop Spotiswood to proceed in that good course wherein his father had put him; to advertise the other bishops to do the like; and to declare to them, that it was his special will to have the order and

² Row's Hist. p. 264.

³ Guthrie's Memoirs, p. 8.

¹ Rapin, b. xix. p. 233.

laws, which were established concerning church affairs, obeyed, as his father had enjoined.¹

As this order was highly to the satisfaction of the bishops, they extolled his majesty's piety, and spared no pains to procure obedience to his commands; and if a minister conformed himself to this rule, he was in little or no hazard of being challenged for any thing else.

During this whole period we had no general, and but a naked shew of provincial assemblies; for in these last the bishops sat as moderators; and in case of their absence, which was mostly the case, except when they had some innovation to urge, any whom they named supplied their place; and these moderators, with the other constant moderators of the presbyteries, and a few with them of the bishops or their deputies' choosing, made up a privy conference, and they alone handled all the affairs which came before the synod.² The rest were, indeed, obliged to give suit and presence; and if they did so, little more was required of them.

Yet it would seem all were not so complaisant as the king and bishops inclined; for, upon the first of August, a proclamation was published, setting forth, That some persons, averse to the present church government, had endeavoured to persuade the lieges, that his majesty intended to make some alteration of the government of the church; assuring his good subjects that he intended not to alter the same in the least, (holding the government established to be the best), and ordering all persons to be punished according to law, that dared to disturb the present government.³ Upon which the bishops and their faction looked out sharp after such as did not conform, and had the address to get men of that stamp excluded from places of trust. For, upon the 12th of September following, the king wrote a letter to the town-council of Edinburgh, commanding them to choose those only

to be magistrates who observed Perth articles. This letter was procured by the bishops; for since the debate betwixt bailie Rigg, and the rest of the citizens, with the ministers of Edinburgh, (taken notice of in the Introduction, p. 96,) the bishops were careful to have no magistrates there that did not conform.

In the same month, the king's declaration against papists was published all over the kingdom;⁴ and, whether to keep them from being too much abashed, or because due obedience had not been given to the proclamation of the first of August, we know not; but non-conformists were in this proclamation ranked with papists, which was the more grievous to honest presbyterians, that, while papists, being of the queen's religion, were, notwithstanding of the proclamation, overlooked, the others were not so well used.

About this time also an express arrived from his majesty, with orders for the regulation of the privy-council and the court of session. Before this time, many of the one court were also members of the other;⁵ but that being found incompatible with the speedy administration of justice, no councillor was allowed, after this, to sit as judge in the court of session, except the chancellor only.

This order was soon followed by another to the estates, to meet at Edinburgh upon the 27th of October. At this meeting the chancellor informed them of his majesty's intention to come to Scotland next spring, in order to be crowned, and of some other great matters he had in view, and that it was on these accounts necessary to offer a voluntary supply for defraying the charges of these. Accordingly the estates agreed to a taxation of L.40,000 Scots, besides the annuity of the annual rents which had been granted before. Upon this they were ordered to adjourn to the 1st of November; at which time the earl of Nithsdale arrived from court, with a number of articles to be agreed to by the convention; but they were for the most part refused as unreasonable, and the rather

¹ Crawford's Hist. sect. ix. p. 1.

² Hist. of Church and State, p. 4.

³ Crawford, sect. ix. p. 1.

⁴ Row, p. 264.

⁵ Ibid, p. 265.

that they were communicated by Nithsdale, a papist.

This denial did no doubt disoblige his majesty, as it nettled the earl of Nithsdale; and it was not long before the king took a sufficient amends; for in November following was proclaimed his majesty's revocation of all deeds done by his father king James, and by his grandmother queen Mary, in prejudice of the crown; and soon after, he appointed Nithsdale collector-general of the late taxation,¹ an office which of right belonged to the treasurer; which things bred such fears and jealousies in the minds of many, as were not easily removed.

We shall conclude our account of this year with observing, that in December the town of Edinburgh was divided into four distinct congregations, and two ministers assigned to each; and in January following the ministers were admitted to their respective charges by Mr. Lindsay, bishop of Brechin.

1626. We have already seen his majesty's bias to conformity, but it was not a fit season to push this with vigour; his war with Spain, and the intestine heats in England, occasioned by Buckingham's administration, afforded matter sufficient for employing his councils for several years to come.

About the beginning of January, the navy which was fitted out last year against Spain, returned without having done so much as a single action worth rehearsing, and also with the loss of one ship, and of many men, who died by sickness and for want of provisions.² This afforded a new occasion of reflection against Buckingham, who had stirred up the king to that war.

In Scotland likewise we were filled with murmuring and discontent; for, besides the common opposition betwixt presbyterians and episcopals, the differences about conformity ran very high amongst presbyterians themselves; and the nobility also, striving who should be uppermost, went into factions. The chancellor, with the Earls of Mar, Mor-

ton, Roxburgh, and Melrose, were already partakers of the royal bounty; and the earls of Marshal and Nithsdale, the lord Ochiltree, and the archbishop of St. Andrews, being equally intent upon their own interest, spared not to sacrifice the reputation of the others, and even to enter complaints against them to his majesty. The chancellor and his party were not forward in promoting the king's revocation which we mentioned last year, nor for restoring of the tiends, and some other things now in agitation; but the others, seeing it the ready way to ingratiate themselves with his majesty, were disposed to yield to his measures, and so were the more likely to prevail; yet their complaints had not the desired effect at that time. The chancellor, whom they especially aimed at, being a wise and able statesman, both kept his ground, and helped to uphold some others of his party from falling. And the king, judging that the more each side depended upon himself, he would meet with the less opposition to the methods whereby he intended to secure to himself a more absolute power, deferred giving a final determination in favour of the one party or the other.

Meantime, the project of despotism went on; for, in February, the king made a total change of the judges of the court of session, causing them all resign their office in his hands, that such as he admitted *de novo* should hold their office only during pleasure.³ And, finding that Melrose the president, Sir John Hamilton of Magdeldals, the clerk-register, Sir Archibald Cockburn of Clerkington, lord privy-seal, Sir John Stuart of Traquair, the treasurer-depute, the earl of Lauderdale, and lord Carnegie, with Sir William Oliphant the advocate, were averse to that dismissal, they were removed, and in their places were admitted the laird of Balmanno, Sir Alexander Napier of Lauriston, Mr. Alexander Seton of Gargunnoek, Mr. Robert Spotiswood, second son to the archbishop of St. Andrews, who after-

¹ Row, p. 265.

² Collect. p. 337.

³ Collect. p. 341.

wards went by the name of Lord New-abbey, Mr. James Ballantyne, one of the commissaries of Edinburgh, Mr. Alexander Morison, advocate, and Sir Archibald Aitchison, one of the justices of Ireland, who were all willing to hold their office during pleasure. Sir James Skene, one of the continued lords, was made president; and, in March following, the office of lord secretary was taken from the earl of Mar, and given to Sir William Alexander of Menstrie.¹ But let us now see how affairs went in England.

The king was crowned at Westminster upon the 2d of February, and upon the 17th he met with his English parliament.² He had dissolved his first parliament on account of their complaints concerning religion, the increase of arminianism, and the mal-administrations of Buckingham, and he expected to have found this more pliable; but, while he pressed them to impose taxations, they urged a redress of grievances in the first place. Whereupon the king dissolved them, encroached upon the liberty of members, forced the lieges to lend him money by his own sole authority, removed some of the judges for not promoting it, allowed the soldiers and mariners to take free quarters; and several gentlemen were, for refusing the loan, exposed to extreme hardships; some of them were inrolled amongst the king's troops, some sent away beyond seas, and others obliged to undergo a tedious imprisonment. But to return.

The king, having made great alterations in the college of justice, thought proper likewise to new-model his other courts; and being advised, that, by making a number of the ablest and wisest of the bishops members of those courts, he would both raise their reputation, and secure to himself the greater influence in them, he sent down three commissions in March following;³ one naming a certain number of earls, bishops, lords, and officers of state, to the number of forty-seven in whole, to be of his privy-coun-

cil, whereof seventeen to be a quorum, the chancellor and officers of state, the advocate and director of the chancery being of that number.

In the second commission, fifteen persons, some of whom were bishops, were nominated lords of exchequer, on purpose to bear down the treasurer, that he should not have so much liberty to dispose on the revenues as formerly; and of these any six were declared a quorum, the lord treasurer or his depute being always one of the number.

A third commission to try grievances consisted of the two archbishops, the bishops of Ross and Dumblane, the lord chancellor, the marquis of Huntly, the earls of Morton, Marshal, Nithsdale, Annandale, and Winton, the viscount of Aird, the laird of Thortoun, and others, to the number of seventeen, who, or any ten of them, the chancellor always being one, were empowered to call all persons before them for transgressing the acts of parliament, or for speaking against the king, or misconstruing his laws, proceedings, or progenitors; and to fine, confine, and ward them at pleasure.⁴ This court proved a heavy oppression to the country in general, who were, especially at Nithsdale's instance, summoned to it in multitudes from all quarters, and many of them amerced in large sums; but, if this court kept any records of their proceedings, these are not now to be found.

Upon the 15th of June, betwixt the hours of eight and nine in the morning, there appeared a phenomenon in the open firmament, which was looked upon by many as a presage of some future calamity.⁵ The sun shining bright, there appeared, to the view of all people as it were three suns; one be-east and the other south-be-west the true sun, and in appearance not far from it. From that which lay south-west there proceeded a luminary in the form of a horn, that pointed north-west, and carried, as it were, a rainbow, in colour grey, but clearer than the rest of the sky.

And indeed, whether these signs were

¹ Collect. p. 344. ² Rapin, b. xiv.

³ Row, p. 265. Collect. p. 346.

⁴ Collect. p. 354.

⁵ Ibid. p. 350.

ominous or not, manifold were the calamities which then prevailed. Abroad, the sword devoured vast multitudes of protestants. It was reckoned, that ere this time above 80,000 Bohemians and Palatines perished in the wars of Germany, besides Dutch, Brandenburgers, and others their allies; and at home an invasion from Spain was not only feared, but expected. The interests of religion were little regarded, and what zeal the king and bishops manifested burnt hottest against presbyterians; for, upon information that several members of the college of justice, of that persuasion, did not observe the innovations enjoined by Perth assembly, the bishops procured a letter from the king to the secret council, dated the 26th of July, commanding all the lords of council, the advocates and clerks, to communicate kneeling in the chapel-royal, that others might be induced by their example to conform likewise:¹ But few for whom this order was intended obeyed it.

At this time papists were greatly on the increase in Scotland; and several of the nobility, who, on account of their attachment to that persuasion, had been proceeded against by the privy-council, found means to procure letters from the king, to the council, for using them with lenity. This no doubt prevailed with the council to slacken their diligence, and otherwise produced no good effects; for some took occasion from thence to suspect his majesty's too great affection to papists: and papists were encouraged to turn insolent under their liberty.

One instance of their audacity happened at Paisley, then the seat of the family of Abercorn. The earl, his mother, and brother, were not only bigotted catholics themselves, but busy promoters of that cause in the place.² This called loudly to Mr. F. Law, the archbishop of Glasgow, whose sphere it was, as the times went, to provide against the spreading contagion of that malady.

For this reason the archbishop was prevailed with to re-admit the famous Mr. Robert Boyd to the ministry at Paisley. None was more opposite to the practice of Perth articles than Mr. Boyd, for upon that very account he had been obliged to resign his office of principal, first of the university of Glasgow, and afterwards of the university of Edinburgh, but being a man of great learning and prudence, the archbishop could find none so fit for the purpose as Mr. Boyd; and therefore would rather suffer him to exercise his ministry at Paisley, than admit an unqualified person to that charge. Mr. Boyd was scarce settled at Paisley, when, upon a sabbath afternoon, while he was preaching, the earl's brother dispossessed him, and threw all his books out of the house where he had taken up his residence. Complaint was made of this insult to the privy council, who ordered the offender to be imprisoned.

But the earl, and the bailies of Paisley, having undertaken to repossess the minister publicly, and the gentleman at the same time professing his sorrow for what he had done, and Mr. Boyd interceding for him that he might not be imprisoned, the council passed the matter: Yet when Mr. Boyd returned to take possession, in company of the magistrates of the place, the doors were so secured, as no access could be had into it, and though the bailies would gladly have broken them open, the place where the house lay was without their jurisdiction; and a rascally multitude, consisting mostly of women, hounded out, as was supposed, by the old lady, pressing hard upon the venerable good man, upbraiding him with opprobrious speeches, and throwing dirt and stones at him, as if he had been some notorious criminal, he was thereby forced from them, and went to Glasgow; from whence seeing small prospect of a safe, far less a peaceable settlement at Paisley, he removed soon after to his own house of Trochrig in Carrick.

When this archbishop shewed so much zeal for reclaiming Paisley, who would expect to find him remiss in the

¹ Crawford, sect. ix. p. 2.

² Collect. p. 357.

oversight of other parts of his diocese? Yet, upon the 22d day of August, the earl of Linlithgow accused him,¹ to the council, of overlooking and not delating Mr. James Reddick a popish priest, who publicly said mass, and seduced the people in Annandale, and that though he (the archbishop) was certainly informed of this, he still neglected to take any order with the offender. Upon this the archbishop promised amendment, and a charge was directed from the council to Mr. Maxwell of Cowheath, then sheriff of Dumfries, to apprehend the priest, and send him to Edinburgh; but the sheriff was too nearly connected with the earl of Nithsdale to shew much diligence in the matter.

These priests were likewise protected against justice in other places. For Mr. Thomas Ramsay, minister at Dumfries, and some other ministers, having accidentally caught one near that place,² the priest was forced from them by some gentlemen in his company.

And about the same time, a jesuit priest having been apprehended in the town of Dundee, the lord Gray came with a number of his friends to Dundee, under colour, as sheriff of the county, of bringing the jesuit to justice;³ but the magistrates knowing well his good affection to those cattle, to be deluded with his pretence, and, being apprehensive of more assaults of that kind, sent the priest to the archbishop of St. Andrews, who imprisoned him in the castle; but he soon made his escape through the negligence of the keeper.

In July there was a great convention of the estates holden in Edinburgh.⁴ The king's design in calling them, was the recovery of the tithes and church lands, and to try what they would willingly do in that matter. The convention were not fond of being engaged in a business wherein the interests of many of them were so nearly concerned, yet, willing to give his majesty all the satisfaction in their power, they named four of each estate as a commission to ex-

amine the state of the tiends, who were the possessors, and how they held them, and to report to his majesty.

The convention being ended, the lord chancellor was sent for to court, with a design to gain him, for he had opposed the king's measures in the affair of the tiends; and, when they missed this mark, repeated complaints were made of his lordship's administration. But he cleared himself of all, and thereby secured to himself the continuance of his majesty's favour.⁵

In the meantime the king's advocate took care to have a process for promoting his majesty's revocation, ready against the downsitting of the session. But the titulars, and possessors of the tiends, being nowise disposed to surrender them, they sent up the earls of Rothes, Linlithgow, and Loudoun, three young noblemen of excellent parts, to the king, to try if they could prevail with him to drop that project. But their embassy proved fruitless.

Conventions being now in fashion, the bishops, and other ministers whom they were pleased to send for, met in Edinburgh at the end of this year.⁶ The pretence for this meeting was the increase of popery in every corner of the land, and the necessity of doing somewhat for stopping its growth. Accordingly they sent up the bishops of Ross and Moray, with Messrs. Walter Whiteford and William Struthers, ministers, to the king, to entreat his majesty to take order with insolent papists. What success they had in that embassy was little heard of; but much noise was made of their importuning his majesty to go through with his revocation, and to see to the augmentation of the livings of the Scottish clergy; a project to which he was abundantly well disposed.

After these commissioners re- 1627.
turned from court, liberty was granted to the several presbyteries to send one or two of their own choosing to meet with them. Upon this, the presbyteries, from all quarters except the north, sent of their members as the

¹ Collect. p. 356.² Ibid. p. 360.³ Ibid. p. 366.⁴ Row, p. 264.⁵ Collect. p. 361.⁶ Row, p. 266.

bishops had permitted ; but the archbishops staid away of purpose, that if matters did not succeed in that meeting to their wish, they might disapprove of the meeting.¹

As soon as the commissioners from presbyteries came to meet with the commissioners who had been at court, those of them who adhered to the reformation in its purity, declared that they could not acknowledge the present meeting for an assembly general of the church, but only for a conference. This being granted, all present agreed to supplicate his majesty ; and the conformists having chosen Mr. Patrick Lindsay bishop of Ross, for their commissioner, and the non-conformists, Mr. Robert Scott minister at Glasgow for theirs,² the following articles were agreed upon to be given them as their instructions :

“1. To deal with his majesty for a lawful maintenance of the ministry, (that is, a maintenance settled by law), and plantation of kirks :

“2. To petition for a lawful general assembly :

“3. That a petition be presented for the suffering ministers, whether banished, deposed, or confined ; that the sentences may be taken off, and they restored to their places, and be admitted members of the assembly, (if any be) if they shall be chosen by their presbyteries :

“4. That none be troubled in their ministry for non-conformity, nor entrants to the ministry, with subscription, until that assembly be called :

“5. That any brothers, presbytery or society, desirous to send up any petition or grievance to his majesty, shall deliver the same to these commissioners ;” which they promised faithfully to deliver.

At the same time it was agreed, that a pound Scots should be laid upon every chaldier of victual, or hundred merks of stipend within the kingdom, for a year, to defray the commissioners’ charges.

But the archbishops, and the other bishops, greatly offended with the conclusions of that meeting, and with the

bishop of Ross for moderating in it, disapproved of the whole. So Mr. Scott went not to court ; but the other commissioner, having got his private instructions from the rest of the bishops, went alone, and managed his credit for their behoof ; and as if he had been conjunct commissioner for both parties, non-conformists were charged to pay their proportions of his charges, which they refused, because nothing was performed to them by conformists, according to agreement.

About this time the commission for tiends sat down, and made a form of summoning all before them who they supposed had interest.³ The barons, apprehending that their tiends were over-rated, sent up the lairds of Balcorny and Ley to lay the matter before his majesty. And about the 16th of April, they returned with letters of recommendation from his majesty, to give the gentry an ease in the valuation of the tiends, and in the composition to be paid for them ; which disobliged the commission. The bishops also were dissatisfied with the commission for valuing their tiends, and thought they fell not within the compass of the revocation ; but as his majesty was to have a share of the whole tiends, the commission were of opinion, that the bishops’ tiends ought to be subject to the revocation as well as those of the lords of erection.

And because, through these differences, the commissioners were greatly obstructed in their proceeding, an order was given to all the ministers to try the state of the tiends in every parish, with the help of two or three of their parishioners, and to report their diligence to the commission :⁴ Accordingly the ministers were at great pains, to find out the state of the tiends in their several bounds, and in the months of May and June following, reported their diligence to the commissioners, which was approved ; yet, because the king came not good speed with all this dealing, he resolved that every man should have his

¹ Crawford, sect. ix. p. 2.

² Ibid.

³ Collect, p. 370.

⁴ Row, p. 267.

own tiend at a reasonable price, and all were ordained to come in to the commissioners for that effect.

This year Pasch fell upon the 25th of March, at which time the communion having been given in the great church of Edinburgh, there were not above six or seven persons who kneeled at the table.¹

This greatly incensed the promoters of conformity. But, as the example of the English was the pipe to which our conformists did now dance, let us take a byelook of what they were doing. The projects of despotism went still on, and the court, knowing of what service it would be to have the clergy for their lackeys, gained several to preach up the doctrine of passive obedience; and the doctors Sibthorp and Manwaring did especially distinguish themselves this way, by which they did no less gall the subjects than please the sovereign.

Hitherto the war with Spain had been conducted with small credit to the British arms; and yet the English ministers of state engaged the king, by degrees, to proclaim war with France, at a time when he knew not how to continue the war he had already begun. To engage France to afford some pretence for a rupture, the king, upon some disgust at the queen's domestics, who maintained that he, being an heretic, had no right to intermeddle with her family,—and at her chaplains, because they made the queen walk to Tyburn in devotion to pray there,—dismissed them altogether.² The king of France highly resented this manifest breach of the marriage-treaty, but carried not his resentment the length of declaring war on that account. So another pretence must be fallen upon on the side of England; and that was, to make war upon France, under colour of supporting the Huguenots, who were oppressed, and threatened with utter destruction. “But,” says Rapin,³ “when the character of the king, of the favourite, and of the ministry, is considered, it can hardly be thought that the desire of maintaining

the protestant religion, such as it was in France, was the real motive of this war. The king and his whole court mortally hated the presbyterians. The duke of Buckingham had properly no religion at all; Weston and Conway, two ministers of state, were catholics; the bishops Loud and Neile thought it impossible to be saved out of the church of England. How then can it be imagined, that all these men, who were the king's most intimate counsellors, should combine to support in France, a religion for which they had the utmost contempt. It is much more probable, that the king's ministers, seeing little likelihood of recovering the palatinate by arms, and fearing the king would at length be tired of a fruitless war with Spain, induced him to carry his arms into France, in order still to keep him under a necessity of raising money by extraordinary methods, and thereby perpetuating his misunderstanding with his subjects, on which the continuance of their credit entirely depended.”

But, whatever were the true springs from whence it proceeded, a war was resolved on, and the duke of Buckingham was sent out with a fleet of above a hundred ships, having on board 7000 soldiers, whereof 3000 were Scotsmen, commanded by the earl of Morton.⁴ The duke's design was the relief of Rochelle, that was threatened with a siege from the French king. But, that project having miscarried, he made a descent upon the isle of Rhee, from whence he was beat off very dishonourably, and returned to England with the loss of several thousands. But to return home.

Upon the 8th of November, the earl of Haddington, lately Melrose, was made lord privy-seal, and was succeeded, as keeper of the signet, by Sir Archibald Aitchison, who thereupon resigned his office as a lord of session.

Much about this time an alarming accident happened on the south-west coast of Scotland. A south wind, blowing directly from the Isle of Man, threw

¹ Row, p. 266.

² Vol. ii. b. 19.

³ Rapin, p. 260.

⁴ Balfour, p. 438.

the sea upon the Blackshaw, within the parish of Carlaverock, and upon Old-cock-pool, and several other parts within the parish of Ruthwell, in such a fearful manner as none then living had ever seen the like.¹ It went at least half a mile beyond the ordinary course, and threw down a number of houses and bulwarks in its way, and many cattle and other bestial were swept away with its rapidity; and, what was still more melancholy of the poor people who lived by making salt on Ruthwell sands, seventeen perished; thirteen of these were found next day, and were all buried together in the church-yard of Ruthwell, which, no doubt, was an affecting sight to their relations, widows, and children, &c. and even to all that beheld it. One circumstance more ought not to be omitted. The house of Old-cock-pool being environed on all hands, the people fled to the top of it for safety; and so sudden was the inundation upon them, that, in their confusion, they left a young child in a cradle exposed to the flood, which very speedily carried away the cradle; nor could the tender-hearted beholders save the child's life without the manifest danger of their own: But, by the good providence of God, as the cradle, now afloat, was going forth of the outer door, a corner of it struck against the door-post, by which the other end was turned about; and, going across the door, it stuck there till the waters were assuaged. Upon the whole, that inundation made a most surprising devastation in those parts; and the ruin occasioned by it had an agreeable influence on the surviving inhabitants, convincing them, more than ever, of what they owed to divine Providence; and for ten years thereafter they had the holy communion about that time, and thereby called to mind even that bodily deliverance.

1628. The observation of Pasch is the first remarkable occurrence of the year 1628. The consistory, or general session of Edinburgh, made a motion

¹ Collect. p. 376. Hist. Church and State, p. 6.

to the ministers, that, seeing Easter was now approaching, at which time the communion used to be celebrated, it would be advisable, for removing of divisions, to administer the sacrament in the manner observed before Perth assembly. Great reasoning ensued upon that point, but a full agreement could not be obtained.² The ministers who were for conformity condescended, that, if the people would communicate, they should have liberty to sit, stand, or kneel, as they pleased. But the others answered, that they could not consider themselves at liberty to play fast and loose in that matter. They could not quit the distribution of the elements among themselves; much less would they consent to the act of kneeling in their brethren more than they could practise it themselves. This offer being rejected, the conformists proposed,—whether in charity to their scrupulous brethren, or out of design to throw the blame off themselves upon the king, is a mute point,—to supplicate the sovereign for liberty to celebrate the Lord's supper after the accustomed manner. The non-conformists pleaded, as more expedient, first to celebrate the sacrament after the ancient form, and then, if his majesty was offended, to sue for his favour. To this they added, that a supplication to the king now would but irritate him, and it would be esteemed too great presumption in them to seek a dispensation with his laws. But the ministers replied, that they knew a remedy if his majesty did not grant a favourable answer, and that was, to lay down their ministry. In the end, all the ministers of Edinburgh subscribed a letter, in form of a supplication, to the king, upon the third of April, which they sent up by the hands of Mr. William Livingston. "In it they represented to his majesty the lamentable case of the church of Edinburgh, whereof they were pastors, by reason that many thousands of their flock did not communicate with them; and, of those who did communicate, very few did kneel; and, although they have essayed, by all lenity

² Crawford, sect. ix. p. 3.

and discretion, to quench the fire of that schism, yet they find it more and more augmented; so that it is impossible for them any longer to endure these combustions; and therefore they desire that his majesty would be pleased to dispense with their obedience to the act of Perth assembly concerning kneeling; and that they may be permitted to condescend to the weak ones of their flock, and so may have a comfortable and fruitful ministry, in communicating with so good and peaceable a people, who, except in this particular, are disposed for all loyalty and dutifulness."

With this supplication they gave instructions to their commissioner also, subscribed with all their hands, only Mr. Thomas Sydserf, afterwards bishop of Galloway, thought he had overseen himself, and wished that the third effect after-mentioned had been omitted. The instructions were these: "Ye shall represent to his majesty, in our name, that we find yearly fewer communicants, and of the communicants fewer to conform themselves; which is an argument that the division is growing, not decreasing. If his majesty's object, that possible lenity is the cause, ye shall inform him, that the greatness of their number is the cause of their impunity. Also, ye shall inform his majesty, that among other pitiful effects of the schism, these are manifest: 1. Pastor publicly inveigheth against pastor, and people carry mutual hatred against one another, whereby the doctrine is rendered fruitless: 2. Atheists increase, thinking all religion to be nothing but matter of changeable opinion, and indifferency: 3. Papists, seeing protestants use that gesture which hath some external symbolizing with them, are thereby confirmed in their errors, as though our practice had an approaching to them, and an ingress to their idolatry and bread-worship. Likewise, in case his majesty do not favourably accept of the supplication, to represent to his majesty, in all humility, what will be the dangerous estate of this kirk, if their supplication should produce trouble to weak ones instead of peace."

When this supplication came to his majesty's hands, he was highly displeas'd with the petitioners, and would not deign to give them an answer; but, upon the 21st of April, he wrote from Whitehall, to the archbishop of St. Andrews, as follows.¹ "Having received a letter from the ministers of Edinburgh, wherein they have desired us to give way for exempting their parishioners from kneeling in taking the sacrament, contrary to an act of parliament; in that case we cannot but be exceedingly offended, that they durst presume to move us against that course that was so warrantably done, and that without your knowledge, who are intrusted in a charge over them. Therefore our special pleasure is, that ye convene these persons before you, and, having tried the truth of this business, and the chief authors thereof, that ye inflict such condign punishment as may, by this example, make others forbear to do the like hereafter, and continue your best endeavours to settle that order which was formerly established, whereby ye shall do us most acceptable service."

By these means the communion was not given in Edinburgh that year. The grievances of non-conformists were continued; but what farther effect the above order had does not appear; only some of them were restless till they had given satisfaction to the archbishop, and all of them forgot to resign their offices, as they had promised, in case the king refused to grant their request.

At this time, the parliament of England having met, there arose such heats and differences betwixt the king and parliament, as seem never to have been fully extinguished and removed. It is quite unnecessary to repeat particulars here, as they are fully handled by the English historians of that time.² Let it suffice us shortly to observe, that the king ran high in his demands for supply, and the commons as high in their demands for redress of grievances. Both seemed at first mutually yielding. The king sent a message to the commons,

¹ Row, p. 268.

² Rapin, vol. ii. b. xix.

desiring that they would take the affair of supply into consideration, and informing them, that, as to some grievances they had mentioned, he was willing to come into any expedients which should be judged convenient by way of bill. Upon this the house unanimously voted five subsidies to the king, which he acknowledged to be the greatest gift that ever had been given in parliament; and then returned immediately to the examination of grievances. The 11th of April secretary Coke moved the dispatch of the subsidies, saying, the votes to grant the king money were nothing till turned into a bill; but the commons opposed this, and resolved, that God's cause and the king's should go hand in hand, and named one committee for religion, and another for civil matters. The day following the king sent a threatening message to the commons to proceed in the affair of the supply, and gave orders for bringing in foreign forces upon the kingdom. These the commons considered as additional motives to sue for redress of grievances, the consideration whereof they presently resumed. They emitted a declaration against Dr. Manwaring's sermon, as extending the royal prerogative beyond due bounds, sentenced him to imprisonment during the pleasure of the house, fined him in L.1000 sterling, and ordered him to make a public recantation.

They next entered upon the examination of Buckingham's conduct, and charged him with being the cause of all the evils to the kingdom, of all the losses at sea, of the decay of trade, of the disasters to the armies, and of countenancing arminianism and popery, which they illustrated in a number of articles. In a few days after they voted that Dr. Neil, bishop of Winchester, and Dr. Laud, bishop of Bath and Wells, be noted to be of those about the king who are suspected of arminianism.

Notwithstanding the king knew these divines were odious to the parliament, he translated bishop Laud from Bath and Wells to the bishopric of London, and Dr. Montague was promoted to the

see of Chichester, and Dr. Manwaring was preferred to the rectory of Stamford in Essex, and a dispensation given him to hold the rectory of St Giles-in-the-fields alongst with the former.

And, seeing no other way of screening Buckingham from a trial, the king adjourned the parliament to the 20th of October, and, after that, to the 10th of January following. In the mean time that minion was intrusted with the command of another fleet for the relief of Rochelle; but as he lay at Portsmouth ready to embark, he was summoned to answer at a higher tribunal, by the means of one lieutenant Felton, who stabbed him to the heart with a dagger.

During the favourite's life, bishop Laud was in such esteem with the king, as his majesty could refuse him nothing, and, now that the duke was gone, that prelate became not only prime counsellor in ecclesiastic affairs, but had the chief sway in the management of all state affairs. Then did all who were ambitious of preferment study arminianism, knowing that to be an arminian was the first step to preferment; and at once that weed began to spring up both in England and Scotland. At Aberdeen Dr. Forbes came to great speed in his labours that way; at St. Andrews Dr. Wedderburn did likewise stuff his lectures to the young students in divinity with the same tenets; and at Glasgow, and elsewhere, several young men made their court by the preaching of arminianism.¹

Upon the 11th of May intimation was made of a general fast to be observed, all over the kingdom, upon the two last Sabbaths of that month, and upon the Wednesday intervening.² This fast had been agreed upon in a meeting of synod at Edinburgh a little before that; and, upon application to his majesty, he gave direction for the observance of it over all the kingdom. The causes of it were the troublesome and dangerous estate of the protestant churches abroad,

¹ Hist. Church and State, p. 2, 3.

² Collect. p. 385.

the abounding of gross and heinous sins amongst ourselves, and to beseech the Lord to avert his threatened judgments, and give success to his majesty's arms. To these some few added other causes; as, the innovations made upon the discipline and worship of our church, the prosecuting of many honest ministers for their opposition to these innovations, and the like; which did not a little foment the differences betwixt the opposite parties. The presbyterians, by these methods, gained the love and good affection of the people, and so were the more likely to do good by their ministry; and the conformists, losing in proportion as the others gained, stirred up the bishops to take part with them, who, having power upon their side, threatened all, both pastors and people, who did not conform, with excommunication.¹

The bishops' ill-directed zeal was now looked on with the more pity, that we were then threatened with an invasion from Spain; the papists amongst ourselves were much elevated in the expectation of their success, and mass was publicly said in several places of the kingdom. They gave out that liberty of conscience was to be granted to them through all the three kingdoms; and this was the more easily believed by the common people, that, at that very time, the king sent down an order to his privy-council to dispense with the sentence of excommunication which had been used against the earls of Angus, Nithsdale, and Abercorn, and the ladies Nithsdale, Abercorn, and Herreis, and not to execute the laws against them till his majesty's coming to Scotland, which was then promised.²

For, about the end of July, the king resolved to come to Scotland to be crowned, and for that purpose he wrote to the privy council here, and indicted a parliament to be held at Edinburgh the 15th of September following.³ But, in respect his majesty's houses, and other things necessary, against that time, could not be in readiness, the lords of the

privy council intreated him to defer his journey for some time, which he did long beyond their wish.

And now, to bring this year to a conclusion, upon the 26th of December there happened an accident, which may be reckoned a prodigy in nature.⁴ The day being frosty, and the weather serene, a huge moss, (for so one of my authors calls it) that lay on a rising ground betwixt Falkirk and Stirling, not far from the entry into the Torwood, having in it a little loch, was sensibly perceived to move for some days, and the upper part of the earth of the moss, being lifted up by the water, was by degrees carried down to a valley which lay below it, and there it rested to the thickness of a man's length, overwhelming great bounds of good arable ground, which had on it sixteen farm-steads, and some gentlemen's houses; so that, for good lands and houses, there was nothing to be seen but an unprofitable moss. This desolation having been represented to the privy council, the pitiful condition of the sufferers was by them recommended to the charity of all well-disposed persons, and a contribution was gathered for them through most parts of the country.

We mentioned, last year, that the parliament of England was adjourned to the 10th of January 1629. 1629. Accordingly they met that day, and the first thing they took to consideration was religion, and especially arminianism; upon which occasion several of the members displayed their zeal in eloquent speeches, which were noways to the good-liking of the court.⁵ And therefore the king interrupted them by a message forbidding them to meddle with religious matters. But the commons were not to be so easily put off; they still proceeded in their examination; and, fearing that the king (being guided in matters of religion by arminians) might oblige the kingdom to receive arminianism, they thought fit to enter into this vow.

¹ Collect, p. 389.

² Ibid. p. 396.

³ Balfour, p. 2.

⁴ Hist. Ch. and State, p. 5. Collect, p. 399.

⁵ Crawford, sect. ix. p. 6. Rapin, b. xix.

“We, the commons in parliament assembled, do claim, protest, and avow for truth, the sense of the articles of religion which were established by parliament in the thirteenth year of our late queen Elizabeth, which, by the public act of the church of England, and by the general and current expositions of the writers of our church, have been deliver'd unto us, and we reject the sense of the jesuites and arminians, and all others, wherein they differ from us.”

Whilst the commons were in debate concerning religion, new matter of grievance was afforded them. The warehouse of Mr. Rolls, a merchant and member of parliament, was, by the king's order, locked up, and himself called forth of the house, and served with a *subpana*, because he would not voluntarily pay what had been, without authority of parliament, imposed upon him. This was complained of as a breach of privilege, and the speaker was moved to put the question, Whether Mr. Rolls ought to have privilege of person and goods. But the speaker refused to do it, saying, The king commanded the contrary; and so they were adjourned to the 2d of March. On that day the commons being met, and requiring the speaker to put the question, he said, “I have a command from the king to adjourn the house till the 10th of March,” and endeavouring to leave the chair, he was held down by force, and the doors were locked, till Sir John Elliot had drawn the following protestation, which was approved by the majority, though not without great tumult and confusion, and even some blows.

The Commons' Protestation. 1. Whosoever shall bring in innovation of religion, or by favour or countenance seem to extend or introduce popery or arminianism, or other opinion disagreeing with the truth and orthodox church, shall be reputed a capital enemy to this kingdom and commonwealth. 2. Whosoever shall counsel or advise the taking and levying of the subsidies of tonnage and poundage, not being granted by parliament, or shall be an actor or instrument therein, shall be likewise reputed an innovator in the

government, and a capital enemy to the kingdom and commonwealth, &c.

This protestation afforded the king a plausible pretence to dissolve the parliament. So that very day a proclamation was drawn up, to give notice of his design to dissolve them against the 10th of March; which he did. Meantime warrants were issued out for apprehending Denzil Hollis, Sir Miles Hobart, Sir John Elliot, Sir Peter Hayman, John Selden, William Coriton, Walter Long, William Stroud, and Benjamin Valentine, esqs., nine members of the house of commons; four of whom, viz., Hollis, Elliot, Coriton, and Valentine, were committed to the Tower; and a proclamation was published to apprehend the rest, because they refused to answer out of parliament for what was said and done in the house.

But leaving the English affairs, on which we have been the longer, that it may appear their after troubles and confusions took their rise amongst themselves, let us now return to Scotland.

It may seem strange, that, amidst so great affairs, the king should have found leisure to advert to small matters at such distance as Scotland: And yet, during that time, he sent a letter to the privy-council, ordaining them to confine Mr. Robert Bruce, minister, who is taken several times notice of in the introduction, to his own house in Kinnaird, and two miles around it.¹ This worthy man had already been laid under that confinement in the end of the former reign. But now the people of Edinburgh, where he had been minister, being so much divided, and their then ministers having neither been admitted according to the ancient usage of the church of Scotland, nor cleaving to the purity of her reformation, many had left off joining with them in public ordinances. In consideration of these Mr. Bruce was desirous to have preached in the city; but, finding no access to any of the churches, he preached in several kirks in the neighbourhood, that the people of the town might have the opportunity of

¹ Row, p. 269. Collect. p. 400.

hearing him. At this the ministers of Edinburgh were much incensed against him; and therefore they procured the letter just now mentioned.

This year several accidents happened, which engrossed much of the public conversation. One was the unhappy fate of the eldest son of the king of Bohemia, a very promising youth. This young prince being along with his father in a boat on the Rhine, the boat was run down by a larger one driven upon it from the windward, by which means the prince was unfortunately drowned; but the king, catching hold of a rope from the larger vessel, was saved.¹ The others happened nearer home. In Carrick a terrible thunder broke upon the house of Castle-Kennedy, the seat of the earl of Cassils, which, falling into a room where were several children, crushed some dogs and furniture, but happily the children escaped. From thence descending to a low apartment, it destroyed a granary of meal. At the same time a gentleman in the neighbourhood had about thirty cows, that were feeding in the fields, struck dead by the thunder. This accident was the more surprising, that it happened on the 26th of January, an unusual season for thunder in our cold climate.² A third, not indeed so surprising, yet carrying in it no small evidence of a divine providence, was, that, about the same time a large boat, wherein were about seventeen men and a boy, bound from Ireland to Ayr, got safely to the mouth of the harbour; but, the wind blowing strong, the boat was driven, by a great swell of the sea, beyond the harbour, and struck on the sands. The passengers expecting every moment to be swallowed up, eleven of the stoutest of them, mostly young gentlemen, leaped into a small boat, hoping thereby to make the land; but the boat having been upset by a great wave, they all unhappily perished, while this wave having loosed the large boat, she got safe into the harbour with the other passengers and the boy.³

Next month the communion was celebrated in Edinburgh, when the terms of admission were loose and undetermined, and the confusion in communicating very great. Not above a fourth of the people communicated, and of those that did very few kneeled. The communicants were not allowed to distribute the elements among themselves, but every one was obliged to take them out of the ministers' hands; and, because this required much time, spectators were engaged in singing of psalms during the distribution, as well as during the time of the filling of the tables. Amongst the ministers also there were very different practices, the one half kneeling, and the other not. In the Greyfriars church Mr. Andrew Ramsay kneeled, but his colleague, Mr. John Adamson, did not. In the great church Mr. William Struthers kneeled, but Mr. Alexander Thomson would not. In the little church Mr. John Maxwell was forward in kneeling, but Mr. David Michel, his colleague, would not: And in the college kirk Mr. Thomas Sydeserf kneeled, but Mr. Henry Rollock did not.⁴

Nor was this the only difference betwixt them. Some of the ministers, particularly Messrs. Maxwell and Sydeserf, were so full of novelties, and fond of the arminian tenets, that Mr. Struthers, though a conformist, took a dislike of their ways, and opposed himself especially to their erroneous doctrines.

Many complaints were also made about this time of the increase and insolence of papists through the land, and the privy council seemed to be hearty in taking order with notour papists, especially such of them as were excommunicated, and in taking care for the right education of their children.⁵ As to the sayers of mass, the circuit courts were ordered to enquire after them, and punish them. The clergy also seemed disposed to join with the council in taking order with papists; and having taken up a list of the names of about 500 of them, mostly persons of some

¹ Collect. p. 400.

² Ibid. p. 402.

³ Ibid. p. 403.

⁴ Row, p. 269. Collect. p. 402.

⁵ Collect. p. 408, 414, 419.

note, they sent up Mr. John Maxwell, one of the ministers of Edinburgh, to court, to learn his majesty's pleasure concerning them: But the marquis of Huntly, and some others, having been beforehand with the queen, she had the influence to procure from the king a paper, which did indeed bear the title of Instructions for the clergy of Scotland; but instead of giving proper direction concerning their procedure against papists, amounted rather to a kind of protection of several of the chief of them; for so the rubric of these instructions runs.

CHARLES REX. *Instructions to the clergy of Scotland, intrusted to Mr. John Maxwell, their commissioner.*

1. That they use the marquis of Huntly, and the earls of Angus, Nithsdale, and Abercorn, &c. with discretion, endeavouring by fair means to reclaim them to the professed religion, and not to process them till first his majesty be acquainted therewith.¹ 2. If any of them give any offence by their insolent carriage or contempt, let his majesty be acquainted therewith, who will not suffer the least wrong or contempt of that kind. 3. That the archbishop of St. Andrews consider of the deduction of the process of excommunication against one Patrick Dickson, servant of the earl of Angus, seeing his majesty is informed, that the process is not lawfully deduced. 4. That noblemen's wives, who are popishly affected, be not excommunicated, providing always that their husbands be answerable to the council and clergy, that they shall not receive jesuites or priests, or be served with such; and that their ladies shall give no public scandal, but admit conference with such as by the church shall be appointed. Given at the court of Whitehall, November 6, 1629.

W. ALEXANDER.

In the meantime there was a treaty of peace set on foot betwixt the kings of Britain and France, which was brought to a conclusion on the 14th of April, and proclaimed at Edinburgh the 18th of May following.²

As this war had begun on pretence of relieving the oppressed protestants in France, one would readily expect that their preservation would have been

¹ Crawford, sect. ix. p. 7. ² Rapin, b. xix.

much studied, both during that war, and in the treaty of peace:³ But though last year the navy, which had been given to Buckingham's command, was sent for the relief of Rochelle, under the command of the earl of Denbigh, that town was sacked by the French in their sight, without receiving any aid from them. And it does not appear, that in the treaty of peace, the safety of other protestants was so much as thought of; for, in a few weeks thereafter, the French king attacked a protestant town in Dauphiny with the utmost violence; and the inhabitants, not being provided for a siege, resolved, rather than be starved to death, to cut their way through the enemy. Accordingly they rushed out, and made great havoc upon them; but the king's army being far more numerous, the citizens were all slain, man, woman, and child, and the town was burnt to ashes. Such was the mercy of their persecutors! Yet they did not obtain a cheap victory, for of the king's army were slain about ten thousand men, of which number eighteen were dukes, marquises, and earls, besides many barons and gentlemen of good note. Several other instances of this kind might be given, but this is sufficient to shew how little the cause of the war was adverted to, and what light impression the distress of protestants had upon our protestant king and his counsellors.

Nor need his majesty's indifference about foreign protestants be in the least surprising, if it be considered, that, about that time, the same spirit was venting itself at home, though indeed in a less violent degree, and presbyterians, then nick-named puritans, were everywhere oppressed, by the king's authority, for nonconformity. This was not only the case in England, where, upon bishop Laud's motion, the king gave orders to the several bishops to have a watchful eye over the presbyterians, and to keep them under in all their dioceses; but in Scotland likewise the oppression from that quarter was heavy upon the subjects. At Edinburgh, multitudes of the

³ Collect. p. 411.

inhabitants of that city, and of Leith, and the parts adjacent, were summoned to answer *super inquirendis*; and, if they could not give satisfying answers to the interrogatories put to them, they were amerced in sums, more or less, according as they were supposed able to pay, without strict regard had to the degree of the offence; which fines were generally given to such as were supposed most capable and forward to promote the court measures, who were therefore the more rigorous both in inflicting and exacting them. About this time also Mr. Lamb, minister at Traquair, was deposed by the high commission, at the instigation of the bishop of Galloway. In other dioceses, likewise, such ministers as were faithful monitors to the people were great eyesores to the bishops, and were therefore deposed; as Mr. David Forrest at Leith, Mr. George Dunbar at Ayr, and others, though the particular dates of these rigorous proceedings are unknown to us.

Mr. Robert Melville, assistant to the minister of Culross, run the risk of having his licence to preach the gospel taken from him about this time. He had been licensed without becoming engaged for conformity, but could not (though some few by moyen were then suffered to enter the ministry without conformity) get ordination in a free and lawful way.¹ This man was noted for applying his doctrine against the corruptions of the time; and no doubt his admission would be the more difficult on that account. Yet Mr. Adam Ballantyne, bishop of Dumblane, passing Culross upon a Saturday, in his way from Edinburgh, the fame of Mr. Melville's preaching faculty prevailed with him to stay and be his hearer next day, which he did not for nought: For Mr. Melville preaching upon Acts viii. 32, and observing, that as Christ went to his glory by humility and sufferings, so must his members, he took occasion to reprehend the bishop for taking the contrary course, and assuming lordship to himself in God's church, and with a great deal of fervency and seeming regard to his felicity,

he exhorted him to leave off undervaluing and bearing down of the ministers of the gospel, and to give up with his short-lived profits and honours, as he looked to escape eternal wrath. While Mr. Melville uttered this discourse, the bishop seemed by his looks to be moved with it, but that being over, he declared his great displeasure with that freedom, and his full resolution of resenting it upon the preacher: And it was not doubted that he was the more earnest in this threatening, that he saw several whom he knew to be against episcopacy, and one whom he had silenced shortly before, present at the time; yet being dealt with by the minister of the place, and considering that Mr. Melville, having no legal benefice, would suffer no great personal injury, by any censure he could inflict upon him, he thought fit at length to overlook him.

Many such affronts the bishops met with, yet was not their pride thereby reduced, nor their interest with his majesty in the least weakened: for about this same time they procured a letter from the king to his privy council, appointing the archbishop of St. Andrews to take the place of the lord chancellor of this kingdom, in the council, and other places of public resort;² which occasioned no less elevation of spirit in the clergy, at seeing their state thus dignified, than it disgusted the laity, at seeing a man raised up as of yesterday, preferred to the most honourable and ancient of the nobles; and for some time the chancellor did purposely shun coming to any meeting where Spotiswood was expected to be present; yet at length he was content to feign submission to the king's will.

The bishops' pride being now odious to our great ones, a number of ministers, judging that a fit season for trying his majesty's regard to the bleeding interests of religion, and flattering themselves with the good wishes of many of the nobility, drew up their grievances in twenty-eight articles, and sent them to his majesty with persons of good credit,

¹ Row, p. 270.

² Crawford, p. 7.

some of whom averred that he did read them, but no effect followed, nor was so much as a single grievance redressed.¹ This paper being long, would too much mar the thread of our story, yet it being no inconsiderable a voucher of the truth of what is before written, and likewise an evidence that all professors were not then swimming contentedly down the stream, as many do now imagine was then the case, we have added the same in the Appendix.

1630. Following the order which hath

hitherto been observed, of narrating facts, as much as may be, in the order wherein they happened, we begin the year 1630, with some farther account of Mr. William Struthers. We observed that he was a conformist as the times went, but that the wide steps taken by some of his brethren had much offended and stirred him up to withstand their excesses doctrinally.² And now a report being surmised, as if his colleague Mr. John Maxwell, who had been at court upon an unknown errand, had brought orders to St. Andrews to convene the other bishops, and such of the ministers as he, the archbishop, pleased, and to inform them, that it was his majesty's pleasure, that the whole order of the church of England should be received here, Mr. Struthers, fearing a storm, used his endeavours to avert it, and in a letter to the earl of Airth, (the title now conferred by his majesty upon Sir William Alexander, his secretary), he gave an account of his fears, with reasons why the innovations then talked of ought not to be imposed upon church members; which letter we insert for farther clearing of the history of that time.

“My very good lord,—I visit your lordship with this letter, and that for the end I spoke of more largely in conference, even for the peace of this poor kirk, which is rent so grievously for ceremonies: There is also some surmises of farther novations, of organs, liturgies, and such like, which greatly augments the grief of the people; but the

wiser sort assure themselves of his majesty's wisdom and moderation, that his majesty would impose no new thing, if his majesty were timeously informed of these or the like reasons: 1. Because king James, of happy memory, made the marquis of Hamilton promise, in his majesty's name, to all the estates of this land, solemnly, in face of parliament, that the church should not be urged with any more novations than these five articles that then were presented to the parliament; upon which promise the parliament rested, and gave way the more cheerfully that these acts should pass into an act of parliament.

2. Next, because the motion, that is said to be made to his majesty of these novations, is made by and beside the knowledge and conscience of the kirk of this land, who are highly displeased with that motion, and more, because it is alleged to have been in their name, who know nothing thereof but by report. 3. Because our church lyes groaning under two wounds; the first of erection of bishops, the other of geniculation; but, if a third be inflicted, there is no appearance but of a dissipation of the church. In the first, people were only on-lookers on bishops' state; the second touched them more, in celebration of the holy sacrament, but yet left arbitrary to them; but the third will be greater, because in the whole body of the public worship, they shall be forced to suffer novelties. 4. Because the bishops are already *publici odii victimæ*, and borne down with contempt, and that vexation is intolerable. When they depose any brother for non-conformity, they scarcely can find an expectant to fill the place that is empty, and that because they become so odious to the flock that they can do no good in their ministry; but if any further novation be brought in, the bishops will find ten for one to be deposed, and that of those who have already given obedience to the five articles, who will rather choose to forsake their places, than to enter into a new fire of combustion. 5. And, lastly, because it is observed by such as are judicious, that the former schisms have shaken the hearts of the people in religion, and hath produced *odium vatiniatum* amongst brethren. Popery is increased in the land; and, if any further come in, it will be seen, that universally people will be made susceptible of any religion, and turn atheists in gross. Your lordship knows that I am not one

¹ Crawford, sect. ix. p. 7.

² Balfour, p. 453.

of those who stand out against order, but do suffer for mine obedience; and therefore I the more boldly suggest these reasons unto your lordship. I dwell in the most eminent part of this land, and so have occasion to see what is the fruit of a schism. I profess an unspeakable grief to see any thing done that may trouble the peace of the church or this kingdom, and divide the hearts of a good and loving people from so good a king. Our fire is so great already that it hath more need of water to quench it, than oil to augment it. I am," &c.

Thus far concerning Mr. Struthers; but the ferments which the country in general was in at that time, from the increase of papists and oppression of protestants at home and abroad, declared this to be a most unfit season for introducing the innovations talked of; so the court saw cause to lay aside that project for a time.

And indeed many and dismal were the circumstances which did then attend the protestant interest. Hitherto the war with Spain was kept up; the emperor of Germany was carrying all before him in that empire; the French king did still persist in bathing his sword in the blood of his protestant subjects; and at home matters were still growing worse and worse: papists were tolerated and presbyterians suppressed. To instance in a particular or two.¹ The papists in Ireland caused mass be publicly said in defiance of the law; and at Daveling they rescued several jesuits and priests from the hands of such as had apprehended them, and were bringing them to justice. In England likewise, impiety and profanity were greatly promoted by those in power. At London liberty was given for erecting a house called the Capuchin college; afternoon sermons on Sabbath were discharged; and

Dr. Leighton, a grave, learned, and pious Scottish divine, (father to the bishop of that name) was, for writing a book entitled Zion's Plea against Prelacy, sentenced, in the star-chamber, to be publicly whipt, to have his ears cut out,

¹ Collect. p. 424.

his nostrils slit, his cheeks burnt, and his tongue bored, and afterwards to be banished; all which, except the last part of the sentence, he endured with great patience and Christian submission; but the banishment he evited by sickness, that was expected to have ended his days; but being, through interest, permitted to be taken out of prison during his sickness, he recovered his health, and kept himself retired till God sent him better times.

And in Scotland, one Robert Philip, a priest, and one of the queen's confessors, who was formerly banished the realm by act of privy council, and had enacted himself never to return, found means to procure his majesty's pardon; and, being resolved to diffuse his poisonous doctrine in Scotland, he got the remission to be past the seals there, none of the judges concerned opposing the same, except the earl of Linlithgow, the lord Erskine, and the lord advocate.

Yet, amidst all these dark and ill-boding dispensations to the church, there were still left some bright spots in her cloud; then did a large measure of the Spirit convincingly follow the ministry of the word in several places of this kingdom. Besides those which took place on occasion of the frequent fasts observed amongst presbyterians at this time, there are these following instances, which, though upon public record, deserve a special place here. The first is, that wonderful pouring forth of the Spirit, in the conversion of many souls by the ministry of the famous Mr. John Livingstone, on occasion of a communion at the kirk of Shots, upon the 21st of June this year, which cannot be more fitly expressed than in the words of the author of The Fulfilling of the Scriptures. "At this time," saith he, "there was so convincing an appearance of God, and down-pouring of the Spirit, even in an extraordinary way, that did follow the ordinances, especially the sermon on the Monday, June 21st, with a strange unusual motion on the hearers, who, in a great multitude, were there convened, of divers ranks, that it was known,

which I can speak on sure ground, near 500 had, at that time, a discernible change wrought on them, of whom most proved lively Christians afterward. It was the sowing of a seed through Clydesdale, so as many of the most eminent Christians in that country could date either their conversion, or some remarkable confirmation in their case, from that day; and truly this was the more remarkable, that one, after much reluctance, by a special and unexpected providence, was called to preach that sermon on the Monday, which then was not usually practised; and that night before, by most of the Christians there, was spent in prayer: So that Monday's work, as a convincing return of prayer, might be discerned."¹

The account given of this solemnity, in Mr. Livingston's life, is indeed less explicit than the former; as who would expect the servant of such a master to glory in that wherein he was only the instrument? yet he several times speaks of it as the only day in all his life wherein he found most of the presence of God in preaching; and that it was after so much desertion of the blessed Spirit, that he was consulting with himself to have stolen away, and declined that day's service, but that he durst not so far distrust God; and so went out and preached from Ezek. xxxvi. 25, 26, and, in the end, offering to close with some words of exhortation, he was led on, for about the space of an hour, in a strain of exhortation and warning, with such liberty and melting of heart, as he never had the like in public all his lifetime.

It is farther to be observed here, that at this time faithful ministers were rare; and the few whom they licensed behoved either to lie by, without employment in their mother church, or were obliged, for their office sake, to retire to other churches, where they could find greater liberty. This was particularly the case with Mr. Livingston. He had been ejected from preaching at Torphichen, about two years and a half before, by order of the archbishop of

¹ Part. i. fol. 185.

St. Andrews; and now, finding an open door for the exercise of his ministry in Ireland, he went over to that kingdom in August this year, whither Messrs. Robert Blair, Robert Cunningham, James Hamilton, George Dunbar, John McLellan, Josias Welsh, and others, also repaired, and were settled in the ministry there about this time; and, no doubt, as the so remarkable favour vouchsafed to Mr. Livingston, in these circumstances, was encouraging to himself, it tended no less to confirm presbyterians in their attachment to their own principles, and in a dislike of prelacy and of the bishops, as troublers of the most valuable of their ministers and preachers.

Other parts of the country, as Stewarton and Irvine, were likewise blessed with the like happy influences. Some, as the author of *The Fulfilling of the Scriptures*, bring in the account of this work under the year 1625, but the Rev. Messrs. Crawford and Wodrow place it to the year 1630, and, as they may be presumed to have had equally good information, we incline to believe that the variation in the other must have been owing to some mistake of the printers. But, however far these writers vary as to the precise time when this work happened, they all agree, that in those parts there was a very extraordinary out-pouring of the Spirit. It was, by the less serious part of the people, called the Stewarton sickness, because it began in that parish, and that some of the subjects of it were seized with such terror of mind, as they were made to fall down as in a swoon, and were thus carried out of the church. Satan, indeed, endeavoured to bring a reproach upon this good work, by some excess committed, both in time of sermon and in families, by several who were seemingly under serious concern; but, by the divine blessing upon the endeavours of the famous Mr. David Dickson, and some others, Satan's design was in a great measure defeated, and solid, serious, practical religion flourished mightily in those parts.

We may also instance here, that great work of God, which, in the year 1628,

and afterward, took place about Holywood, and other places in Ireland, which is said to have been one of the largest manifestations of the Spirit, and of the most solemn times of the downpouring of the same, that almost, since the days of the apostles, hath been known.

In Germany, likewise, affairs took a turn favourable to the protestant interest. At this time the renowned Gustavus Adolphus, king of Sweden, animated with his former successes, and with a generous sympathy to the distressed protestants in Germany, bended his force for their relief, and gained several signal victories over the imperialists, some of which may fall to be noticed in the following years. This hero, fearing that the few forces which he could lead and maintain, at so great a distance from his own kingdom, would not be able to compass so great a design, and considering the still greater interest of our king in that quarrel, solicited his assistance, and partly obtained it, though under disguise; for king Charles, being at that time entertained with some hopes of the restoration of the Palatinate family by treaty, did not judge it fit openly to espouse the king of Sweden's interest; yet, being desirous that so good a design should succeed, he resolved it should pass for the voluntary assistance of his Scots subjects, to which he should only give way, and James marquis of Hamilton was appointed to enter into treaty with the king of Sweden; and, for enabling him to prosecute it, the king advanced what money he could spare, and gave the marquis a lease of the customs of the wines in Scotland for sixteen years. Upon that security he and his friends raised as much money as would defray the expense of the expedition. And upon the 30th of May, (which was the day after the birth of Charles prince of Wales, who was afterwards the second British monarch of that name) that treaty was signed by the king of Sweden. But we leave the consequences of it to the following years, and proceed in relating the affairs of Scotland.

On the 28th and 29th days of July

this year, there was a great convention of the estates in Holyroodhouse, at which were present forty-two noblemen, ten bishops, four officers of state, twenty-six commissioners of shires, and eighteen from the boroughs.

The design of this meeting was to impose a taxation for relieving his majesty's present pressing necessities, and to try how the commissioners would relish the devices which were afterwards brought in and enacted in the parliament 1633. Accordingly the convention granted a taxation of thirty shillings Scots on the pound land, payable at four terms, of which the lord chancellor was made receiver-general. Yet this taxation, though high, proved of little other use than stopping the mouths of some penurious noblemen and courtiers, and purchasing a number of friends to advance the court designs in the ensuing parliament. As for his majesty's necessities, they were as great as ever; only those who drank the fat of the former taxation, made him believe that new ones might be obtained with no more labour and expense, than the cunningly bestowing of some court cream on the commons, and some posts and pensions among the great ones; but the other projects dropt at that time.

For, so soon as the non-conform ministers heard of that convention being called, and that one of the ends of calling the same, as expressed in his majesty's letter, was the redress of grievances, they dealt with the earls of Rothes, Cassils, Linlithgow, and the lords Yester, Ross, Balmerino, Melville, Loudoun, and other well affected noblemen, to present the following paper, viz.

General Grievances to the consciences of a great many of his majesty's subjects in this kingdom, given in to the convention of estates in July 1630.

Since it hath pleased God to bless the simple form of divine worship allowed by the laws of this country, whereby the happy reformation of religion was established among us, free of the pomp of ceremonies, with peace and purity of doctrine, it is the humble desire of a great many of his ma-

esty's subjects, seeing these late ceremonies introduced in the kirk of Scotland, were urged no otherwise but upon assurance of freedom and liberty to all good Christians to practise them as things indifferent, which both his majesty, of blessed memory, and his majesty's commissioners in parliament and assembly, did publicly profess, that the estates assembled in this present convention would be pleased to supplicate his sacred majesty for allowance of that liberty to pastors and their congregations. And for this effect that congregations may not be frustrated of any edifying and comfortable ministry, his majesty also would be petitioned, that worthy and well qualified men be not urged, at their entry, with any oaths and subscriptions which are not allowed by express act of parliament. And, finally, since his majesty is graciously pleaded to pardon his good subjects their bygone offences, that, of his royal favour, he would also be entreated, that the ministers who were deposed, confined or banished, may also be restored to their former liberties and stations, for the free exercise of their ministry.

The noblemen formerly named presented these grievances, and strenuously urged the convention to concur with them in petitioning his majesty, to which they seemed generally very willing; but the bishops, with five or six of the chief counsellors and court lords, having got private information of the contents of that paper, and knowing it would be as distasteful to his majesty as it was to them, opposed reading the same with all their might; and hot pleading ensued upon it. Upon the one hand it was alleged, that it would be more proper to propone those grievances to the parliament, which was shortly to be called, than to the convention, and that it would then fall more properly to the ministers, than to the estates, to propone such grievances. To this, it was answered, that the present time was very seasonable; for his majesty had, in his letter to this convention, offered to hear the subjects' grievances; and that the estates ought not to be careless of the church's concerns, nor of their own souls, more than the ministers; yet in

the end the court faction prevailed, and the reading of those grievances was refused.

Notwithstanding the bad success of this attempt, there was a new grievance drawn up, and, upon the 3d of August, given in to the convention, by the nobles above named, of the following tenor:

"That albeit, in the act of parliament made in October 1612, the form of the oath that ministers should give, at the time of their admission, be expressly set down* yet, contrary

* The oath of supremacy enjoined, cap. 1. parl. 21. king James VI. is already inserted in the introduction; and by the same act, the oath of canonical obedience was ordained to be as follows, viz. "I, A B, now admitted to the kirk of C, promise and swear to E F, bishop of that diocie, obedience, and to his successors, in all lawful things. So help me God." The other articles do follow.

Articles and Conditions sworn by ministers, at their admission, for several years before the 1638.

"I, A B, to be admitted to the ministry of the kirk of C, by thir presents solemnly swear and faithfully promise to observe and fulfil the articles and conditions following.

"That I shall be leil and true to our most gracious sovereign the king's majesty, and his highness's successors, and to my power shall maintain his highness's right and prerogative in causes ecclesiastical.

"That I shall be obedient to my ordinary the bishop of D, and to all other my superiors in the church, speak of them reverently, and in all my public and private prayers, commend them and their estate to God's merciful protection.

"That I shall, in all places, by conference, and where I have occasion, in public preaching, maintain the present government of the church and jurisdiction episcopal, and shall, by reading, be careful to inform myself of the true and lawful grounds thereof, to the end I may stand for it against the adversaries of the same.

"That I shall be diligent to my power in the duties of my calling, be resident with my flock, and not desert therefrae without licence of my ordinary the bishop of D.

"That I shall study to advance the state of the church in general, and particularly the estate of the church of C, whereto I am to be received, in all profits, and commodities that possibly I can.

"And lastly, that I shall live a peaceable minister in the church, subjecting myself to the orders that therein are or shall be established, and, by all means that I can use, procure others to the due reverence of the same. Which things if I shall contraveen, (as God forbid) I am content, upon trial and cognition taken by my said ordinary, without all reclamation or gainsaying, to be deprived of my ministry, and to be reputed and held one perjured and infamous for ever. In witness whereof," &c.

to the tenor of the said act of parliament, there is a new form of oath, with certain articles devised, and urged upon entrant ministers, whereby their entry to the ministry is shut, and chiefly to the best qualified men presented by the patron, accepted and approved by the people, and willing to enter to that function, if they refuse that new form of oath, whereby others less able are obtruded upon the people. By that same act it is ordained, that, in deprivation and suspension of ministers, the bishop shall associate to himself the ministers of the bounds where the delinquent serveth, and then shall take trial of the fault wherewith he is challenged, and accordingly proceed to the deprivation or suspension; yet nevertheless, contrary to the act of parliament, and order thereof, ministers are deprived and suspended without any trial taken by the bishop with the concurrence of the ministers of the bounds."

The equity of the redress of this grievance was strenuously maintained by the lord Balmerino, who presented the same, in which he was well assisted by the noblemen who concurred in the former grievances, yet it was opposed by the same lords and bishops who opposed the former; and so this laudable attempt was likewise smothered in the birth.

Upon the 11th day of October the house of Fren draught was consumed to ashes, and the viscount of Melgum, eldest son to the marquis of Gordon, with the young laird of Rothemay, and five or six gentlemen, their companions, perished in the ruins. There had been some quarrels betwixt these two lairds carried very high, and peace made up betwixt them by the marquis's means; yet it was suspected that the fire was wilfully kindled out of envy of young Rothemay, and the marquis resented it as such; but Fren draught offered himself to stand trial, and was acquitted.

We conclude the memoirs of this year with observing, that, upon Sabbath the 5th of December, the peace with Spain was proclaimed at London; and, though the constant practice, in all such cases, required that peace to have been proclaimed at Edinburgh likewise, that was never done, which somewhat disoblighd

the Scots, as they reckoned themselves equally concerned; but, as that war had never been eagerly prosecuted by either party, the intimation of the peace here was the less needful.

During the year 1631, the king's revocation, before mentioned, was going on to his inclination. He had ordered the titulars of the tiends to sell them at a moderate value to the heritors of the ground out of which they were severally payable, and that his majesty should have an annuity out of them; and now this order was generally complied with, and most part of the heritors were very inclinable to purchase their own tiends.¹

While the transactions about the tiends were in agitation, another order comes from his majesty, to the two archbishops, to assemble the other bishops, and such of the ministry as were acceptable to them, to advise concerning bringing in of organs to cathedral churches, with surplices on those who served there, and a new translation of the psalms, commonly said to have been the work of the late king and the present lord secretary.² The organs were accordingly set up in the chapel-royal, and a company of singers, mostly young boys, were appointed to play that tune under the direction of Mr. Thomas Hanna, whose zeal was rewarded with the deanery of Edinburgh; yet the other device did not succeed so well. Copies of that translation were indeed sent to as many of the presbyteries as had members at that meeting, and they were appointed to report their opinions to the next diocesan assembly; but it contained so many poetical fancies, such as calling the sun the lord of light, and the moon the pale lady of the night, &c., that the bishops were ashamed to push the receiving and using thereof; and so it was laid aside.

We have formerly given some swatches of Mr. John Maxwell's forwardness in promoting conformity. By these he

¹ Row, p. 272.

² Rutherford's Letters, part iii., letter 6. Hist of Church and State, p. 10. Row, p. 272.

ingratiated himself much with archbishop Spotiswood; and having, by his influence, been employed in several commissions from the bishops to the king, he managed his negotiations much to bishop Laud's satisfaction; and so fond was he of that prelate's favour, that he not only imitated, but, in some respect, may be said to have outdone him. For, in a sermon at Edinburgh this year, he openly avouched that Christ went to hell locally, to deliver from thence the souls of virtuous pagans, as of their philosophers, lawgivers, governors, kings, queens, and others renowned for their wisdom, prudence, fortitude, temperance, bounty, charity, justice, mercy, and generally for their civil carriage and moral conversation; several of whom he named, as Socrates, Plato, Aristotle, Pythagoras, Homer, Phocilides, Theogenes, Cicero, Heracles, Theseus, Cyrus, Solon, Lyeurgus, Aristides, and others the like: "For my part," says he, "I profess such love to those wights for their virtue's sake, that I had rather admit twenty such opinions as *limbus patrum*, than to damn eternally the soul of one Socrates, or of one Cicero." And, as it is no uncommon thing to gild over the vilest errors with the most solemn pretences, he alleged that his doctrine was both comfortable for all Christians, and likewise calculated for the greater manifestation of the glory and power of Christ; but the mediator will have his glory maintained without the aid of his creatures' inventions.¹

Nor was Mr. Maxwell singular in the publishing of such novelties; for Mr. John Adamson, minister at Liberton, preaching before the presbytery, maintained that the church of Rome was a true church essentially and materially, because she had the word preached, and the sacraments administered; yet was he not called to account for that doctrine.² Dr. Wedderburn at St. Andrews, and Mr. Thomas Sydserf at Edinburgh, did likewise act their part with the first, in urging conformity, and

preaching of arminianism.³ And, to speak in the words of bishop Burnet, "most of the bishops, and their adherents, undertook openly and zealously the defence of these tenets." But we insist not on particulars.

In England also the maintainers of those tenets carried the matter very high. Three doctors in the university of Oxford, viz., Hodge, Ford, and Thorn, having preached against arminianism, were expelled the university; some others, as Mr. Bruch and Mr. Doughty, proctors, who had undertaken their defence, were turned out of office. Dr. Davenant, bishop of Salisbury, had, for the same reason, well nigh met with the like fate; and multitudes of good Christians, and about sixteen or seventeen silenced ministers in the city of London, and other parts, went over to New England for the greater liberty of the gospel.⁴

At this time bishop Laud consecrated the church of St. Catherine, creed-church, after the manner prescribed in the Roman pontifical. Other innovations were likewise made in divine worship; and Henry Sherfield recorder of Salisbury, for taking down some idolatrous pictures of God the Father, which had been painted on the window of St. Edmund's church, was fined in L.500, removed from his recordership, bound to keep the peace, ordained to make a public acknowledgment of his fault, and committed to the fleet.

Nay, farther, every thing, saith Rapin,⁵ that gave most offence to the presbyterians, was not only industriously practised, but also represented as necessary, and several novelties added which were apt to widen the breach, and make an union impracticable. Of this he gives the ease just now related as one instance, and to that we add another:

The presbyterians (or, as they called them, the puritans) were noted for the strict religious observance of the Sabbath; so, this being reckoned judaizing, Dr. White, Mr. Fryling, and others of

¹ Hist. Church and State, p. 6.

² Collect. p. 442.

³ Mem. Dukes of Hamilton, p. 29.

⁴ Crawford, p. 12.

⁵ B. xix. p. 287.

their clergy, wrote against the morality of the Sabbath, and many others did practically disregard it.

But to return to Scotland. We were even posting after the English to profanity. The bishops themselves are said to have given great strength to this impiety. The house of one Dickson, a publican in Potterow in the suburbs of Edinburgh, was, to some of them, their place of recreation on Sabbath afternoons. It was remarked of Spotiswood,¹ and some other of the bishops, that they sojourned more on that than on other days. And Mr. Thomas Foster, minister at Melrose, having but one hutt of corn in his barn-yard, would needs shew his christian liberty, by causing his servants cast it in upon that holy day. Thus fast were we hastening to destruction.

But were there none to oppose this torrent? Yea, surely, though the circumstances of the times obliged them to do it sometimes by methods disguised. Of this number was Dr. John Sharp,² who had been banished for attending the general assembly at Aberdeen anno 1605, but having, by his learning, signalized himself in foreign parts, he had been called home, and was made professor of divinity in the university of Edinburgh. This gentleman was much grieved with the doctrines formerly mentioned, and, judging they deserved a public detection, he incited and assisted one Mr. Wallace, his student, in the forming and publishing of a theological thesis purposely opposed to those doctrines; and, under the pretence of gaining greater reputation to the university, all who pleased were invited to dispute with Mr. Wallace, and some others, upon these points. The challenge was accepted, and the chancellor, to whom the thesis was addressed, with many other lords of privy council, and learned men, proposed to have honoured the disputants with their presence; but, ere the set day approached, the ministers, who believed themselves especially aim-

ed at by that challenge, had the influence to get that good design frustrated, and a stop put to the disputation by the magistrates of Edinburgh, as patrons of the university.

Nor did others of the ministry look indifferently upon the bleeding wounds then given to the interests of religion. We are sorry these are indeed comparatively small, and that we cannot, for want of full information, do that justice to their memory as to mention all their names, yet these are a few of them, viz. Messrs. Robert Bruce, Robert Boyd, John Scrimzeor, John Chalmers, John Dick, William Scot, John Row, John Ker, James Currie, Adam Colt, David Foster, Richard Dickson, David Dickson, James Greig, John Ferguson, James Inglis, William Livingston and Thomas Hogg,³ ministers, besides many amongst the gentry, and not a few of the nobility.

Several of these ministers were indeed under confinement, or the bishops' censures, whose ministry was nevertheless remarkably blessed of God to the edification of multitudes, and some of them were about this time removed by death, as Mr. Bruce, whose reverence of God and his ordinances, earnestness to gain souls to the Redeemer, success in that happy work, and faithfulness in reproving sin amongst all ranks, cannot be enough commended.⁴ On the 13th of July, being at breakfast in his house of Kinnaird, he felt death fast approaching, and forewarned his daughter that his master called him: with these words his sight failed him, whereupon he called for the bible, but finding his sight gone, he said, cast up to me the eighth chapter to the Romans, and set my finger to these words, "I am persuaded that neither death nor life," &c. "shall be able to separate me from the love of God, which is in Christ Jesus, my Lord." Now, said he, is my finger upon them? When they told him it was, without any more, he said, "Now, God be with you, my children, I have breakfasted

¹ Hist. Church and State, p. 10.

² Collect. p. 457.

³ Livingston's Life, p. 9, &c.

⁴ Collect. p. 458.

with you, and shall sup with my Lord Jesus Christ this night ;” and so gave up the ghost, death shutting his eyes, that he might see God.

Yet God, in mercy to his church, was at this same time polishing others to make up her loss, and fill the gap, as Mr. Alexander Henderson, minister at Leuchars, who was indeed a minister long before this, and, being prelatie in his judgment, is said to have been converted unto presbytery by the means of Mr. Bruce. Next to him we mention Mr. Samuel Rutherford at Anwoth, who seems by some of his letters, to have been a minister before the death of king James VI., Mr. Robert Douglas, minister at Kirkaldy, Mr. George Gillespie, chaplain to the viscount of Kenmure, Mr. John Livingston, Mr. Robert Blair, and others, who were afterwards eminently honoured in the reformation, not only of their own, but also of the neighbouring churches of England and Ireland.

And here, by the way, as it may be expected that we should answer that much tossed question, Whether or not Mr. Rutherford, and other faithful ministers in that period, were ordained by bishops, or by a presbytery independent of the bishops? All that we can with certainty assert concerning that matter, after the most inquisitive search of it, is, that, until the beginning of the year 1628, some few preachers, by moyen, were suffered to enter the ministry without conformity,¹ and of this number we suppose Mr. Rutherford and Mr. Douglas may be reckoned, because they were ordained before the door came to be more closely shut upon honest preachers. We have never heard it asserted, that these men were ordained by prelatists, nor do we find them, though well known to be frank in confessing all known sin, and in their judgment firm against prelacy, acknowledging any compliance of this sort ; but that there were none allowed access to the ministry in Scotland without some degree of conformity to prelacy after that time, may, we think, be easily gathered, not mere-

¹ Livingston's Life, p. 7.

ly from the impossibility of their enjoying any legal benefice without the bishops' concurrence, as they might have been sustained by voluntary contributions, but partly from there being nothing upon record of any settlements made in that period against the bishops' pleasure, and especially from the retiring of so many of our Scottish preachers to Ireland for ordination ; one of whom, viz. Mr. Livingston, tells us,² that in summer 1630, being in Irvine, Mr. Robert Cunningham, minister at Holywood in Ireland, and some time before that, Mr. George Dunbar, minister at Lern in Ireland, propounded to him, seeing there was no appearance he could enter into the ministry in Scotland, whether or not he would be content to go to Ireland ; to which he answered, if he got a clear call, and a free entry, he would not refuse ; and what sort of settlement they had shall be related in that author's own words.

“About August 1630,³ I got letters from the viscount Clanniboy to come to Ireland, in reference to a call to Killinchie, whither I went, and got an unanimous call from the parish ; and because it was needful that I should be ordained to the ministry, and the bishop of Down, in whose diocese Killinchie was, being a corrupt humorous man, and would require some engagement, therefore my lord Clanniboy sent some with me, and wrote to Mr. Andrew Knox, bishop of Rapho, who, when I came and had delivered the letters from my Lord Clanniboy, and from the earl of Wigton, and some others, that I had for that purpose brought out of Scotland, he told me he knew my errand ; that I came to him because I had scruples against episcopacy and ceremonies, according as Mr. Josias Welsh, and some others, had done before, and that he thought his old age was prolonged for little other purpose but to do such offices ; that, if I scrupled to call him my lord, he cared not much for it : all he would desire of me, because the people at Ramallen got but few sermons, that I would preach there the first Sab-

² Livingston's Life, p. 10. ³ Ibid.

bath, and that I would send for Mr. William Cunningham, and two or three other neighbouring ministers, to be present, who, after sermon, should give me imposition of hands, but although they performed the work, he behoved to be present: And, although he durst not answer it to the state, he gave me the book of ordination, and desired that anything I scrupled at I should draw a line over it on the margin, and that Mr. William Cunningham should not read it; but I found that it had been so marked by some others before, that I needed not mark anything; so the Lord was pleased to carry that business far beyond anything that I had thought, or almost ever desired."

And the Rev. Mr. Robert Blair gives much the same account of his settlement at Bangour:¹ "Being," says he, "invited to preach there by the lord Clanniboy, the patron, I yielded to it; and, after three Lord's days, some old men of the congregation came to me, in name of the rest, shewing that they were edified by the doctrine delivered by me, entreating me not to leave them, and promising, that if the patron's offer of maintenance were not large enough, they willingly would add thereto; but I slighting that promise, made no scruple to agree to the first offer made to me—but of the former part of that speech, importing the congregation's call, I laid great weight upon it, and it did more contribute to the removing of my unwillingness to settle there than anything else." And a little after he adds, "The lord Clanniboy having, at my desire, informed the bishop how opposite I was to episcopacy and their liturgy, lest he had not been plain enough, I declared the same myself, at our first meeting, notwithstanding the bishop was most willing I should be planted there; and said, he would impose no conditions upon me, only that he behoved to ordain me, else neither of us could answer the law. I told him that was contrary to my principles. To which he replied, both wittingly and submissively, Whatever you account of

episcopacy, yet I know you account a presbytery to have divine warrant: will you not receive ordination from Mr. Cunningham and the adjacent brethren, and let me come in among them in no other relation than a presbyter? This I could not refuse; and so the matter was performed." But leaving this.

We took notice last year of the Swedish enterprise, and of the preparations making in Scotland for their assistance. Upon the 16th of July this year, the marquis of Hamilton sailed from Yarmouth roads with forty ships; and on the 31st he landed his army, being above 6000 able men, at the mouth of the Oder, from whence he had free access to the Swedish king.² There he was received with great demonstrations of joy, and much caressed by that monarch, who sent him to keep Frankfort, Lansberg, and other passes on the Oder, while he, with his small army, gave the emperor's general, Tilly, battle at Leipsic, and routed the imperialists under his command, which greatly changed the face of affairs in Germany, and put new vigour into the protestants there.³ But we only name these things, and go on with relating our own domestic affairs.

While the marquis was levying his army in Scotland, those who knew not that his majesty supported him behind the screen, or bore the marquis ill-will, were either filled with jealousies of his enterprise themselves, or wished others to believe that the marquis's designs were not upon Germany but Britain; and that he purposed, when his army was once raised, to pretend to the crown of Scotland.⁴ The lord Ochiltree, who was known to be the marquis's back friend, and had gained some credit at court for his forwardness in assisting Nithsdale, whom we formerly named as his majesty's commissioner for receiving the surrender of the tiends, found access to let his suspicion be known to his majesty; and his complaints were fortified by the lord Rea, who gave one Mr.

² Burnet's Mem. Duke of Hamilton, p. 16.

³ Crawford, p. 12.

⁴ Burnet's Mem. Duke of Hamilton, p. 11—14.

¹ MS. of Mr. Blair's Life, chap. 3.

Ramsay, a gentleman of the bed-chamber, and a tool for the duke in that undertaking, as the author of a story which imported so much. Yet such was his majesty's confidence in the marquis, that it was with difficulty he would permit that matter to be put to trial, and the event shewed he had no reason to suspect his fidelity; for both Ochiltree and Rea failed wholly in their evidence. Ochiltree was sent down to Scotland, where he underwent a long solemn trial, and was next year condemned to perpetual imprisonment, and sent to Blackness; and Rea and Ramsay, being both military men, and finding they could not otherwise get satisfaction of one another, desired they might be permitted to end their dispute by a duel. But his majesty would not allow it.

This year there happened another incident which afforded abundance of speculation at that time. One James Grant, of the family of Grant, upon occasion of a discord betwixt him and some of his friends, assembled to himself a number of desperate fellows, vagabonds and bankrupts, who, rejecting all regard to laws divine or human, robbed the houses of ministers and others, burnt barn-yards, and murdered several who opposed them in the north;¹ and to this it was suspected he was greatly encouraged by the marquis of Huntly, in contempt of the earl of Moray, who, about that time, had procured a commission for maintaining the peace of the north; yet, at length, a number of the earl's servants found out this gang in Huntly's bounds, and, with the assistance of some of the clan Chattan, alias McIntosh, they took the chief and six of his helpers. Some others of them were slain in this encounter, and Mr. Grant himself was brought to Edinburgh, and warded in the castle; but he afterwards made an elopement, by a cord, over the wall, and escaped the punishment due to his crimes.

We conclude this year with mentioning, that, upon the 3d of November, the queen was delivered of a daughter named

Mary, who was afterwards princess of Orange, and mother to our illustrious king William.

Last year took the marquis of Hamilton to Germany, and engaged him in the wars there; and therefore it is reasonable that we inquire after him this year.

While he lay at Frankfort the famine was so great that it was scarce possible for him to subsist; and the plague broke in so hotly upon his army, that in a few days it swept away the third of them; yet, with the remainder, he relieved Crossen,² a good town in the borders of Silesia, kept out by the Swedes against the imperialists, and took Guben, a frontier town in Silesia in the emperor's hands, and was setting forward to Glasgow, with good hopes of carrying it; but the duke of Saxony having undertaken to reduce Silesia, the marquis got orders to return and besiege Magdeburg.

By this time his little army was greatly diminished; for, besides the loss formerly sustained by the plague, he was forced to leave a thousand more behind him under the same calamity, and about another thousand were divided in garrisons; yet, with the few remains, and 3000 Germans, he besieged Magdeburg, and had well nigh reduced it, when it was relieved by a superior army.

In these circumstances the marquis was unable to do much, so he got his army reduced into two regiments, and put into duke Weimar's army, and he himself sought a commission from the king of Sweden to raise new forces, and, having obtained it, returned to England for that purpose. But, before any thing could be done in that matter, the great and conquering Gustavus was killed at Lutzen,³ in a long and fierce battle with the imperialists, under the command of the generals Woolston and Papenheim, to the inexpressible grief of all true protestants; and yet, which was most surprising, his forces gained a complete victory over the imperialists, and by them

² Burnet's Mem. Duke of Hamilton, p. 16, &c.

³ Ibid. p. 25.

¹ Collect. p. 444, 480.

God requited the cruelty of those popish tyrants, and gave great relief to protestants there.¹

And yet at home protestants were oppressing protestants; for, in harvest preceding, Messrs. Blair and Livingston were, upon misinformation of the bishops of Scotland, especially of the archbishop of Glasgow, suspended by Echen bishop of Down;² and though they were soon reponed,³ at the earnest entreaty of the learned and good archbishop Usher, yet the Scottish bishops sent Mr. John Maxwell to court, with complaints against the Scottish ministers settled in the north of Ireland, as enemies to the peace of the church, and (which was most groundless and calumnious) stirring up the people to ecstasies and enthusiasm. The gospel flourished indeed most remarkably in their hands, and great was the success of their ministrations; but so far were they from encouraging the disorders wherewith they were charged, "that most of the ministers, and especially those who were complained of, discountenanced those practices, and suspected them not to proceed from any working of the Spirit of God, and that upon this ground, that the people (who were the subjects of those ecstasies or convulsions) were alike affected whatever purpose was preached; yea although by one who neither had gifts nor good affection to the work of God." And Mr. Blair observes,⁴ that an ignorant person under his charge, having made a noise and stretching of his body, "I," says he, "was assisted to rebuke the lying spirit that disturbed the worship of God, charging the same, in the name and authority of Jesus Christ, not to disturb the congregation, and, through God's mercy, we met with no more of that work."

Yet those two ministers, with Messrs. Dunbar and Welsh, being especially odious to the Scottish bishops, for fleeing from them, and taking shelter in Ireland; and having found much favour

amongst the flocks where they were settled, the Irish bishops could not endure this; and Mr. Maxwell having, upon those suppositious grounds, procured his majesty's letter for their trial and censure, they were resolved to proceed against them; yet, so conscious were they of the iniquity of their charge, that they only urged those ministers with conformity, and, because they refused subscription, as not required by law, they were deposed.

And in England likewise Mr. Nathaniel Bernard, a worthy minister in London, was about the same time questioned, by the high commission there,⁵ for some passages of a sermon preached by him against the possibility of salvation in the faith and worship of the church of Rome, as it was defined in the council of Trent, and against the introducing of pelagian errors, and Romish superstitions in the church. For these he was censured, and enjoined to make a recantation, which he refusing, was fined in L.1000 sterling, suspended from the ministry, condemned in costs of suit, and committed to prison. But we return to our own country.

There we had little else but famine, death, preferment of bishops, and intestine commotions.

During this and the preceding and subsequent years, there was such a famine in the Isles of Orkney and Shetland, that horse's flesh was most acceptable to the poor people, and about two-thirds of the inhabitants died for want; but, upon representation made of their condition to the privy council, the rest were relieved both with money and victual.⁶

In November, this year, died Sir John Hamilton of Magdelands, knight, clerk-register and one of his majesty's privy council, and to his place Mr. John Hay of Landes, town clerk of Edinburgh, was preferred, who was thereupon made a knight. Sir James Balfour⁷ calls this man altogether corrupt, full of wickedness and villany, and a sworn enemy to the

¹ Crawford, p. 12.

² Row, p. 274.

³ Livingston's Life, p. 13.

⁴ Blair's Life, chap. 6.

⁵ Crawford, p. 12.

⁶ Hist. Church and State, p. 7.

⁷ Balfour's Annals, p. 460.

peace of his country ; the worst character that can almost be found in history.

The same month Mr. James Law, archbishop of Glasgow, departed this life. To him succeeded Patrick Lindsay, bishop of Ross, and to the bishopric of Ross succeeded Mr. Robert Maxwell, one of the ministers of Edinburgh, a very Phaeton, who was hurried on to destruction by his insupportable pride under the preferments he met with, being made a lord of session and exchequer, and a privy councillor, all in a trice.

Meantime an incident fell out which put a number of the courtiers in a panic.¹ One Mr. George Nicol, who had been secretary or clerk to Sir Archibald Aitchison, being then at London, gave in certain information against the chancellor, the earls of Strathern and Morton, the lord Traquair, the advocate, &c. for mismanagement of the treasury, &c. whereupon those statesmen were wrote for by the king, and great discoveries were expected of many ; but the informer failing in his proofs, he was sent down to Scotland to be tried for leasing-making, and was in March next year condemned, by those very men he had accused, to be pilloried, and whipt at the cross of Edinburgh, which he suffered with much compassion from the promiscuous beholders, who generally believed he suffered wrongfully.

And yet upon the very back of it, the earl of Strathern, against whom one particular of Mr. Nicol's information was, that he had procured himself served heir to David earl of Strathern, who, about three hundred years before, pretended right to the crown of Scotland, was commanded not to use that title, and the service was ordered to be reduced ; to all which the earl of Strathern readily consented, and the service was accordingly reduced as false and illegal.²

And now his majesty having resolved upon coming to Scotland the year following, great preparation began to be made for his majesty's reception, and, amongst the rest, a new parliament-

house, the same where the courts of session and exchequer do now sit, was founded in August this year.³

CHAPTER II.

Of the coronation and first parliament of king Charles I. anno 1633, the trial of the lord Balmerino, and other occurrences, civil and ecclesiastic, until the beginning of the reformation from prelacy, anno 1637.

ALTHOUGH king Charles was proclaimed king of Scotland upon his father's decease, he neither had received the crown of that ancient kingdom, nor taken the coronation oath, but governed the eight preceding years without a parliament, making his will pass for a law to his subjects ; but now, having made peace with foreign enemies, and finding no appearance of disturbance in England, he judged it a fit time for making a journey to Scotland. "Three important affairs," saith Rapin,⁴ "required his presence there : 1. He had a mind to be crowned ; 2. He intended to hold a parliament for procuring of money ; 3. He designed to take some measures there for the execution of a project long since formed, to reduce the kirk of Scotland to a perfect conformity with the church of England, and entirely ruin presbyterianism. To this end it was that he took with him Laud, bishop of London," &c.

For this purpose he issued one proclamation, calling the estates to meet him in parliament at Edinburgh upon the 19th day of June this year.⁵ By another proclamation, all who intended to present articles or petitions to parliament were ordered to lodge them in the clerk-register's hand on or before the first of that month. It was the practice, on such occasions, to name four of each estate to meet for three weeks before the down-sitting of the parliament, to take in all petitions or papers which were to come before them, but now this was entrusted to one single man ; and several other orders were given, about this time, to prepare for the reception and enter-

¹ Collect. p. 483, 484, 488, 494.

² Collect. p. 485.

³ Row, p. 274 ⁴ Rapin, vol. ii. p. 288.

⁵ Acts of Privy Council, vol. xxv.

tainment of his majesty and his attendants.

Accordingly great numbers of masons and wrights were set to work at the church of Holyroodhouse, and the king's castles and houses; the church was enlarged, steeples erected on it for two sets of bells, the windows adorned, and new organs set up in it; the king's castles and palaces were repaired, lodgings taken up for the strangers and estates of parliament; provision was likewise made for the king's carriages, and entertainment of himself and his retinue, suitable to so honourable an occasion, and robes for the estates of parliament; and, in short, every one strove to outdo their neighbour in gaiety, fine clothes, furniture, &c. But, amongst all others, the city of Edinburgh exceeded in their demonstrations of joy; the streets were all railed and sanded, and the chief places set out with stately triumphal arches, obelisks, pictures, artificial mountains, and other costly shews.

And now, all things being in readiness, his majesty began his journey, upon the 13th of May, with a goodly train of attendants, to the number of two hundred and six, and came to Berwick the 8th of June, where he rested until the 12th, when he set out again for Edinburgh, attended by many of the Scottish nobility who met him there.¹ In his way he rested at Dunglas one night, at Seton another, and at Dalkeith a third, and was entertained with great magnificence by the earl of Winton at Seton, and by the earl of Morton at Dalkeith.

From Dalkeith his majesty set out for Edinburgh upon Saturday the 15th of June, and, entering by the Westport, marched through the city, the streets whereof were lined on both sides by the citizens in their best apparel and arms, to his palace of Holyroodhouse, with all his train, in a very triumphant and royal manner.² As all this was, at best, but entertainment and show, it seems needless to descend farther into the particulars of it, than to observe, that at

the Westport was a theatre, exquisitely adorned and painted, with a description of the city, and many other fine things, and there an elegant oration was made to his majesty, and the keys of the city presented to him by the lord provost. Next, about the middle of the Westbow was erected another theatre, from whence was very handsomely delivered a short description of the kingdom, from whom conquered, and at what time. Again, at the head of the Luckenbooths was erected another magnificent stage, whereon was the portraiture of all the kings of Scotland down to his majesty, and one representing king Fergus made a handsome speech, with which the king was much delighted. When his majesty came to the Cross, there was a representation of Bacchus, and wine running forth of the Cross, to denote plenty and abundance of all things. At the Tron, where now is a church, was erected a most magnificent representation of the hill Parnassus, and of the muses, with several other curious inventions; and at the Netherbow was another theatre, curiously painted, with a representation and description of the planets, and other fine conceits, and the whole of this procession was accompanied with the discharge of the whole ordnance of the castle, the chiming of bells, and all sorts of music that could be invented.

The same day the king admitted upon his privy council for Scotland, Richard earl of Portland, lord high-treasurer of England, Thomas earl of Arundel, lord marischal, Philip earl of Pembroke, lord chamberlain, Theophilus earl of Suffolk, William earl of Salisbury, James earl of Carlisle, Henry earl of Holland, William bishop of London, Sir Harry Vane, comptroller, and Sir John Cook, principal secretary of state, all Englishmen, who had no concern in the affairs of Scotland.³

Next day, being Sabbath, his majesty heard sermon in the chapel-royal. Monday he spent in the castle, and upon Tuesday, being the 13th, he past in great state to the abbey-church, which

¹ Balfour, p. 461.

² Ibid. p. 462. Collect. p. 512.

³ Acts of Privy Council, vol. xxv.

was magnificently adorned for the purpose, and, after sermon by Dr. Lindsay, bishop of Brechin, he was crowned by archbishop Spotswood, with the usual rites.¹ The particulars of this inauguration would no doubt be entertaining; but though Sir James Balfour, who was then lion king at arms, saith he published the same, we have not been able to come at it, nor do any other of our authors give the particulars of it. Mr. Crawford saith, that, by archbishop Laud's direction, an altar was erected on the south side of the abbey church, exactly parallel to the mass altar, only that the candles are lighted in the mass, and were not in this, and that the king was crowned before it.² And Mr. Row saith, "he was crowned with such rites, ceremonies, and forms, as made many good Christians admire that such things should be used in this reformed kirk."³

The 19th day of the month, being Wednesday, the parliament sat down in the old parliament house, now the common prison of the city of Edinburgh.⁴ His majesty and the four estates rode to it in great pomp, the streets on both sides being guarded with the burghesses, and there his majesty made a speech to his parliament, who sat all in one house, concerning his purpose and intention of calling them together.

At this time it was unusual to pass any thing in parliament until it was first reasoned upon by a committee of their number, called the lords of the articles, and ordinarily whatever that committee agreed upon was concluded in parliament.⁵ Accordingly, eight persons were chosen for that purpose out of each estate; the clergy named the nobles, some of whom, as the marquis of Douglas, were popish, and so could not, in consistency with the standing laws, be allowed to sit in parliament, and yet were now placed at the helm of affairs. Again, the chancellor named the clergy, and the barons and burghesses were taken from a leet given in by his majesty, who,

no doubt, were all expected to pace after the court fashion; and that their resolutions might meet with no effectual opposition, all private committees were prohibited during the sitting of the parliament.⁶

The rest of that week the lords of the articles convened, and, by the advice of the king, and so many of the nobles as he pleased to bring with him, who sat with them all the time, they cognosed upon all the matters given in to them, and referred what they thought proper to the parliament.⁷

On Sabbath following the king heard sermon before noon in the great church of Edinburgh. When his majesty entered the church, Mr. Patrick Henderson, the ordinary reader, having begun to sing, the bishop of Ross came down from the king's loft, and after some menaces, turned him out of his seat, and placed therein two English choristers in their vestments, who, with the help of the bishops, and the other clergy, performed that service after the manner of the English. That being ended, Mr. John Guthrie, bishop of Moray, went up to the pulpit to preach, but, instead of making divine truth his theme, he had little else than some flattering panegyrics, which made the king himself to blush, with some biting scoffs at those who scrupled the use of the vestments, &c.⁸

Sermon being ended, the king and his nobles of both kingdoms were royally entertained at the expense of the town of Edinburgh, within the new parliament-house, and, as if it had been resolved on to bid defiance to the almighty God, the great institutor of the Sabbath, and author of divine ordinances, the noise of men speaking, trumpets sounding, music playing, and singing, &c. was so great, that public worship could not be performed that afternoon in either of the churches of St. Giles.⁹ This to sober minds may, at first, seem incredible; but when it is adverted to, that impiety was now arrived at so great a height, that wakes, revels, and public diversions,

¹ Acts of Privy Council, vol. xxv.

² Crawford, sect. ix. p. 12.

³ Row, p. 278.

⁴ Balfour, p. 464.

⁵ Crawford, p. 22.

⁶ Row, p. 279.

⁷ Collect. p. 516.

⁸ Row, p. 279.

⁹ Ibid.

on Sabbath afternoon, were allowed by the king's authority in England, there needs remain no doubt of like practices taking place in Scotland upon this occasion.

Next day being St. John Baptist's day, the parliament met not. His majesty went to his chapel-royal in state, and there made a solemn offertory; but the day following the parliament met, and immediately entered upon raising a subsidy or tax to his majesty. In some conventions of the states that had been held before, all the money that the king had asked was given; and this parliament was no less profuse: they gave him thirty shillings Scots for every pound land yearly for six years following, and the sixteenth part of all interest of money for the like term of years;¹ "which," saith Rapin, "was the largest subsidy that had ever been granted to any king of Scotland before him."

And the collection of these was put into the marquis of Hamilton's hand, till he should be paid all that was due to him for the expedition to Germany, and for some other sums his majesty was owing;² Upon which Hamilton yielded up his lease of the customs of the wines.

Of the acts presented to be passed in this parliament, the most were reckoned to infringe upon the interests of religion, or the liberty of the subject, but especially the third and fourth; the one, intitled, An act anent his majesty's royal prerogative, and apparel of kirkmen,³ was a compend of two acts, viz. Act anent the king's majesty's royal prerogative; and act of the apparel of judges, magistrates, and kirkmen.⁴ To the first of these great opposition was made, because, however king James had the same power granted him, that was a personal compliment unfit to be drawn into precedent;⁵ and so sensible was that king of this, that he never thought proper to exercise the liberty thereby granted to him; and therefore they could not con-

sent that his successor should, by virtue of his sole authority, enjoin what habits he pleased to ecclesiastics as well as laics. To prescribe the habit of all in civil office they denied not unto him, but to have liberty to prescribe the apparel of churchmen they could not agree to it, fearing lest by that door, the surplice, rocket, quarter-cap, and other vesture used by the priests in saying mass, would be intruded upon them; and therefore they urged that these two branches might be kept separate; but the king told them they behoved to vote for or against that act as it stood.

The other act was expressed in these words: "Our sovereign lord, with the advice and consent of the estates, ratifies and approves all and whatsoever acts and statutes made before, anent the liberty and freedom of the true kirk of God, and religion presently professed within this realm, and ordains the same to stand in their full force and effect, as if they were specially mentioned and set down herein."

"The whole artifice of this act," saith Rapin,⁶ "consisted in these words,—the religion presently professed; for thereby were confirmed all the innovations in the discipline of the kirk of Scotland, to which the opposers of the act would not agree. They were very willing to ratify the acts made in favour of religion, as established by an act passed in the sixth year of king James VI. when the bishops had no power or jurisdiction, but would not admit these words,—at present professed." And,

To overawe the subjects the more, and force them into a compliance with those acts, his majesty's general revocation was ratified. "The king," says bishop Burnet, "resolved to prosecute the design of recovering the church lands;"⁷ and Sir Thomas Hope, a subtle lawyer, who was believed to understand that matter beyond all the men of his profession, was made the king's advocate. But, instead of answering that end, this revocation was constructed a forcible rape upon the

¹ Burnet's Hist. p. 28.

² Burnet's Mem. dukes of Hamilton.

³ Act 1, Parl. 13, king James VI.

⁴ Act 8, Parl. 24, king James VI.

⁵ Burnet's Hist. p. 28.

⁶ Vol. ii. p. 289.

⁷ Balf. p. 464. Burnet's Hist. vol. i. p. 31.

interests of the subjects; and these acts were looked upon as so many partitions to separate the king from his people. They afterwards crushed those very men to pieces who were most active in promoting them, and proved fuel to that fire, which in a few years after that, set all Britain in a flame.

The parliament ended the 28th of June, after having sat ten days, very little to the satisfaction either of king or subject; at which solemnity the ensigns of royalty were carried before his majesty, as at the beginning.¹

But it is now time to inquire what was the behaviour of presbyterians on this occasion; and, for understanding the same, it will be needful to trace their conduct back a little before that time.

“The ministers,” says bishop Guthrie,² “laboured to increase the number of their proselytes every where, and that not without success, especially in Fife and in the western parts, wherunto a way, which they then begun, proved very conducible; and this it was: They kept a fast upon the first Sabbath of every quarter, whereof there was no public intimation, save that the ministers did privately desire so many of their flock, as from time to time they could draw over to their party, to join in it; and upon those days of fasting, they used in their doctrine, to hint at the danger of religion by prelacy and the dependencies thereof; and in their prayer, to supplicate for remedy, with a blessing upon all good means which providence should afford for that end; by which course they prevailed much upon the commons. But that which advantaged them more, was the turning of certain noblemen to their side; for besides that the generality of the nobility was malcontented, there were, by this time, observed to be avowed owners of their interest in Fife, the earl of Rothes and lord Lindsay; in Lothian, the earl of Lothian, and Lord Balmerino; and in the west, the earls of Cassilis and Eglington, and lord Loudon; which accessions rendered them very considerable.”

¹ Balfour, p. 465. ² Guth. Mem. p. 9.

Nor was this all; they judged that then, if ever, was the time for attempting something to purpose. Accordingly, the ministers having first consulted together, resolved to present their grievances to the parliament.³ Their next difficulty was how to get them presented; they knew his majesty's proclamation required all such to be given in to his clerk-register. But they knew likewise, saith Sir James Balfour,⁴ that Sir John Hay, the clerk-register, was a sworn enemy to religion, and a slave to the bishops; and therefore, lest he should suppress those grievances, the ministers appointed Mr. Thomas Hogg, who had been deposed from his ministry at Dysart, by the high commission, to give them in to the clerk-register under form of instrument, which he did; and of which grievances the tenor follows:

GRIEVANCES and PETITIONS concerning the disordered estate of the reformed kirk within the realm of Scotland, presented upon the 29th day of May 1633, by me, Mr. Thomas Hogg, minister of the gospel, in my own name, and in the name of others of the ministry likewise grieved, to Sir John Hay, clerk-register, to be presented by him to such as ought (according to the order appointed) to consider them, that thereafter they may be presented to his majesty and estates, which are to be assembled at the next ensuing parliament.⁵

“The opportunity of this solemn meeting of your gracious majesty, and the honourable estates convened in this high court of parliament, and the conscience of our duty to God and the reformed kirk of this realm of Scotland, where we serve by our ministry, constraineth us to present, in all humility, to your highness and estates presently assembled, these our just grievances and reasonable petitions.

“1. Albeit vote in parliament was not absolutely granted to ministers provided to prelacies, but only upon such conditions as his highness of happy memory, and the general assemblies of the kirk, should agree upon, which is evident by the remit and provision expressed in the act of parliament holden at

³ Crawford, p. 14. ⁴ Annals, p. 469.

⁵ Balf. p. 10. Crawford, p. 15.

Edinburgh in December anno 1597, and about the manner of their election and admission to the office of commissioner; and the particular conditions and cautions to be observed by ministers, voters in parliament, in name of the kirk, after long disputation, were agreed upon by his majesty, present in person, and the general assembly, and were appointed to be insert in the body of the act of parliament which was to be made concerning that purpose; some ministers, notwithstanding, have been and are admitted to vote in parliament, in name of the kirk, as absolutely as if the act of parliament did contain no such reference, and as if his majesty, with the general assembly, had not agreed upon the manner of their election and admission to that office, or upon any limitations, whereby the kirk hath sustained great hurt and prejudice in her liberties and privileges, and especially by their frequent transgressing the first of the conditions, although grounded upon the very law of nature and nations, That nothing be propounded by them in parliament, council, or convention, in name of the kirk, without express warrant and direction from the kirk, under the pain of deposition from their office; neither shall they keep silence, nor consent, in any of the said conventions, to any thing that may be prejudicial to the liberty and weal of the kirk, under the said pain. And the second, That they shall be bound, at every general assembly, to give an account anent the discharging of their commission since the assembly preceding, and shall submit themselves to their censures whatsoever without appellation; and shall seek and obtain ratification of their doings at the said assembly, under the pain of infamy and excommunication: Therefore our humble supplication is, that the execution of the acts of parliament, of matters belonging to the kirk, to which they have voted in name of the kirk, without any authority or allowance from the general assembly of the kirk, be suspended till the kirk be heard; and that, in time coming, ministers have no otherways vote in parliament, but according to the provision of the act of parliament, and the order of their entry to their office of that commissioner and limitation foresaid, agreed upon as said is.

“2. Seeing ratifications of acts and constitutions of this kirk cannot be construed to be a benefit or favour to the kirk, unless the

ratifications pass according to the meaning of the kirk, and the tenor of the said acts and constitutions, without omission, addition, or alteration of clauses, articles, or words of importance: And that, in the ratification of the act of the assembly holden at Glasgow anno 1610 which past in parliament holden 1612. under the name of explanation, sundry clauses and articles were omitted, as the subjection of bishops, in all things concerning their life, conversation, office, and benefice, to the censure of the general assembly, the censure of bishops in case they stay the censure of excommunication, the continuing of the exercise of doctrine weekly, the necessity of the testificate and assistance of the ministry of the bounds for the admission of ministers, and other clauses and articles are added and insert, as the different degrees of archbishops and bishops, the power of giving the collation of benefices granted to bishops, the disposing of benefices fallen in their hands *jure devoluto*, the appointing of moderators in diocesan synods, in case of their absence, and some words of the oath are changed. By all which omissions, additions, and alterations, the kirk hath sustained, and doth sustain, great hurt in her jurisdiction and discipline. Our humble desire, therefore, is, that the kirk may be liberated from the prejudice of these omissions, additions, and alterations of the act foresaid.

“3. Notwithstanding the general assemblies have been holden, from the time of reformation till the year 1603, at least once in the year, and oftener, *pro re nata*, provincial synods twice in the year, weekly meetings for exercises and presbyteries every week for matters to be treated in them *respectivè* and their liberties were ratified in parliament anno 1592, and by that, as a most powerful mean, blessed be God, peace and purity of religion were maintained; and, in the assembly holden at Glasgow 1610, when commissioners, voters in parliament, provided to prelacies, were made liable to the censures of the general assembly, it was acknowledged that the necessity of the kirk craved that there should be yearly general assemblies, and the ministry were then assured, that liberty would be granted upon their request, whereby they were induced to condescend so far to the act then made as they did; which act also beareth, in the very entry thereof, a request to his majesty, that

general assemblies may be holden, in all times coming, once in the year, or precisely at a set and certain time; nevertheless the wonted liberty of holding general assemblies is suppressed; the order of the provincial synods is confounded; presbyteries in a great part disordered and neglected, whereby divisions have entered into the kirk; ministers are become negligent in their callings, and scandalous in their lives; the godly are heavily grieved, the weak are scandalized, erroneous doctrine is delivered in kirks and schools, without controlment; the commissioners, voters in parliament, lie untried and uncensured; and atheism and popery increase. Our humble desire is, therefore, that the acts of parliament made in favour of the assemblies of the kirk, and especially the act of parliament holden at Edinburgh in June 1592, be revised and ratified in this present parliament.

"4. Notwithstanding the observation of festival days, private baptism, private communion, episcopal confirmation of children, have been rejected by this our reformed kirk since the beginning of the reformation, and it hath been declared by act of parliament, in the year 1567, that such only were to be acknowledged members of the reformed kirk, as did participate of the sacraments as they were then rightly ministered, which was without kneeling in the act of receiving the sacramental elements of the supper, or immediate dispensing of the same to every communicant by the minister; and that it was enacted and ordained in the same parliament, that all kings should give their oath, at their coronation, to maintain the religion then professed, and that form of ministration of the sacraments which then was used; nevertheless pastors and people adhering to their former profession and practice are nicknamed puritans, and threatened, not only without any good warrant, but beside the tenor of the act of Perth assembly, which containeth no strict injunction, and contrary to the meaning of the voters, and to the proceedings of that assembly, where it was professed that none should be pressed with obedience to that act: Therefore, we humbly entreat, that, by ratification of the acts of parliament made before that assembly, and by such ways as shall seem good to your gracious majesty and honourable estates assembled, your majesty's good people, pas-

tors, and professors, may both be purged from such foul aspersions, and may be freed from all dangers and fears which occur by occasion of that act of Perth.

"5. That, albeit it be determined by the general assembly of this our reformed kirk, what oaths ministers should take at the time of their admission or ordination, yet there is a new form of oath devised and urged, by the admitters or ordainers, upon entrants to the ministry, together with subscription to certain articles devised by them, without direction and warrant from any assembly of the kirk, yea, or act of parliament, whereby the entry to the ministry is shut upon the best qualified, and others less able are obtruded upon the people, to their great grief and hazard of their souls: Our humble petition, therefore, is, that all such oaths and subscriptions, urged upon ministers at their entry or transplantation, may be discharged.

"6. Notwithstanding there be constitutions of the kirk, and laws of the country, for censuring of ministers before the ordinary judicatures ecclesiastical, yet, contrary to that order, ministers are suspended, silenced, and deprived, and that for matters merely ecclesiastical, before other judicatories, which are not established by the authority or order of the country and kirk: Therefore our humble petition is, that ministers deserving censure be no otherwise censured than the order of the kirk doth prescribe; and that such as are otherwise displaced be suffered to serve in the ministry as before."

With these grievances, especially with the manner of giving them in, the clerk-register was mightily offended. He urged Mr. Hogg to withdraw them; and, because that was not complied with, he threatened to take order with the notary for doing his office in that part.

Mr. Hogg meeting with such bad reception, he attended at Edinburgh in hopes of more favourable access; and he and his brethren dealt with so many of the lords and other members of parliament as they knew favoured the reformation, to bestir themselves and take part with wounded truth; and that they might not have themselves to blame for neglect of any means promising success,

the ministers directed Mr. Hogg to address his majesty at Dalkeith, the night before his entry into Edinburgh, with the following petition.¹

“This happy occasion, with strong desires long waited for, by your majesty's most humble and loving subjects, the pastors and professors of the reformed religion within this your majesty's kingdom of Scotland: The great fame, which hath often filled our ears, of your majesty's most pious and princely inclination to religion and righteousness, whence this kirk and kingdom, from their singular interest in your majesty's birth and baptism, have reason to look at this time for a comfortable influence, the body of this kingdom in heart joining with us, and only waiting for the least word from your majesty's mouth: The conscience which we have, and which we trust is manifest to all men, that we are seeking neither riches nor honours to ourselves, but that the sum and substance of our desires is, to procure the advancement of the kingdom of Jesus Christ, and to see your majesty's flourishing estate in your kingdoms: All these, and each of them, move us to entreat, in all humility, your gracious majesty to be favourable to our petitions, which we have delivered to the clerk of register to be presented to your majesty and estates at the approaching parliament, that they may be considered, and receive a gracious answer.”

His majesty read the petition all over without betraying any displeasure with it; yet, after some conference with the earl of Morton, the earl came to Mr. Hogg and asked his name, and said, he wished the petitioners had chosen another place than his house for presenting their supplication.² From which the petitioners inferred, that their design was noways acceptable to his majesty, and feared their hopes would be frustrated, and their desires rejected, which they found soon to be the case: their grievances were suppressed, and they never heard more of them, either among the lords of the articles, or in open parliament.

Meantime the ministers waited on;

and, if they could do no more, they were resolved to cry to God for help in a time of so much need; and, because it was the common talk without doors, that innovations were intended to be established in this parliament, they were at great pains to inform the well affected nobles, gentry, and burgesses, members of parliament, of those rumours, and intreated their good offices for the church and religion.³

Accordingly these lords, barons, and burgesses, being well assured that the lords of the articles had agreed to bring in several articles to parliament, which, in their apprehension, were prejudicial to their liberties, both sacred and civil, they ordered two of each estate to supplicate his majesty that the late novations introduced into this church, which the commissioners of his royal father, both in general assembly and parliament, had promised and given assurance that the subjects should not be molested for refusing to practise them, but that they should be left indifferent as to practice, may be abolished, and all acts of assembly or parliament confirming them may be declared null by his majesty and parliament:⁴ As also, that pastors and professors may be freed from the fear of any farther innovations; and that his majesty would be pleased to consider, whether it be expedient that such persons as have no interest in the good or evil of this kingdom, by which we suppose they meant the admitting of bishop Laud and the English lords upon the Scottish council, should have proxies for making laws to this nation; and that such as, by acts of parliament, are incapable to be members of any court or judicatory within this kingdom, by whom they no doubt intended the duke of Lennox, the marquis of Douglas, and other lords suspected of popery, should be admitted members of the high court of parliament, that so the hearts of his majesty's good subjects might not be left in heaviness at his departure. And with that petition the earl of Rothes acquainted the king in private, but his majesty shewed an aver-

¹ Crawford, sect. ix. p. 19.

² Ibid. and Balfour, p. 475.

³ Row, p. 281.

⁴ Crawford, sect. ix. p. 23.

sion to it, and the petitioners found they had no chance for success unless they found it in parliament, and to that they reserved themselves.

When the articles in controversy came upon the carpet, much opposition was made to them. Mr. Samuel Rutherford, who was in Edinburgh, with his contending brethren, all the time of the parliament, saith, "that fifteen earls and lords, and forty-four commissioners for burrows, with some barons, voted for our kirk, in the face of a king, who, with much awe and terror, wrote up the voters for or against himself."¹ Other authors mention the names of some of those who made this opposition. The Lord Melville said gravely, in presence of his majesty, "I disagree from these articles concluded against the former order of this kirk, because your majesty's father, of good memory, after he had sworn himself, caused me and all the kingdom to swear and subscribe the confession of faith, wherein all the novations that are now coming in are rejected by our kirk."² Which speech made the king pause a while, and pass that in silence which he could not answer by strength of argument. Some few of the rest of the lords offered to argue, and the earl of Rothes's free and candid reasoning exceeded all the rest. The king stopped them, and went off in a huff to his palace, but, recovering himself, he returned to the house, and, as advised by bishop Laud, he commanded the estates to vote; and, to overawe the more, he called for a roll of the members, and for pen, ink, and paper, to mark the votes with his own hand, saying, "I will now see who will do me service, and who not."³ Accordingly, all the bishops voted for it, and all the officers of state, some of whom voted twice, once as noblemen, and again as officers of state; and some noblemen, whose estates were low, voted for the king, in hopes of preferment;⁴ yet others were thereby provoked to give their judgment with the greater bold-

ness: "So that the act," saith bishop Burnet, "was indeed rejected by the majority; yet the clerk of register, who gathers and declares the votes, said it was carried in the affirmative. The earl of Rothes affirmed it went for the negative; but the king said the clerk of register's declaration must be held good, unless the earl of Rothes would go to the bar, and accuse him of falsifying the record of parliament, which was capital, and, in that case, if he should fail in the proof, he was liable to the same punishment; so he would not venture on that."⁵

And, now that the king's wrath burned hot, the bishops blew the flame, and traduced these noblemen to the king as contemners of the royal dignity and prerogative, and as hatchers of sedition in the state, and of schism in the church.⁶ Upon that the lords had several meetings amongst themselves, and came to a resolution to present a supplication to the king, excusing and explaining their conduct; which supplication was drawn up by Mr. William Haig, advocate, his majesty's solicitor, at their desire, who, says bishop Burnet,⁷ was a zealous man of that party; and, continues this historian, "Mr. Haig drew this petition, and shewed it to some of the petitioners, and, among others, to the lord Balmerino, who liked the main of it, but was for altering it in some particulars. He spoke of it to the earl of Rothes in the presence of the earl of Cassilis, and some others, but none of them approved it. The earl of Rothes carried it to the king, and told him that there was a design to offer a petition, in order to the explaining and justifying their proceedings, and that he had a copy to shew him; but the king would not look upon it, and ordered him to put a stop to it, for he would receive no such petition. The earl of Rothes told this to Balmerino; so the thing was laid aside." Mr. Crawford, who had the same access to know all the story, tells it with this

¹ Rutherford's Letters, part iii. letter 40.

² Row, p. 281. ³ Burnet's Hist. p. 29.

⁴ Crawford, sect. ix. p. 24.

⁵ Burnet's Hist. p. 29.

⁶ Crawford, sect. ix. p. 24.

⁷ Burnet's Hist. p. 30.

variation, "That the said supplication was revised by all the lords who opposed the act, and committed to Rothes and Loudon to present it to the king's majesty, who perceiving that any supplication from them would be unacceptable to the king, resolved rather not to present it, hoping that, in process of time, the king's displeasure would be turned away by their fidelity and loyalty in all the duties of their station."¹

As this supplication opens up the true springs of the opposition made by the nobles and others at this time, and was next year made the ground and sole occasion of a sentence of death passed upon the lord Balmerino, the reader will no doubt desire to see the same, and therefore we have thought fit to add it here.

"To the King's most excellent Majesty, the humble SUPPLICATION of the Lords and other Commissioners of the late Parliament undersubscribing,

"Sheweth, That the notes which your majesty made of the names of a number of the supplicants in voting these acts, which did imply a secret power to innovate the order and government long continued in the reformed church here, and your majesty's refusing to hear from some of your supplicants the reasons of dissenting from the said acts, do breed a fear of our becoming obnoxious to your majesty's dislike, if your highness should still remain unacquainted with the reasons of our opinions delivered concerning the said acts; and, seeing your supplicants are confident that your majesty's vouchsaying to take notice of the said reasons, will be pleased to acknowledge, that no want of affection to your majesty's service, but a careful endeavour to conserve unto your majesty the hearty affection of a great many of your good subjects, that are apt to grieve at the introduction of any innovation in the church, made our votes appear in opposition to the said acts, and that only a predominant desire in us to have all your royal designs and desires here to prosper, was the cause that made us forbear to make use of such reasons as could have been propounded against many of the conclusions taken in the late parliament: We do therefore humbly beseech

¹ Crawford, sect. ix.

your majesty to be graciously pleased to ponder the reasons, so shall we be encouraged (as in duty bound) to continue our prayers for your majesty.

"First, We humbly beseech your majesty to consider, that though these acts, as they are conceived, concerning your majesty's prerogative and liberties of the church, had never been moved or concluded as they are, your majesty would have suffered no prejudice, in your benefit, honour, or power. That your supplicants are much more free from all suspicion of private ends in dissenting, than the contrivers of the said acts are in offering them to the hazard of contradiction, or soliciting an assent thereto. That, in deliberation about matters of importance, either in council or parliament, opinions do oft differ, and they that have been of a contrary mind to a resolution carried by plurality of votes, have never been hitherto censured by a prince of so much justice and goodness as your majesty. We do also most humbly beseech your majesty to believe, that all your supplicants do, in most submissive manner, acknowledge your prerogative in most ample form, as it is contained in the act made thereanent anno 1606; and withal to consider, that the long experience, and incomparable knowledge that your royal father had in matters of government, as well in church as in commonwealth, is the very cause expressed in the act anno 1609, for the which power was given thereby to his majesty to prescribe apparel to churchmen; and since, in all the time of his government and life, for the space of sixteen years thereafter, he did forbear to command any change in their former habits, we are bold to presume, that in his great wisdom, he thought fit, that their apparel used in the time of divine service, ever since the reformation of religion to the time of his decease, and to this day, should be continued, as decent in the church, and as most agreeable to the hearts and minds of his good subjects in this nation. We do also beseech your majesty to consider, that under the act entitled "A ratification of the liberties of the church, &c. ratifying the assembly at Perth," in the parliament 1621, was declared to be comprehended; that most part of us, being then in parliament, did oppose the same; that experience had shewed how much these articles of Perth hath troubled the peace of the church, and

occasioned innumerable evils and distractions in it; that there is a general fear of some novation intended in essential points of religion, and that this apprehension is much increased by the reports of allowance given in England for printing of books stuffed with popery and arminianism, without censure, and by the admission of diverse papists to the parliament, and upon the articles, who by the laws of this realm, can be no members of any judicatory in it: That most of the minds of your good people being in this perplexity, your supplicants had great reason to suspect a snare in the subtle conjunction of the act made anno 1609, concerning apparel, with that 1606, anent your royal prerogative, which, by a sophistical artifice, should oblige us either to vote undutifully in the sacred point of prerogative, or unconscionably in the point of church novations, which blessed king James would never have confounded, as appeared evidently in the parliament 1617, honoured with his presence, where his majesty having, by the bishops' instigation, urged and passed in articles a ratification of his prerogative, enacted in the parliament 1606, with addition of a clause authorising all things that should hereafter be determined in ecclesiastical affairs by his sacred majesty, with consent of a certain number of the clergy, to have the strength and power of a law. When this came to be heard in open parliament, his majesty gave order to read only the rubric of it; and there compassionating the tender affections of his subjects (fluctuating by that occasion betwixt love and fear) declared, that it was his princely will and pleasure, for reasons known to himself, to have that act suppressed, (although past in articles) because his sovereign prerogative, being of itself inviolable, was already established sufficiently; and in the depth of his wisdom, he thought it fit absolutely to prefer the peace of the church to the appetite of churchmen: And seeing we do presume that none of these things, lawfully rejected at the reformation of this kingdom, should be introduced again, without consent of our clergy lawfully assembled, and fearing that a forcible introduction thereof would diminish in the hearts of many loyal subjects that affection to your majesty, which is founded in their opinion of your goodness and wisdom, we did therefore dissent from the foresaid acts, as imposing a servitude upon this church,

and giving a ground for introducing therein other new indefinite devices. We do farther beseech your majesty to consider, that the supplicants could have represented, that albeit, in the convention of estates of this kingdom annis 1625 and 1630, promise was made of the remedy of the heavy grievances of your people, and the persons chiefly intrusted in the said conventions undertook to acquaint your majesty therewith, and procure help of the same by your authority, or in your first parliament, yet there hath been no notice taken thereof at this time; and that your majesty's prohibitions of meetings of the nobility amongst themselves, or with the commonality, upon the articles, may seem against the constitution of a free parliament under such a just and lawful prince, and that before the year 1609, the nobility did always choose of their own rank to be upon the articles, and that the meetings of the gentry (peradventure to have represented to your majesty the unspeakable suffering of our country, by the abuse of coin, and increase of theft and oppression in diverse parts thereof, and other things worthy of your majesty's consideration) were in your majesty's name interrupted, and the humble supplications of the ministry to your majesty and estates in parliament have been suppressed; and that the bishops did very undutifully, and bred a suspicion of their evil ends, in choosing noblemen upon the articles, known to be either popishly affected, or, for the most part, of small knowledge of the estate and laws of our country: And albeit your majesty was graciously pleased, by your former and latter speeches in the parliament-house, to declare, that your majesty had no purpose at this time to lay any burden upon this nation, according to the wise counsel of king James in his Basilicon Doron, treating of the right use of subsidies, and according to the several proclamations, bearing, that the course taken by your revocation for settling of the patrimony of the crown, was, that your majesty should not be burdensome to your people, albeit the present condition of your subjects is worse, and the patrimony of the crown greater than when king James I. remitted to his people a great part of the taxation granted even for that good king's ransom; and although your majesty knows that none but men, either presumptuous of their knowledge, or senseless in themselves

will adventure to trust their first conceptions in matters of so great importance, as are the conclusions of a parliament, notwithstanding we could, for these and other reasons, (which would have found respect enough, as well amongst members of parliament as among your majesty's other good subjects) have refused to yield to the taxations now granted, yet have we, (without so much as inquiring into the reasons for which so huge taxations have been now granted) all as one man, consented even to all the acts made by the lords of the articles thereupon, without representing how the former have been, or craving that these may not be bestowed upon diverse parties, whose wastes and wants your good subjects are not obliged to supply; without so much as remembering the promise made by him who was commissioned in parliament 1621, that the taxation of annual rents first then granted here, should not be continued any longer than the terms of payment then condescended on, without telling that these subsidies are like to afford more matter of debate betwixt your subjects and your treasurer, and process, than matter of profit to your treasury; without putting your majesty remembrance of the importunity you have suffered by diverse men's ambition for places in the session, which none have hitherto refused or renounced, by reason of the small fees due to them, and without contradicting the exception of your officers' pensions or alleging their fees to be as sufficient for the dignity of their places now, as they were before your majesty's father succeeded to the crown of England.

“ These things have we done, and forborne to do, to testify our ingenuous affections to your majesty, and our obsequious resolutions to give you full content in everything that maketh not a breach in our religion and laws, or occasioneth no offence to the weaker sort in the way of God's worship here established, albeit we were not acquainted with any of these statutes before their public voting in parliament. We are therefore confident that your majesty, taking the premises to your consideration, will be unwilling, upon any suggestion of such as are in hope to be sharers in our voluntary contributions, to introduce, upon the doctrine or discipline of this your mother church, anything not compatible with the honour thereof, and your good people's conscience, other than

hath been by acts and public practice of this church.”

The parliament being up, the king continued his progress from Edinburgh to Linlithgow palace, upon the first of July, where he stayed one night; from thence he went to Stirling, and stayed two nights. He next visited the abbey of Dunfermline, the place of his birth; on which occasion he carried his resentment against the earl of Rothes and lord Lindsay very high. The former as sheriff of Fife, and the latter as bailie of the regality of St. Andrews, had convoked their friends and the gentlemen of Fife, to the number of about 2000 horsemen, in their best equipage, and waited on the border of the shire, in the way where his majesty was to have passed, there to have welcomed him to their county. But though the king had kindly accepted the like compliment on his entry into other counties, he slighted the above two lords and their followers, and took a by-road to Dunfermline. From that he removed to his palace at Falkland, and from thence to Duplin in the neighbourhood of Perth, where he and all his court were magnificently feasted by George earl of Kinloun, lord chancellor. From Perth his majesty returned two nights to Falkland, where he had been formerly three; and, upon Wednesday the 10th of July, he returned to Edinburgh by Burntisland, when an accident happened which was like to have proved very fatal.¹

As the day was fair, and the weather serene, the king and his company intended to have come over in boats; but, ere they were got half way, there arose a storm of wind and rain, which, though of short continuance, having spent itself in less than half an hour, put his majesty's life in great jeopardy, and with great difficulty he got to his own ship, which waited in Burntisland road; but another boat, wherein were a number of his servants, with some plate and money, perished in his sight, without having it in his power to relieve them.²

While the king was in Scotland, he

¹ Balfour, p. 465. ² Ibid & Collect. p. 522.

dubbed fifty-four knights on several occasions; and, to honour his coronation, first parliament, and place of his birth, he created one marquis, ten earls, two viscounts, and eight lords,¹ which were these, viz.

Marquis:—William earl of Angus created marquis of Douglas.

Earls:—George Hay, viscount Duplin, lord chancellor of Scotland, created earl of Kinnoul; William Crichton, viscount of Ayr, lord Sanquhar, created earl of Dumfries; William Douglas, viscount Drumlanrig, earl of Queensberry; William Alexander, viscount Canada, lord Alexander of Menstrie, principal secretary for Scotland, created earl of Stirling; John Bruce, lord Killoss, created earl of Elgin; David, lord Carnegie, created earl of Southesk; John Stuart, lord Traquair, created earl of Traquair; Sir Robert Ker, created earl of Ancrum, lord Nisbet, Long-Newton and Dolphington; John, lord Wemyss, created earl of Wemyss and lord Eleho; Alexander Ramsay, lord Ramsay, created earl of Dalhousie.

Viscounts:—Sir John Gordon of Lochinvar, created viscount Kenmure, and lord Gordon of Lochinvar; Sir Robert Douglas of Spot, created viscount Belhaven and lord Douglas of Spot.

Lords:—Patrick Oliphant lord Oliphant; Sir James Livingston, second brother to Alexander earl of Linlithgow, made lord Almont; Sir James Johnston lord Johnston; Sir Alexander Forbes lord Pitligo; Sir David Lindsay lord Balcarras; Sir John Fraser of Mucheles lord Fraser.

His majesty did likewise compliment the common people by touching about a hundred persons that were troubled with the king's evil, and putting about every one of their necks a piece of gold coined for the purpose, hung at a white silk ribbon. But no better effect flowed from it.

Those favours had the desired effect—to prevail with several to concur with the king's measures, at least not to oppose them at this time; yet others, and

those too the greatest numbers, were so touched with the conclusions of the late parliament, that they could not dissemble great dissatisfaction with his majesty's behaviour on that occasion.² This the king took notice of; and seeming surprised that those who had so lately shewed so much respect and love to him should be so suddenly alienated from him, Mr. Leslie, bishop of the isles, answered more forwardly than wisely, that the Scots' behaviour to his majesty was like that of the Jews of old, who one day saluted Christ with their hosannas, and the other day cried, Crucify him. But others observed more justly, that the Scots were a people the most careful of any in the world to please their sovereign while he supported their religion and liberty, and that, how soon as he opposed or infringed upon these, no people were more ready to resent the same than they.

The 18th of July, the king and all his retinue set out for Edinburgh, and when they came to Berwick his majesty left them, without a farewell, and rode post, with forty of his most necessary servants, to Greenwich, where his queen then lay, and was the first who brought her a particular account of his progress to Scotland.³

The 13th of October following, the queen was delivered of a second son, who was called James, and was afterwards created duke of York, and made the rod wherewith God punished these guilty nations.

Nigh about this same time the good archbishop Abbot died, and was succeeded in the see of Canterbury, by Laud bishop of London,⁴ of whom it may be said, as of old it was said of Boniface—*Intravit ut vulpes, regnavit ut leo, obiit ut canis*, "He came in like a fox, he reigned like a lion, and died like a dog." It was reckoned, that if this man's religion had been divided into four, two parts were arminianism, the third part popery, and scarce a fourth part protestantism. For evidence of this, the reader

² Hist. Church and State, p. 16.

³ Balfour, p. 467.

⁴ Rapin, b. xix.

¹ Balfour, p. 466.

may consult the learned principal Bailie's book, entitled *αποκα τακρσις Laudensium*; one or two instances only shall be here condescended on, because we have not found them any where else. This prelate being at Perth with his majesty, the magistrates there presented him with the privilege of their burgh, and, as was the constant custom, exacted his oath for the true religion; but he shifted it, saying, It is my part to exact an oath for religion from you, rather than you to exact it of me.¹ The other instance happened at Dunblane, where, visiting that cathedral, and a byestander observing that it was more beautiful before the reformation, the bishop said, "Why, fellow, do you call it reformation? you should say deformation;" accounting, it seems, the demolishing of some churches at that time, a greater evil than the banishing of popish ignorance and superstition, and the pure preaching of the gospel, was a blessing.²

As the archbishop had the king's ear formerly, he now had his authority to manage all ecclesiastic affairs at his pleasure;³ and under a pretence of a tender regard to the interests of religion, he prevailed with the king to do many things which his majesty's best friends could never vindicate. At this time, the least speaking against the proceedings of the court, or ceremonies of the church, was punished with pillorying, slitting of noses, burning on the cheek, cutting out of ears, scourging, and the like; and many, to evite these, were glad to undergo banishment to New England, or other foreign parts.

The presbyterians' dislike of any thing was a sufficient reason with the court strenuously to support it; and now, as if the nature of good and evil had varied with the times, the king supported wakes,⁴ (*i. e.* as N. Bailey explains them in his dictionary, night-dancings, which generally terminated in drunkenness, vigils for the dedication of churches, country feasts, &c.) and revels, (*i. e.* as

the same author explains it, dancing, masking, dicing, acting comedies or farces, &c.); and the lord chief justice Richardson, and baron Denham, having, in their circuit through Somersetshire, made an order that those revels should be suppressed on Sunday, the chief justice was, by Laud's influence, reprimanded for it before the council-board, and enjoined to revoke the order made at the assizes. And because the presbyterians did, nevertheless, forbid their servants to attend those revels, the king, upon the 18th of October, renewed and confirmed the proclamation published by his father, allowing public recreations after divine service upon Sundays and other holidays, such as vaulting, leaping, may-games, morris-dances, &c. and commanding that the people should not be troubled or molested for so doing, under severe penalties.

The fears of popery were also much talked of at this time; and the grounds of this opinion were, 1. The king's great condescension to papists, and promoting several of them to the highest posts. 2. The king's great complaisance to his queen, who was a papist, and very zealous for her religion. 3. The furious oppression of presbyterians. 4. Arminianism, the harbinger of popery, was openly countenanced by the court. 5. The greater suspicion any had of these, the more resolute were the church leaders to urge and support their rites and ceremonies, as if religion must have fallen with them. 6. New additions were made to all their former rites, some of which have been already taken notice of, and therefore it is unnecessary to repeat them.

To these we only add, that upon the 8th of October, the king sent the following articles for his chapel royal in Edinburgh, directed to Mr. Ballantyne, bishop of Dunblane, and dean of the said chapel.⁵

"CHARLES R. I. Our express will and pleasure is, that the dean of our chapel that now is, and his successors, shall be assistant to the right reverend father in God, the

⁵ Rapin, b. xix.

¹ Row, p. 182.

² Ibid.

³ Hist. Church and State, p. 17.

⁴ Rushworth, vol. ii. p. 193.

archbishop of St. Andrews, at the coronation, so often as it shall happen.

"2. That the book of the form of our coronation, lately used, be put in a little box, and laid into a standard, and committed to the care of the deans of the chapel successively.

"3. That there be prayers twice a-day, with the choir, as well in our absence as otherwise, according to the English liturgy, till some course be taken for making one that may fit the custom and constitution of that church.

"4. That the dean of the chapel look carefully, that all that receive the blessed sacrament there receive it kneeling; and that there be a communion held in that our chapel the first Sunday of every month.

"5. That the dean of our chapel that now is, and so successively, come duly thither to prayers upon Sundays, and such holidays as that church observes, in his whites, and preach so whenever he preacheth there; and that he be not absent thence but upon necessary occasion of his diocese, or otherwise according to the course of his preference.

"6. That these orders shall be our warrant to the dean of our chapel; that the lords of our privy council, the lords of the session, the advocates, clerks, writers to the signet, and members of our college of justice, be commanded to receive the holy communion once every year at least, in that our chapel royal, and kneeling, for example's sake to the kingdom. And we likewise command the dean aforesaid, to make report yearly to us how we are obeyed therein, and by whom: As also, if any man shall refuse, in what manner he doth so, and why.

"7. That the cups which are consecrated to our use be delivered to the dean, to be kept upon inventory by him, and in a standard provided for that purpose, and to be used at the celebration of the sacrament in our chapel royal."

Besides these articles the king wrote a letter to the dean, ordering him to certify to the lords of the privy council, if any of those appointed to communicate in his chapel royal did not perform these articles, to the end such order might be taken as his majesty had appointed by his former letters.

"Hence," says Rapin,¹ "it is visible, that not only the whole council of Scotland, but also those who were in public employments and court-places, were prepared to conform to the church of England, otherwise they would not have been employed, nor continue in their post." No doubt it was with the king intended to begin, that, as he said himself, they might serve for example to the rest. Yet, according to Mr. Row,² who may be presumed better acquainted with this fact than Mr. Rapin, there were but few, either of privy council or college of justice, that did conform to this order. And another of my authors condescends upon the number and names of all the compliers, of which he reckons six lords of privy council, seven lords of session, two advocates, one writer to the signet, with the clerk to the bills, and two young lords.

Yet the bishops' zeal was noways cooled by this disappointment: they failed not to send up to Canterbury a list of those who did not conform; and the ministers of Edinburgh were no less earnest to procure conformity from their people; and three of these, viz. Messrs. Sydserf, Mitchell, and Ramsay, were so vehement, that they spared not publicly to accuse non-conformists of ignorance, hypocrisy, &c., and threatened those with their anathemas who would not comply, yet could they not prevail with all their rhetorications.³

We conclude the year 1633 with an account of two incidents which did much engross the conversation at that time.⁴ Upon Wednesday the 6th of February, there was such a tempest of wind from the south, as blew up trees by the roots, and so demolished castles, churches, and houses, that the like had not been known to that age; and, which was yet more marvellous, the moon, though in her first quarter, set not, but was seen from the Wednesday to the Thursday at even; and the sea, about Leith and those coasts where our author resided, did neither

¹ Rapin, b. xix.

² Hist. p. 283. Collect. p. 538.

³ Ibid. p. 536. ⁴ Ibid. p. 490.

ebb nor flow all that time; a phenomenon which, no doubt, baffled the art and skill of the most intelligent to assign the true cause. The other incident was a very accidental and surprising slaughter, which fell out, in the north-country about the middle of August. The laird of Dunquinty, a second cousin to the marquis of Huntly, with his eldest son, and some of their acquaintances, having gone out to the hunting, and perceiving some persons in Highland habit lying upon a hill side, whom they suspected for rogues, they shot at them, and slew one of them. Upon this the rest started to their feet, and, being likewise possessed of arms, they shot at and killed Dunquinty and his son, and their company; after which they cut off their own slain man's head, stripped the body, and carried away the head and clothes with them, without ever being known to any mortal.¹

1634. While the king was in Scotland, he erected a new bishopric in Edinburgh, and nominated one Mr. William Forbes, who had been once minister in Edinburgh, to be their bishop. Accordingly Mr. Forbes had a form of election by the chapter, and, upon the 28th of January, in the year 1634, he was solemnly consecrated, in the chapel royal, in presence of the two archbishops and five other bishops.²

For him the king ordered the middle wall in St. Giles, which divided the little kirk from the greater, to be taken down, and that spacious building to be made a cathedral; and, though this was depriving the city of so many of their churches, without making any provision for their relief, yet the obsequious council of the town gave orders to take down that partition; and it was done, to the great grief of the numerous inhabitants, who were already too poorly provided with churches.

Bishop Forbes being thus settled, he had his first sermon in St. Giles upon the first Sabbath of February; and, as the auditory was great, he was not able to extend his voice to one-third of them;

but what he could not do by his preaching he resolved to supply by writ, and to urge conformity with all rigour:³ For this purpose he sent his instructions to the several presbyteries within his diocese; and, upon Wednesday the 5th of March, the presbytery of Edinburgh being convened, their moderator communicated unto them the bishop's letter of that date, of the following tenor.

“BELOVED BRETHREN,—It is not unknown to you what evil effects this long-continued schism brings forth in our kirk; all good Christians among us are touched therewith, and so they should, but none more than you, whose calling in particular is to keep Christ's body from renting, and to build up the breaches thereof: Herefore I desire you earnestly to think upon all good means for bringing back our peace; and being persuaded, that, for the present, one of the most powerful means will be your conformity, in your own persons, to the laudable acts of our church, in giving the sacraments,—I require you, by thir presents, that ye all, who are the brethren of the exercise of Edinburgh, fail not to give the communion, this next ensuing Pasch day, which will be the 6th of April, every one of you, in your own churches; and that ye take it yourselves upon your knees, giving so a good example to the people, and likewise that ye minister the elements out of your own hands to every one of your flocks. I have desired the moderator to cause you signify your consent thereto by writ in a paper, which he shall present unto you, that ye put your names thereto, and report me an answer within fourteen days; certifying you, that whose names I find not in the writ, I will take them as refusers to conform, and maintainers of our schism, against whom I will be forced to proceed with ecclesiastical censures, seeing both ye had so long time to inform yourselves, and also many of you are bound to conformity by your promise and oath at your entry to the ministry. I desire you likewise, whenever ye administer the sacraments after this, to admit none to it but those of your own parochin, for the want of which there has been great profanation of that holy mystery; and for this cause I have willed you to give it alto-

¹ Collect. p. 530.

² Row, p. 233.

³ Row, p. 233, 234.

gether at one time; and I pray you see to this, for the breach of it I account as worthy of censure as the other. And, last of all, I require you to preach of Jesus Christ his passion for our redemption upon the Friday before Pasch, and that according to the canon of our church. So, expecting your answer, I commit you to God's best blessings and rest,—GULIELMUS EDINBURGH."

The consent required by that letter, and which seems, by the tenor of it, to have been written upon the back of the letter, did run thus.

"EDINBURGH, 5th March, 1634.

"The within written letter being produced, from the right reverend father in God, William bishop of Edinburgh, we the brethren of the presbytery thereof undersubscribe, and obliges and promises to obey the whole contents of the said letter, by thir presents, subscribed with our hands, day, year, and place above-written."

This consent was accordingly signed the same day by Messrs. Thomas Sydsersf, Andrew Ramsay, Alexander Thomson, Harry Rollock, David Mitchell, James Fairly, William Wishart, James Hanna, William Myrtoun and John Adamson: Four others took it to advisement; but Messrs. William Arthur at Westkirk, and James Thomson at Hales, (*i. e.* Collinton) refused flatly to come under any such consent.

The other presbyteries were not so pliable as that of Edinburgh: few in any of them would comply, and some presbyteries rejected it unanimously; particularly the presbytery of Greenlaw did distinguish themselves upon this occasion; for, not content with simple disobedience to the bishop's orders, they, by Mr. David Hume their moderator, sent him their reasons subscribed, why they could not give obedience; and in end they warned him, that the Lord's wrath would certainly overtake him if he persisted in such a vehement urging of ministers to do that whereof they had no warrant from God's word, neither could be answerable for it to God and their own consciences, but were sufficiently persuaded to the contrary.

The people of Edinburgh were likewise threatened with the bishop's thunder; for he perceiving, by their behaviour the first Sabbath the communion was given there, that they were not so condescending as he looked for, he promised, if life was continued, either to make the best of them content to communicate kneeling, or to quit his gown; and who doubts of his intention to have done as he threatened?

But the bishop soon found that he had reckoned without his host; for, before he could accomplish those his wicked designs, God was pleased to cut him off, upon the 12th of April following, with a vomiting of blood, after he had enjoyed his new-coined dignity only about two months and a half.

"His way of life," says bishop Burnet,¹ "was thought monastic, and his learning lay in antiquity. He studied to be a reconciler between papists and protestants, leaning rather to the first, and died suspected of popery." Mr. Row makes no bones of saying, that this bishop's principles were a hotch-potch of popery and arminianism. But Mr. Thomas Sydsersf, who made his funeral sermon, gives him a quite different character. He extolled him above John Baptist, and compared him with Jesus Christ in several particulars.

And it was very possible Mr. Sydsersf thought so: for though, before the bishop's consecration, he was a mighty stickler for prelacy, and the dependencies of it, these were little to the proficiency he made under the bishop's instructions, and the droppings of the royal bounty; for being now made dean of the chapel royal, he learned to teach, that the pope is not antichrist; that a papist, living and dying such, may be saved; that ministers' doctrine should not be examined by people, but seeing they watch for their souls, as they that must give account, the people should believe as they teach.

In the little kirk also (for as yet the congregation convened there) Mr. David Mitchell taught the principles of univer-

¹ Hist. p. 31.

sal redemption, and supported them to his power; but Mr. Thomson did as openly contradict that doctrine in the great kirk, proving from Scripture, and the unanimous consent of the ancient fathers, that Christ suffered for the elect only.

But lest a fat benefice should lie too long vacant, it is full time to observe, that Mr. Thomas Sydsersf never slept sound until he got a promise of it; yet, upon information that this man would not be so acceptable to the city of Edinburgh as some other, Mr. David Lindsay, bishop of Brechin, was made bishop of Edinburgh, and Mr. Sydsersf was preferred to the bishopric of Brechin.¹ Both of them were consecrated in Edinburgh, where bishop Lindsay was feasted upon the expense of the city; yet bishop Sydsersf had a feast which exceeded it (if not for plenty and sumptuousness, yet at least) for joy and carousing.

By this time a matter of greater moment than the preferment of a bishop requires our attention. We took notice last year of the designed address of a number of the nobles, and that it was dropped as disagreeable to the king; but one Mr. John Dunmuir, a writer in Dundee, being used by the lord Balmerino with a great deal of familiarity, had so much credit as to be allowed liberty to look into any books in that lord's library; he had transcribed the said petition, and was so inadvertent as to shew his copy to Mr. Peter Hay of Naughton in his way home, who being, as bishop Guthrie calls it, very episcopal, and carrying no good-will to Balmerino, took a copy of it while Mr. Dunmuir slept, and transmitted it to archbishop Spotiswood, as a paper of moment.²

The crafty archbishop wanting no more than a hair to make a tether with, went immediately to London with the petition, beginning his journey, as he often did, upon Sabbath.³ He informed the king, that it was spreading lies of his majesty and his government, and

tended to alienate his subjects from him, which, by act 10, parl. 10, and act 209, parl. 14, king James VI, was declared capital; and that copies of this petition were industriously dispersed by the noblemen who did not favour hierarchical government, that they might thereby render the pastors more unwilling to assume what apparel the kings should think fit to order for them; and the bishops are said to have persuaded the king, that the ministers would have used that apparel willingly, had it not been for such discouragements; but, when they were really assured that the minds almost of all the ministers were averse to every kind of innovation, fearing lest, by this groundless account they had given, they should forfeit the king's favour, they contrived the above calumny, that they might transfer the displeasure due to themselves upon others, and might at once resent the injury which they thought was done them by that writing.⁴ At length, by their importunate solicitations, they prevailed with the king to grant a commission, authorising a few select persons to proceed against the authors and favourers of that petition, as if they were guilty of sedition and lese-majesty; which, when it was notified to Mr. William Haig, who framed the petition, though he was not conscious of any crime meriting death, yet, because he was to have his accusers to be his judges, he first wrote a letter to the lord Balmerino, in which he owned that he drew the petition, without any direction or assistance from him, and then made his escape, leaving my lord to ride out the storm as he best could. Mr. Haig's elopement did not however prevent his being outlawed, and his goods confiscated, nor did his letter to Balmerino secure that lord's life. Balmerino was, after some months' imprisonment, indicted before William earl of Errol, lord constable of Scotland, who, though a noted papist, was commissioned justice-general for that time and purpose, and Mr. Alexander Colvill and Mr. James Robertson, judges, (whom

¹ Collect. p. 555. ² Mem. p. 12.

³ Burnet's Hist. p. 32.

⁴ Crawford, sect. ix. p. 29.

bishop Burnet calls both weak and poor) as art and part of an infamous libel against the present government.¹

The lord Balmerino being brought to his answers, did supplicate, that seeing he was accused by his majesty's advocate Sir Thomas Hope, and the bishops, for a business which concerned his life, honour, and estate, advocates might be appointed to plead for him; which desire, being most just, the lords of privy council appointed him for advocates, Mr. Roger Mouat, Mr. Alexander Person, Mr. Robert Macgill, and Mr. John Nisbet, the last of whom especially was most justly applauded for the part he then acted.

From June the business was delayed until July following, and then it was strongly pled for several days, but by warrant procured by the bishops for a delay, until they had laid their traps surer, that business was delayed until the 10th of November following, at which time there came a warrant from the king, to join assessors to the justice-general, viz. Sir Robert Spotiswood, president of the college of justice, Sir John Hay, clerk-register, and Sir James Learmonth of Balconie, one of the senators of the college of justice.

At last, after much dispute, the court found the criminal libel relevant in these three points, viz. "1. In keeping and concealing the said libel, contrary to acts of parliament and laws of the land, and not revealing the same. 2. In not apprehending of the libeller, being in his power, but furthering his escape. 3. In being art and part of the said libel, as evidently appeared by a copy of the same, interlined with the said lord's hand." And adjudged him to pass to an assize. Much pains, says bishop Burnet,² was taken to have a packed jury; for Traquair, who was chancellor of the jury, had been entrusted by the court with the care of this very process; and some other of the jury were reputed papists, or dependents upon the court. When they were enclosed, Gordon of

Bucky, who was one of them, being then very old, and who, forty-three years before, had assisted in the murder of the earl of Moray, and was thought upon this occasion a sure man, spoke first of all, excusing his presumption in being the first that broke silence.³ "He desired they would all consider what they were about; it was a matter of blood, and they would feel the weight of that as long as they lived. He had in his youth been drawn in to shed blood, for which he had the king's pardon, but it cost him more to obtain God's pardon; it had given him many sorrowful hours both day and night;" and as he spoke this the tears ran over his face. This struck a damp on them all; but the earl of Traquair said, "They had it not before them, whether the law was a hard law or not. They were only to consider whether the prisoner had discovered the contriver of the paper, or not." Upon that strong reasoning ensued betwixt Lauderdale and Traquair; and, in the end, it being put to the vote, Find the pannel guilty, or not, seven of the jury, viz. Moray, Lauderdale, Foster, Bucky, Lagg, Amisfield, and Sir James Baillie, knight, did absolutely acquit him; but other seven, viz. Marshall, Dumfries, Johnston, West-Nisbet, Thorntoun, the sheriff of Galloway, and the viscount of Stormonth, voted him guilty; and so, the bridle being laid upon Traquair's main, he brought him in guilty, being afraid of the bishops (whose pleasure he courted much) to give his voice otherwise, and that noble lord was doomed to die, yet the time of it was left to the king. But it was resolved, either to set him at liberty or to revenge his death on the court and eight jurymen: So Traquair, to save his own life, went to the king, and procured a pardon for Balmerino, which was thought to have put that lord much in the king's reverence. But when he considered what a scandal that trial was upon the justice of the nation, he did not look upon himself as under any obligation on that account.

¹ Hist. p. 33. Balfour, p. 475.

² Hist. p. 33.

³ Hist. p. 35.

This risk, which Balmerino had run, sunk deep in the hearts of those who were of his opinion, and exasperated them against the bishops as the authors thereof; and, says bishop Burnet,¹ the ruin of the king's affairs in Scotland was, in a great measure, owing to that prosecution.

At this time the reformed churches were overshadowed with a cloud of awful providences. The foregoing narrative is a clear demonstration that this was especially the lot of the church of Scotland, and the few following particulars will make it still more evident.

Upon the 28th of September archbishop Laud moved the king to order the framing of a prayer-book for the use of the church of Scotland, and a book of canons for the government of that church, and to impose them by regal and episcopal authority, without consent of parliament or general assembly.²

In consequence of this the bishops of Scotland were ordered to have those matters under their consideration, and to act therein by the advice of the archbishop of Canterbury. Accordingly they set to work, and gave the archbishop a particular account of their proceedings from time to time: yet their progress was but slow. It seems they were not unanimous amongst themselves, and so we hear little more of it for some years to come.

Meantime those submissive gentlemen gave frequent proofs of a disposition resigned to the will of their sovereign, by communicating after the court-fashion, and urging others to do so, observing festival days, and requiring others to observe them likewise; and, to make all sure, they prevailed with the king to order a proclamation to be made, commanding all the lieges to observe those things under the pains of law.³

Yet this prevailed only with time-servers, and those who depended upon the court. The king and bishops were not a whit nearer their purpose; only Satan's design was so far gained, that it

produced greater divisions betwixt those who conformed, and those who did not, made the breach still wider among church-members, and laid a foundation for new rigour against the recusants.

Other circumstances in our lot appeared also very gloomy. About five or six worthy ministers, who had never complied with the corruptions of the time, were, within a year bygone, or thereby, carried off by death, as was likewise the viscount of Kenmure, of a consumption, upon the 12th of September.⁴

During this noble lord's last trouble, he was laid under a deep sense of God's displeasure at him for his sinful compliances with the mischiefs of those times, and did especially bewail, that, for the honour bestowed on him by the king, in creating him a viscount, he had given his vote for him against the liberty and government of the church of Scotland, and consented to the imposition of so extraordinary taxations on the subjects.⁵ He besought those who visited him, to make his deep regret known, as well for the conviction of those who complied with him, as the encouragement of others who did not; and, through the divine blessing upon the means of his conviction, especially upon the instructions of holy Mr. Rutherford, who attended him in his last sickness, he obtained the victory, and yielded up his spirit, extolling and magnifying the rich mercies of God, who, notwithstanding of so great offences, had made him a sharer of his rich grace, and given him assurance of salvation through the merits of Jesus Christ, his Saviour, as that nobleman's life, several times printed as a necessary monitor to the living, reports at more length.

This year there was great appearance of scarcity and want of provisions over all the nation. The spring was cold, and there was no rain during the months of April and May, which in many places prevented the spring of the seed; yet, the summer being very hot and pleasant, the harvest was tolerably good, but the

¹ Hist. p. 36. ² Crawford, sect. ix. p. 31.

³ Collect. p. 555, 562, 573.

⁴ Collect. p. 561.

⁵ Ibid. p. 557.

following winter was the most tempestuous and stormy that had taken place in Scotland for sixty years past, with such abundance of snow, that, in many places, the beasts, both tame and wild, were overthrown, and the flocks of sheep in the lowlands, and the goats in the mountains, were mostly destroyed.¹

In England affairs were at this time in such a situation as seemed greatly to precipitate the ruin of religion there. The archbishop of Canterbury laboured not only to impose the English liturgy and discipline upon their own companies for trade in foreign parts, and upon the regiments sent to protect them, but also upon the churches of the Dutch and French Protestants settled in England.² Great offence was likewise taken at his bowing towards the altar, using of copes at the sacrament, and setting up of pictures in the windows of his chapels at Lambeth and Croyden, which were constructed to have a near resemblance to the Roman missal; and great severities were used against those who would not passively concur with the courses of that time, which forced multitudes into a voluntary exile.

But we will leave England in a hard case, and see how it fared with the church in Ireland. This year a canon was passed, in the convocation there, for an agreement between the churches of England and Ireland, in the profession of the articles of religion agreed upon in the English convocation held at London in the year 1562, and now, having received new strength, the force of the managers, especially of the bishops, Leslie of Down, and Bramble of Derry, was turned against our eminent countrymen, the famous Messrs. Robert Blair, George Dunbar, John Livingston, James Hamilton, John McClellan, and several others. Most of those men had been deposed in the year 1632, and were, from a political motive, reponed in May this year; but, at the end of six months thereafter, they, refusing to conform, were again deposed, and, to prepare the

way for their being outlawed, they were excommunicated, exposed to extreme hardships, and, in the end, they agreed to transport themselves to New England;³ but God, who had appointed their times, and the bounds of their habitation, willed otherwise: and, after they had sailed about half way, the ship wherein they were embarked was obliged to put back to Ireland, from whence they returned to their native country about the end of the year 1636, where they shortly found that God had provided for their being both profitably and comfortably employed.

Nor were protestants in a much better state in foreign parts. In Germany, the Swedes being defeated, and their general Gustavus Horn taken prisoner, in the battle at Norlington fought betwixt them and the imperialists under the command of the duke of Lorraine, the protestants there were again left exposed to the rage of popish tyranny; and in France the free exercise of religion was taken from protestants, and they obliged to commit their children to be educated in popish seminaries.⁴

In these circumstances who would not weep with Zion? Accordingly, the best affected of our Scottish ministers thought it convenient and necessary, at such a time as this, that all who loved the truth should join their prayers together, and cry to God with humiliation and fasting. The times agreed upon were the two first Sabbaths of February, and the six days intervening; and the first Sabbath of every quarter thereafter, until God sent better times. The causes, as they are transmitted to us by Mr. Rutherford,⁵ were these. "1. Besides the distresses of the reformed churches abroad, the many reigning sins of uncleanness, ungodliness, and unrighteousness in this land, the present judgments on the land, and many more hanging over us, whereof few are sensible, or yet know the right and true cause of them. 2. The lamentable and pitiful state of a

³ Salmon, p. 68. Blair's Life, chap. vi. and Livingston's Life, p. 12.

⁴ Crawford, p. 30. Collect. p. 556.

⁵ Letter 17, in part. ii.

¹ Balfour, p. 479.

² Crawford, sect. ix. p. 31.

glorious church, (in so short a time, against so many bonds,) in doctrine, sacrament and discipline, so sore persecuted in the persons of faithful pastors and professors, and the door of God's house kept so strait by bastard porters, in so much that worthy instruments, able for the work, are held at the door, the rulers having turned over religion into policy, and the multitude ready to receive any religion that shall be enjoined by authority. 3. In our humiliation; besides that we are under a necessity of deprecating God's wrath, and vowing to God sincerely new obedience, the weakness, coldness, silence, and lukewarmness of some of the best of the ministry, and the deadness of professors, who have suffered the truth both secretly to be stolen away, and openly to be plucked from us, would be confessed. 4. Atheism, idolatry, profanity, and vanity, would be confessed, our king's heart recommended to God, and God intreated that he would stir up the nobles and the people to turn from their evil ways."

But, while the church was thus going forth weeping, her ordinances were blessed both to ministers and people in different parts, both in Scotland and Ireland. This seems particularly to have been the case in Galloway. "There," says Mr. Rutherford,¹ "Christ opened the people's hearts wonderfully; and in Ireland, when the deposed ministers were reposed for a short space, the people's joy could hardly be expressed, and they made more progress in the ways of God than ever before.

On the 24th of September the town-council of Edinburgh received a letter from the king, containing a list of names, with his majesty's orders to elect those persons their magistrates for the ensuing year, which was obeyed by the submissive council, to the grief of the inhabitants, who were sore vexed with this encroachment made upon the privileges of their city.²

Next month there was a great revolu-

tion in the court of exchequer: The chancellor, with the earls of Mar, Haddington, Winton, Roxburgh, Lauderdale, Southesk, and some of inferior rank, were removed therefrom, and in their places were admitted the two archbishops, the bishops of Ross and Edinburgh, four lords of session, and four barons, with the treasurer, the advocate, and clerk-register.³

And, in the month of December, several of the marquis of Huntly's friends and dependents, who had destroyed the laird of Frendraught's estate, were before the privy council, and six of them were warded in the tolbooth of Edinburgh; upon which great numbers of their friends rose in arms, and burnt and destroyed many places in the north; but they were at length quelled, and some of their leaders punished for the terror of others.

In the year 1635 matters grew worse in Scotland, and is famous especially for the advancement of the clergy, and their secular actions.

Upon the 16th day of December preceding, George Hay, earl of Kinnoull, lord chancellor of Scotland, died at London, and was succeeded in that high office by Mr. John Spotiswood, archbishop of St. Andrews,⁴ who received the ensigns of his office in January this year, a thing most astonishing, most for the man's age, he being very old and infirm, and especially being an ecclesiastic. This office had never been in the hands of a churchman since the reformation; and if we may be allowed to observe it, the example of Christ Jesus in declining to be a judge in civil cases, and prohibiting his disciples to exercise magisterial dominion, should have taught this prelate other manners.

This year, the bishops of Aberdeen and Galloway having departed this life, Mr. Ballantyne, bishop of Dunblane, was translated to the see of Aberdeen, and Mr. Sydserf, bishop of Brechin, to Galloway.⁵ And shortly thereafter, Mr. Walter Whiteford, who had a benefice in

¹ Letters, part iii. p. 42. Blair's Life, chap. vii.

² Collect. p. 558.

³ Collect. p. 560.

⁴ Balfour, p. 479.

⁵ Row, p. 293.

England, was made bishop of Brechin, and Dr. William Wedderburn at Aberdeen, bishop of Dunblane.¹ To all of whom bishop Burnet gives the epithet of aspiring bishops; and bishop Guthrie acknowledges, "That among the bishops whom king Charles preferred, none were generally esteemed gifted for the office except bishop Maxwell, whose parts were accompanied with unbounded pride."²

Another piece of honour put upon the clergy at this time, was the making so many of them in every presbytery, as the secret council pleased, justices of peace for the bounds where they lived;³ yet few, except those who were known favourers of the state and pomp of episcopacy, accepted that office.

About this time it was proposed to provide ministers to abbacies, that so many new lords of parliament should have been erected for the church; and, as a preparative to the rest, a gift of the abbacy of Lindores had well nigh passed the seals: but the nobility, whose estates would have been thereby diminished, did oppose this vigorously;⁴ and Traquair explaining to the king, to whom the rights of so many abbacies did belong, what a vast loss the disuniting thereof from the crown would be to the public revenues, his majesty's mind was quite drawn off from prosecuting that design.

The clergy thinking themselves sufficiently persuaded of the passive disposition of the people, to submit to whatever they would impose upon them, they obtained his majesty's letters patent last year, for a high commission in every diocese, by which any bishop might assume six to himself, and judge any person of whatsoever quality, within his diocese;⁵ whereas before, only archbishops might hold courts of high commission; and this year they began to give life to these commissions. "And," says bishop Burnet, "these courts were

thought little different from the courts of inquisition."⁶

To instance a few particulars. Because Alexander Gordon of Earlston, Esq. opposed the settlement of an intruder in his parish, the bishop of Galloway caused summon him before his high commission, fined him for absence, and passed a sentence against him, banishing him to Montrose.⁷ As Earlston was, by the viscount of Kenmure's tutors, entrusted with the oversight of that lord's estate, the lord Lorn, one of these tutors, and uncle to the viscount, made use of that argument to prevail with the bishop to dispense with the banishment, yet no dealing could move the bishop to pass from the execution of his sentence; yea, when Lorn did afterwards relate that story as a grievance to the council, the bishop gave him the lie, which the nobles took for a very pert affront to their estate.

About this time also, the said bishop deprived Mr. Robert Glendonning, minister at Kirkeudbright, an old man of 79 years of age, and confined him to his parish, because he would neither conform, nor give way to the intruding of an innovator upon his labours.⁸ The like sentence he passed upon Mr. William Dalgleish, another worthy nonconform minister in that county;⁹ and because the magistrates of Kirkeudbright would still hear their minister preach, and the minister's own son, one of the bailies, refused to incarcerate his aged father, the bishop caused imprison him, and confined the other magistrates to Wigton.

In other dioceses also, nonconformists were troubled with prosecutions. Mr. William Livingston, minister at Lanark, for employing Mr. John Livingston his son, to assist at the celebration of the sacrament there, after he had been silenced by the Irish bishops, was summoned before the archbishop of Glasgow's commission court, to deter from such practices in time coming;¹⁰ at which time

¹ Hist. p. 37.

² Mem. p. 16.

³ Row, p. 293.

⁴ Row, p. 294. Baillie, vol. i. p. 6.

⁵ Short Relation, p. 3.

⁶ Hist. p. 37.

⁷ Baillie, vol. i. p. 16. Crawford, sect. ix. p. 32.

⁸ Collect. p. 608.

⁹ Crawford, sect. ix. p. 33.

¹⁰ Row, p. 294.

the good man did, with much wisdom and courage, vindicate himself, and so laid their heinous offences to their charge, that they were glad to be quit of him ; and by the persuasion of some present, the archbishop said he would bear with Mr. Livingston on account of his old age.

Mr. Walter Greig, minister at Balmerino, was, by the archbishop of St. Andrew's orders, likewise summoned before the high commission court ;¹ he had, with the archbishop's own consent, been admitted fellow-helper to Mr. Thomas Douglas, the former incumbent, about fourteen years before that ; and after Mr. Douglas's death, Mr. Greig served that cure, for five or six years, without any molestation, to the great satisfaction of his flock ; yet, because he would not conform, the archbishop objected to him, that he had not received his office lawfully, because he had never received collation from him, and, for that reason, the court ejected him as an intruder, and ordained him to remove from that charge against Pasch then next, with certification, if he failed, farther censures would be inflicted ; and though Mr. Greig offered to instruct that he had the archbishop's consent to come to that place, his patron's and his parish's call to be minister there, and ordination from his presbytery, and urged the low circumstances of his numerous family, having a wife and six infant children, the court paid no regard to these, nor would they in the least abate their cruel sentence.

And in Edinburgh, the bishop of that diocese caused summon John Mein, merchant there, before the presbytery, where he accused him for not attending his parish church on occasion of an anniversary fast, though he had been specially required by the magistrates of Edinburgh to be present upon that occasion.² Mr. Mein answered, that a fixed anniversary fast he did not understand, nor could he see that either fasting or thanksgiving could be observed but as the Lord in his providence pointed out the occasion, otherwise we may be fasting

when God is calling to fasting, or fasting when God is calling to public joy and thanksgiving, yet, after many speeches and several delays, it was thought proper to leave off troubling Mr. Mein any farther upon that account.

As a further evidence of the bishops' great partiality, Lindsay archbishop of Glasgow, summoned one of his commissaries,³ viz. the commissary of Kelso, before himself ; and, though the prosecution was at his own instance, he gave out judgment against the commissary. From this sentence the defender appealed to the privy council ; and, when the appeal came to be moved, the appellant was, it seems, through some mistake, absent at the time : so Spotiswood and Ross urged a present confirmation of their brother the archbishop of Glasgow's sentence ; and there being nine bishops, and only a few other councillors present, the matter was so carried. Yet the lord Lorn, the earl of Traquair, and the laird of Durie, entered a protest, and took instruments, that it was unjust to confirm a sentence wherein the judge and party were the same.

Great part of the remaining memoirs of this year might be filled up with a relation of the chancellor's urging of conformity amongst the members of the college of justice, the endeavours of the ministry of Edinburgh to procure conformity from their people,⁴ the superstitious regard had to such orders by the bishops and their party, and the small respect shewed to them by others. But so much of this sort hath occurred during the former years, that it seems unnecessary to descend to particulars here, farther than to observe, that the habits used by the bishops in communicating, their bowing to the altar, and other rites used by them upon that occasion, were so like Canterbury's inventions practised in England, that our simple well-meaning countrymen thought popery was just at the door.

The power of the clergy being so great, that they carried all before them

¹ Row, p. 295.

² Ibid.

³ Crawford sect. ix. p. 32.

⁴ Collect. p. 576, 584, 585, 592, 600, &c.

like an impetuous inundation, the friends of the reformation could do little more but cry unto God under the weight of their oppression, and many meetings of private christians were set up for this purpose through the land,¹ which animated professors with new zeal, strengthened their expiring hopes, and proved a great eye-sore to the bishops.

While those who feared the Lord were thus employed, their work and labour of love was not forgotten; their cries brought down mercy to them in a few years after that, and to some of them the Lord vouchsafed divine pre-sages of the near approach thereof.

Amongst those who stood thus high in God's favour, the celebrated Mr. Samuel Rutherford gives the clearest testimony to this fact, and it deserves the more to be remembered, that when he writes, as we shall relate, there was no prospect of such a thing, in the view of sense and reason, but, on the contrary, the sufferings he endured in his own person were a living evidence of the low state of the church; and yet hear what he says, September 25, 1634. "I shall never be of another faith; but our Lord is heating a furnace for the enemies of his kirk in Scotland. It is true, the spouse of Christ hath played the harlot, and hath left her first husband, and the enemies think they offend not because we have sinned against the Lord; but they shall get the devil to their thanks, and the rod shall be cast into the fire, that we may sing as in the days of our youth."² And the darker outward providences seemed, the stronger his faith. For in a letter dated July 6, 1636,³ he thus writes to the laird of Earlston, then under suffering—"Sir, to the honour of Christ be it said, my faith goeth with my pen now: I am presently believing Christ shall bring you out; truth in Scotland shall keep the crown of the cause yet; the saints shall see religion go naked at noon-day, free from shame and fear of men. We shall divide Shechem, and ride upon the high places of

Jacob." And though the nearer the approach of the morning light, the darkness was the greater, hear once more what he says, July 8, 1637.⁴ "I write it, (and keep this letter,) utter, utter desolation shall be to the haters of the virgin-daughter of Scotland. The bride shall yet sing as in the days of her youth; salvation shall be her walls and bulwarks. The dry olive tree shall bud again, and the dry dead bones shall live; for the Lord shall prophecy to the dry bones, and the Spirit shall come upon them, and we shall live." For improvement of all, we conclude with a saying of the same happy author; "On-waiting had ever yet a blessed issue, and to keep the word of God's patience, keepeth still the saints dry in the water, cold in the fire, and breathing and blood-hot in the grave."

What more remains of the annals of this year afforded matter for mourning, lamentation, and woe.⁵ The former year was attended with great scarcity, but this was the worst which had been seen by that age: the fiar was ten pounds Scots the boll of meal and bear, which sum may be admitted of double value in those days to what it is now, but several of the clergy, to the shame of them all, charged for twelve pounds Scots, and above.

There was likewise a great mortality about this time amongst all sorts, especially young children.⁶ Several of the nobility also died this year, as William Keith earl of Marshall, John Erskine earl of Mar, and Robert lord Melville, the second who did bear that title; and, in harvest, the plague did break out in Cramond and Borrowstounness, brought thither, as was supposed, by some Dutch ships. Several died of it in each of those places, and such devastation was expected to have fallen out by it as the sins of that generation deserved; but, contrary to all men's expectations, no worse effect followed than those we have already noticed.

Nor were matters in a better situation

¹ Row, p. 292. ² Letters, part iii. let. 32.

³ Ibid. part ii. p. 24.

⁴ Letters, part. iii. let. 33.

⁵ Baillie, p. 4.

⁶ Balfour, p. 479.

in England.¹ Conformity was pressed with so much rigour there, that a minister was censured in the high-commission, for saying, in a sermon, that it looked as if the night did now approach, because the shadow was so much longer than the body, and ceremonies more in force than the power of godliness; and, adds bishop Burnet,² "all that came down from court complained of the king's inexorable stiffness, and of the progress popery was making, of the queen's power with the king, of the favour shewn to the pope's nuncios, and of the many proselytes who were daily falling off to the church of Rome."

1636. We began the last year with relating the promotion of a bishop to the highest dignity next to the king himself; and such was the unbounded ambition of Maxwell bishop of Ross this year, that it did not content him to be a lord of the secret council, a lord of exchequer, and an extraordinary lord of session, but he behoved also to be lord high-treasurer upon Morton's dismissal.³ Howbeit, the nobles being already incensed with Spotiswood's promotion, they concurred in asking that place for Traquair, and he obtained it in despite of the clergy, and was ever after a thorn in their side.⁴ Bishop Maxwell being thus frustrated, he intended to complain of Traquair to the king, and set out for that purpose; but the treasurer, who was already at court, thought it best to throw a bone in his teeth, and, in presence of Mr. Maxwell of the bed-chamber, the bishop's friend, he had the influence to procure for the bishop a pension of L.200 sterling per annum.⁵ By this time Ross was come up, but, being informed how Traquair had befriended him, there was no more heard of his complaints above board.

Sed magnatum ire sunt immortales. Ross being thus disappointed, he solicited the breaking up of the commission for teinds, as a thing most prejudicial to the clergy, and as an annihilation of the

teinds, except what portion of them is allotted for ministers' stipends; and he did so far succeed in his design, that the king's order to discharge that commission was enclosed in a letter for the secret council, and given to Traquair to carry; but Traquair, getting a hint from the secretary of what he carried unawares, made such remonstrances against that order, as determined the king to refer to his Scottish council, whether that court ought to be continued or not; so with that posterior order Traquair came home, and, before ever Ross knew of it, prevailed upon the most part of the secret council, and even upon several of the bishops themselves, to give their opinion for the continuance of that court. This opinion he transmitted to the king, and thereupon obtained his majesty's warrant for the sitting of the commission for teinds; which was thought the greatest affront that ever Ross had got, and blunted his courage very much.⁶

Besides the greatest part of the nobility, both here and at court, Traquair won a part of the bishops to his interest; Brechin, Moray, and even Galloway, were at his devotion; and the chancellor wasso frightened for the detection of some of his own practices, that he durst make very little opposition; but the archbishop of Glasgow was most pitifully abused by him.

After that prelate had, with much difficulty, procured the king's gift of the annuities within his diocese, Traquair found means to frustrate him, and put those annuities into his own pocket; and after that he acted a worse part to him: for, the archbishop having made a great ado with the town of Glasgow, both that his revenues might be disburdened of their ministers' stipends, and that he might have a certain acknowledgment, which he pretended right to, from every householder, Traquair obtained to the town a confirmation from the crown of their patronage of the Blackfriars and Laigh kirk, and other rights challenged, to the inexpressible grief of the archbishop.

¹ Crawford, sect. ix. p. 33. ² Hist. p. 33.

³ Guthrie's Mem. p. 17.

⁴ Baillie, vol. i. p. 6.

⁵ Crawford, sect. ix. p. 32.

⁶ Baillie, vol. i. p. 6.

Others of the nobility also were but back-friends to the bishops; there were not wanting some such at the king's own elbow. Bishop Guthrie alleges,¹ "That, albeit all professed for them, yet, under-board, most of them wrought against them, being partly led on by the treasurer, and partly irritated by the younger bishops' pride, and their too much meddling in state affairs." But we come now to relate a few of the other occurrences of this year; and of these the sufferings of the renowned Mr. Samuel Rutherford, at this time minister at Anwoth, and afterwards professor of divinity at St. Andrews, claim the first place.

As early as June 1630, Mr. Rutherford was summoned before the high commission, when, the weather having been so tempestuous as to obstruct the passage of the archbishop of St. Andrews, and Mr. Alexander Colville, one of the judges, having befriended him, the diet was deserted, and the summons passed from for that time.² Again, in April 1634, we find him soliciting for the lord Kirkeudbright's influence to screen him and Mr. Dalgleish, a neighbouring minister, from the fury of a prosecution at the bishop of Galloway's instance before the high commission, with which that prelate had threatened them:³ And, by another letter about this time, he writes from Edinburgh, that, though every presbytery day he saw the faces of his brethren smile upon him, yet their tongues conveyed reproaches and lies of him a hundred miles off, and had made him odious to the archbishop of St. Andrews. Nor were these threatenings all the reason Mr. Rutherford had to lay his account with suffering. As the God of Abraham would not hide from that his faithful servant the thing which he did, so neither would he conceal from this son of Abraham his purpose concerning him; for, by a letter to Marion M'Naught, spouse to the provost of Kirkeudbright, an eminent Christian in

those days, dated the 20th of August 1633,⁴ Mr. Rutherford acknowledges, "That, upon the 17th and 18th of that month, he got a full answer of his Lord, to be graced minister, and a chosen arrow hid in his quiver." Accordingly, the thing which he looked for came upon him: In June this year, he was summoned before the high commission court, and accused by the bishop of Galloway for nonconformity, for preaching against Perth articles, and for writing a book, intitled, *Exercitationes apologetice pro divina gratia*, which they alleged did reflect upon the church of Scotland; but the truth was, the arguments in that book did cut the sinews of arminianism, and galled the episcopal clergy to the quick, and therefore bishop Sydserf could no longer abide him.⁵ When Mr. Rutherford came before the high commission, he declined their jurisdiction, and would not give the chancellor, being a clergyman, nor any other of the bishops, their titles; yet some had the courage to befriend him, and particularly the lord Lorn did as much for him as was within his power; notwithstanding, the bishop of Galloway having threatened to write to the king if he got not his will of him, the affair was carried against Mr. Rutherford, and he was deprived upon the 27th July, discharged to exercise any part of his ministry within Scotland, under the pain of rebellion, and ordered to confine himself, within six months thereafter, to the city of Aberdeen and its neighbourhood, during the king's pleasure;⁶ which sentence he obeyed, and the letters which he wrote thence make it evident that the consolations of the Holy Spirit did greatly abound to him in his sufferings.

At this time also worthy Mr. David Dickson's ministry at Irvine did hang by a small thread: He had, as we noticed in the Introduction, been reponed to it by the favour of the earl of Eglinton, and was under no small restraint in the

⁴ Letters, part iii. letter 27.

⁵ Row, p. 297. Baillie, vol. i. p. 8; and Crawford, sect. ix. p. 33.

⁶ Rutherford's Letters, part iii. letter 36, and part i. letter 51.

¹ Mem. p. 17.

² Letters, part ii. letter 3.

³ Ibid. part. iii. letter 31.

discharge of the duties of his office ;¹ yet, when Messrs. Blair, Livingston, and the other ministers under the lash of the Irish prelates, came over to Scotland, Mr. Dickson both gave them kindly reception, and employed them to preach for him, which greatly incensed the arch-bishop of Glasgow against him, so that the continuance of his liberty was despaired of ; yet his adversaries were kept back from the execution of their threatenings, and he in possession of his Lord's house, until his return to it a little more than a year after this.

In November following, the school-master of Kirkcudbright, brother to Mr. Samuel Rutherford, being a nonconformist, and, as the bishop of Galloway alleged, a great fomentor of the opposition made to conformity in that place, was summoned before the high commission, and commanded to resign his charge immediately, and to remove from Kirkcudbright betwixt and the term of Whitsunday then next.²

This month was likewise memorable for two other occurrences which fell out in it : Upon the 7th the plague broke out at Prestonpans, a sea-port six miles eastward from Edinburgh, which struck great terror into all, especially the neighbouring inhabitants. But after God had, by the death of a small number, shewed what he could do with the rest, he was pleased to rebuke this devourer.³ The other instance was the death of the master of Ochiltree, a youth of a sprightly genius and great hopes, with several other young gentlemen, his friends, by the overwhelming of a boat wherein they were taking their sport off Blackness, where the lord Ochiltree still lay under confinement, to the inexpressible grief of that distressed lord and the other friends of the deceased.

The order of time would now lead us to relate the innovations which began to be imposed upon the church and kingdom of Scotland the end of this year, but, as these were not put in execution till next year, and cannot, if once entered

upon, well admit of any intermission, it may be proper to remove out of the way some particulars of another kind, which occurred during the year 1637, and, because these are of little consequence to the thread of our history, we shall only name them, and hasten to what must be more entertaining.

Upon the 14th of March a pro- 1637.
clamation was issued forth for the reception of the psalms of king David, translated by king James ; and in May following the earl of Haddington, lord privy-seal, departed this life, and was succeeded in that office by the earl of Roxburgh ; and the bishopric of Argyle becoming vacant about the same time, Mr. James Fairly, one of the ministers of Edinburgh, who had been governor to the lord treasurer, was by that lord's interest preferred to it, and consecrated in Edinburgh upon the 8th of August following.⁴ After that action he had a great feast, for certain of the nobles and bishops, within his own lodgings in the city, when the house taking fire, (ominous, I grant, for the bishop) dinner was spoiled, the jollity of the occasion marred, and the neighbours put in great fear.

Upon the 18th of September, Sir John Hay, the clerk-register, being prompted to it by the bishops, presented the king's letter to the town-council of Edinburgh, ordering them to chuse him their provost for the ensuing year, to which imposition, and encroachment upon the privileges of the city, the council did tamely submit. But let us now advert to the state of religion in other parts.

In England matters were in a very deplorable situation at this time ; the plague raged in London, so as to sweep off great numbers.⁵ The subjects through the whole kingdom were heavily oppressed with ship-money and other taxations, imposed by the king's sole authority, and the dissenters were vehemently urged with conformity ; and though they would willingly have evited this, by transporting themselves to America, a proclamation was issued to restrain

¹ Hist. Church and State, p. 20.

² Row, p. 304.

³ Collect. p. 616.

⁴ Collect. p. 626. Row, p. 306.

⁵ Rapin, p. 306. Collect. p. 624.

them, yet great numbers of nonconformists found means to get off, and settled mostly in New England, where the gospel had free course.

And in Germany likewise, affairs took a favourable turn. In October preceding, an express arrived from General Leslie, who had now a chief command in the Swedish army, of a great victory obtained by the Swedes and their auxiliaries, over the imperialists and the duke of Saxony's forces;¹ and this year news was brought of another battle betwixt the remains of the same armies, in which the Swedes had much the better, and the liberty of the distressed Bohemians was greatly facilitated thereby.

But we come now to relate the commotions which began in our own country, and produced very great revolutions there. That which crowned all the former defection, and brought matters to a crisis, was the imposition of the service-book and book of canons, upon this church, in the year 1637.

We formerly took notice of archbishop Laud's interest in that matter; and so great was his concern therein, that some have imputed the composing of that liturgy wholly unto him. "His zeal for an uniformity between the two nations in point of liturgy, proved," says Dr. Wellwood,² "the fatal torch which put the two kingdoms into a flame." It is certain, that this prelate did bear hand with the bishops Maxwell of Ross, Sydeserf of Galloway, Wedderburn of Dunblane, and Ballantyne of Aberdeen, who were the most liberal of their time and pains amongst the Scots in framing it; and when they would have made a different liturgy of their own, he urged them to receive the English, both for the sake of greater uniformity, and to stop the mouths of papists, who exclaim against protestants for having different liturgies.³ But to this the Scottish bishops replied, That their countrymen would be better pleased to have a liturgy of

their own; that they found them very jealous of the least dependence upon the church of England; and for obviating the other part of the objection as far as they could, they were willing that their liturgy should come near the English, both in form and matter. By this means, difference taking place betwixt Canterbury and the Scottish bishops, the composition thereof was referred to the king, who thought proper that the demand for some alterations should be listened unto. And upon the 19th day of April 1636, he ordered Canterbury, with Juxon bishop of London, and Wren bishop of Norwich, to canvass the alterations desired, and to report to him; which they did. At length, upon the 18th of October following, the king sent down the book with the alterations to the bishops of Scotland, with instructions relative to those alterations, and a letter to his Scottish council, ordering them to establish the same, to cause proclaim that to be his will to the lieges, and to see to the practice of it at all hazards. The substance of that letter will be seen, when we come to give a copy of the proclamation; and the instructions were as follows:

"That you advert that the proclamation to be published for authorising the service-book, derogate nothing from our royal prerogative. That in the kalendar you keep such catholic saints as are in the English; that you pester it not with too many, but such as you insert of the peculiar saints of that our kingdom, that they be of the most approved, and here to have regard to those of the blood-royal, and such holy bishops in every see most renowned, but in no case omit St. George and St. Patrick. That in your book of orders, in giving orders to presbyters, you keep the words of the English book, without changing, "Receive ye the Holy Ghost," &c. That you insert amongst the lessons, ordinarily to be read in the service, out of the book of Wisdom, the i, ii, iii, iv, v, and vi. chapters, and out of the book of Ecclesiasticus, the i, ii, v, viii, x, xxv, and xlix. chapters. That every bishop, within his own family, twice a-day, cause the service to be done, and that the archbishops and bishops

¹ Collect. p. 628.

² Mem. p. 28. Burnet's History, p. 36.

³ Collier's Eccles. Hist. vol. ii. p. 767.

make all universities and colleges use twice a-day the service. That the preface to the book of common prayer, signed by our hand, and the proclamation authorising the same, be printed, and inserted in the book of common prayer."

Upon receipt of these instructions, the bishops formerly named fell to work, and at length, towards the end of the year 1636, they completed a new draught of the service-book with the alterations.

While the liturgy was in framing, it was easily foreseen, that the interposition of authority was necessary to procure obedience to the same;¹ so a book of canons behoved to be formed, and the same being finished, in the first place, his majesty was pleased to give these reasons in his large declaration for setting them forth :

"1st, He thought it necessary some book, comprising the rules of ecclesiastical government should be published; that by this means, there might be a fixed measure for stating the power of the clergy, and the practice of the laity. 2dly, "That the acts of their assemblies, being only in manuscript, would not reach the generality; besides, these records were so bulky and voluminous, that the transcribing them was almost impracticable. And thus, few, even of the presbyters, could pronounce upon the authority of the copies, and distinguish between genuine and interpolated passages. Besides, the removing of them from one custody to another, and lodging them so uncertainly, they scarcely knew where to apply for information. 3dly, That, by reducing these regulations to a lesser compass, and laying them open to public view, nobody could miscarry through ignorance, or complain of being overcharged. And, lastly, That not one in that kingdom governed his practice by the acts of those general assemblies."

Here we see it is taken for granted, that the book of canons is only an abstract of the acts of the general assembly; but when it is considered, that, from the beginning of the reformation, to the Glasgow assembly, in 1610, that is, during the space of fifty years, the general assemblies had always condemned

and rejected episcopacy, and all their acts, without exception, supposed the presbyterian government; and that, on the contrary, the book of canons supposed in every article the ecclesiastical hierarchy, and episcopal government. This was imposing upon the understandings of his Scottish subjects in a strange manner; but they were not to be easily caught in that snare.

When these canons were published, the whole body of the presbyterians declared against them: Their objections were of two sorts; they disliked the matter enjoined, and the manner of imposing them; they neither understood the assertions of some, nor the injunctions of the rest.

Now, as these canons had considerable influence upon the commotions which shortly did take place, and as the knowledge of them is very necessary for clearing the grounds whereupon the nation proceeded in their opposition, we shall first subjoin the canons contested and then the observations of two considerable authors upon them.

The canons rejected upon the score of the *matter* were these following:²

"1. That whoever should affirm the king's majesty had not the same authority in causes ecclesiastical, that the godly kings had among the Jews, or the Christian emperors in the primitive church, or impugn in any part his royal supremacy in causes ecclesiastical, was to incur the censure of excommunication. 2. The like censure was to pass upon those who should affirm the worship contained in the book of common prayer, and administration of the sacraments, or that the government of the church by archbishops and bishops, &c. contained anything repugnant to the Scriptures, or was corrupt, superstitious, or unlawful in the service and worship of God. 3. That ordinations were restrained to four times of the year, that is, the first weeks of March, June, September, and December. 4. That every ecclesiastical person, at his admission, should take the oath of supremacy, according to the form required by parliament, and the like oath, for avoiding simony, required in the book of

¹ Collier's Eccles. Hist. vol. ii. p. 767.

² Collier's Hist. vol. ii. p. 763.

consecration. 5. That every presbyter shall, either by himself, or by another person lawfully called, read, or cause divine service to be done, according to the form of the book of the Scottish common-prayer, before all sermons; and that he should officiate by the said book of common prayer, in all the offices, parts, and rubricks of it. 6. That no preacher shall impugn the doctrine delivered by another in the same church, or any adjacent one, without leave from the bishop. 7. That no presbyter should hereafter be cautioner, or surety, for any person whatsoever, in civil bonds or contracts, under the penalty of suspension. 8. That the remainder of the bread and wine, prepared for the communion, should be given to the poorer sort of those who received that day, and which was to be eat and drank by them before they went out of the church. 9. Presbyters are enjoined to administer the sacrament of baptism without distinction of days, in case of sickness and danger; and the people are required to receive the sacrament of the Lord's supper in a kneeling posture. 10. That in all sentences of separation *a thoro et mensa*, there shall be a condition inserted, and security given, That the persons divorced shall live regularly and unlicentiously, and not marry again during each other's life. 11. That no private meeting be held by presbyters, or any other persons whatsoever, for expounding Scripture, or debating matters ecclesiastical, things of this nature being only to be discussed in synods of bishops. 12. That under the penalty of excommunication, no presbyter or layman, jointly or severally, shall be allowed to make rules, orders, or constitutions, in causes ecclesiastical, or to add or take away from any rubricks, articles, or other things now established, without the authority of the king or his successors. 13. That national or general assemblies are to be called only by the king's authority, and that the decrees of such assemblies, in matters ecclesiastical, should bind the absent; and that it should not be lawful for the bishops themselves, in such assemblies, or elsewhere, to alter any article, rubrick, canon, doctrinal or disciplinary, without his majesty's leave first had and obtained. 14. That no man should be covered in time of divine service, unless with a cap or night coif, in case of ill health; and that all persons shall reverently kneel at the reading the con-

fession, and other prayers, and stand up at the creed. 15. That no presbyter, or reader, shall be permitted to pray *ex tempore*, or use any other form in the public service than that prescribed, under the penalty of deprivation. 16. That all presbyters and preachers shall exhort the people to join with them in prayer, using some few and suitable expressions, and always concluding with the Lord's prayer. 17. That no person should teach, either in public schools, or private houses, unless licensed by the archbishop of the province, or by the bishop of the diocese, under their hand and seal; and that none are thus to be licensed, unless men of orthodox belief and conformity to the orders of the church. 18. That none should be admitted to read in any college, without qualifying themselves by taking the oaths of allegiance and supremacy. 19. That nothing shall be printed unless first perused and allowed by the visitors appointed for that purpose, the penalty of contravention being left (as in all other cases where no penalty is expressed) to the discretion of the bishops. 20. That no public fasts shall be appointed upon Sundays, (as has been customary) and that the appointment of such humiliations be made by none but his majesty. 21. That, for administering the sacrament of baptism, a font shall be prepared, and fixed near the church-porch, according to ancient usage; that a fine linen cloth should likewise be provided for this purpose, and all decently kept. 22. That a decent table, for celebrating the holy communion, should be provided, and set at the upper end of the chancel or church. That, at the time of divine service, the table shall be covered with a handsome stuff carpet, and, when the holy eucharist is administered, with a white linen cloth; and that basons, cups or chalices, of some fine metal, shall be provided, to furnish the communion table, and used only for that purpose. 23. That such bishops and presbyters as shall happen to die without issue, shall leave their effects or a great part of them, to pious uses: And in case they had issue, they should bestow some legacies, as a mark of their affection, upon the church, and for promoting the interest of religion. 24. That no sentence of excommunication should be pronounced, or absolution given, by any presbyter, without the leave and approbation of the bishop; and that no presbyter should

discover anything told him in confession to any person whatsoever, excepting the crime is such, that, by the laws of the realm, his own life may be in danger by concealing it. 25. And, lastly, that no person shall be admitted to holy orders, nor suffered to preach, catechise, administer the sacraments, or perform any other ecclesiastical function, without first subscribing the canons."

And now, to instance some of the particular objections, with reference to the twenty-five canons already recited. They complained, that the first, the twelfth, and the thirteenth, mounted the *regale* to an excessive pitch, and left the kirk, and by consequence the Christian religion, at the mercy of the civil government. That the second, fifth, and fifteenth canons, referred to the book of common prayer, which was not yet finished, or at least not published. Now, the urging subscription to a book not extant, and which they had never seen, was tying them up too implicitly, and a hardship upon conscience and understanding. By what was enjoined in the sixth canon, they thought themselves obliged to resign too far to the judgment and authority of the bishops. The tenth canon, touching divorce, they conceived not well founded, because it gave no preference to the innocent party, but put both the injuring and injured under the same restraints. They disliked the sixteenth, pretending themselves bound to the form of bidding prayer, prescribed in the fifty-fifth canon of the church of England, which was, in effect, they said, to subject them to the discipline of a foreign church. Against the rest they remonstrated in general, that the bishops were established in too absolute a jurisdiction, and that papal idolatry was revived upon them. Thus far Mr. Jeremy Collier¹ (from whom we have been glean- ing) observes upon the matter of these canons.

But then, as for the *manner*, the same author allows (and, as he was a member of the church of England, it will not be expected that he granted too much to presbyterians) that they had stronger

¹ Eccles. History, vol. ii. p. 764.

colours for complaints: for these canons never were publicly debated in their assemblies, the passing them was never put to the question, but imposed without their consent, a measure unprecedented, contrary to the usage of the church, and extremely shocking in Scotland; and the like observation is made by the lord Clarendon.²

But the other authority we have in view, is the celebrated *Historia motuum in regno Scotiæ*; or, The History of the Commotions in the Kingdom of Scotland, &c. This history is, by some, ascribed to Mr. Spang, at that time minister at Campvere, who published the same, and to whom Mr. Robert Baillie addresses the most of the letters in the two first volumes of his Collections; but others aver, that the said history doth, by its diction and agreement with Mr. Baillie's collections, clearly father itself upon him; and as these collections are evidently the fund from which that history hath been taken, the authority thereof must with greater propriety be imputed to Mr. Baillie than Mr. Spang.

By these canons, says the author, the whole structure of ecclesiastical policy (hitherto observed in the church of Scotland with advantage, and ratified by many laws solemnly made in the supreme meeting of the kingdom, by the three estates in parliament) was at one blow overturned; consistories or sessions, and classes or presbyteries, were reckoned in the number of conventicles, lay elders and deacons were rejected, and all ecclesiastical causes were recalled to the tribunal of the bishops alone.³ They had already cut the nerves of church-discipline, yet some shadow of it, though faint, still remained, testifying, by the rubbish that still remained, what the church of Scotland had once been, affording also some hopes that a glorious structure might yet be raised, if God would vouchsafe to cast an eye of pity and compassion on his vineyard now laid waste.

Although, since the assembly at Perth, there had been no national assembly,

² Vol. i. p. 83, 85.

³ Hist. Mot. p. 21, et seq.

yet the provincial synods, presbyteries, and sessions, still remained, and in these good men mutually comforted one another, (though in names mostly vain) but that monstrous birth of canons being violently thrust out into the world, the very name was abolished.

Yet, contrary to expectation, this ill-formed birth was every where rejected, both on account of what was absurdly inscribed, as it were, in large characters on the front of it, such as, that all are discharged, under pain of excommunication, to call any thing in question that was contained in the book of canons, or in the books of liturgy and ordination, (not printed at that time, nor for several months thereafter) though that book of canons has in it whatever the English book contains; which things the bishops could not but know were daily called in question by the Scottish, and almost all other reformed churches; but many new things were added, of which there was not the smallest vestige in the English canons.

As for example, cap. 18, § 9, sacramental confession and absolution, wrote in large characters, under which it was feared auricular confession would be obtruded upon this church; especially when, in the service-book, all ranks were ordered to partake of the sacrament of the holy supper, and to come to all the other sacraments, to which men of adult age were to come, the sacrament of penance might not be reckoned, of which auricular confession is a principal part, and therefore called sacramental.

Besides many particulars of this kind, which are obvious to the meanest capacity, the Scots complained, that the said book abounded with ambiguities, under which several mysteries were wrapt, which they wanted to have explained; such as, "while pastors are ordained to urge the necessity of works," as if impudence itself durst presume to charge presbyterians with the guilt of preaching the contrary doctrine. But, what if the authors of these canons meant the efficacious necessity of good works in order to justification? Nor without reason might

such a thing be suspected concerning some of them; for though that doctrine be evidently popish, and subversive of the whole scheme of man's salvation purchased by Christ, yet it was swallowed down by many at that day, and treatises upon that subject were publicly sold in England, without any censure inflicted upon the authors; and the Scots complained, that some of their countrymen were fast hastening after the English, in the embracing of that heresy.

Again, cap. 8, § 4, they insinuated, that neither the doctrine nor discipline of the church had as yet attained to a perfect reformation, and therefore they seem to take special care that the confessions of faith, adopted by the church of Scotland, should nowhere be mentioned; which was nothing else but casting open a wide door for the introduction of all manner of innovations in doctrine.

Moreover, seeing the bishops had perfect knowledge of defects in doctrine, otherwise they would never have vexed themselves with suspicions about it, it was surprising they were not so friendly as shew these defects to others; but perhaps these were Eleusinian mysteries, only to be unfolded to those who, having given a specimen of their implicit obedience, had behaved themselves as worthy disciples of them who taught such a doctrine.

Nor was there any reason to doubt, but, at a convenient time, such men might be introduced into the inner-courts, where they should see Calvin, that enthusiastic puritan, for by these epithets such heroes were commonly called by the hierarchal gentlemen, brought forth upon the stage, and scourged with the magisterial rod, because he was so impudent as to call his holiness the pope, antichrist, and that no spiritual communion is to be kept with the idolatrous church of Rome; that, without waiting ordination from the bishop of Geneva, he presumed to mount the pastoral chair there, though he was invited to it by the earnest desire of the people, and the suffrages of the honou-

ble senate; that, by this bold adventure, he paved the way to others, especially to John Knox, the Scottish disciple, who, without waiting the ordination of the bishops, who at that time were most keenly employed in dissipating and scattering the tender church of Christ in Scotland, presumed to assume the character, and to exercise the office of a pastor, though he was called to it by the people,—who, as Cyprian in former times maintained, have chiefly the power of electing worthy priests, and of rejecting such as are unworthy; and that this is a privilege derived to them from divine authority,—and ordained by John Rough, a lawful presbyter: For if, by divine right, the ordination of pastors belongs to bishops, the whole blessed company of reformers shall be justly chargeable with the guilt of unjust intrusion, and that wonderful work of divine goodness in reforming the churches shall be called in question.

In those days were heard things of greater moment; such as, what an unjust and rigid part Augustine acted against the semi-Pelagians, Calvin and the Genevians against Castalio, the synod of Dort against the remonstrants; how useful it is to place images in churches, to be marked with the sign of the cross, and to kneel before the altar; of how little moment are the controversies tossed between the reformers and the papists; how easily parties might be reconciled, if the obstinate peevishness of a few puritans did not hinder it; and the like.

Also, among other things, the Scots were afraid, lest, under the obscure covert of words of that kind, those tenets should be obtruded upon the church of Scotland, which in England were publicly taught at that time, with the applause of many.

They also complained, that in these canons the bishops indulged themselves, and dealt more harshly with pastors than popish bishops use to do with the inferior clergy, and that the privilege of free subjects was taken from the pastors. For instance; while in words one was allowed to appeal from the unjust

sentence of an ordinary prelate to the king, yet liberty to prosecute that appeal was denied, unless freedom to do so was first asked, and then obtained from the prelate himself, who was the adverse party.

Many things of this nature were objected by the better part of churchmen, but the laity, to whom the liberty of their country was dear, cried out more impatiently, when they observed, that, by these canons, a most cruel yoke was laid upon their consciences, insomuch that scarce a draught of free air remained to them, unless they would conform all their actions to the pleasure of a few ambitious prelates; if they should but in the least call in question any rubric that was contained in the books already published, or that were to be published, they saw the dreadful thunderbolt of excommunication ready to fall upon their heads; but they judged it the hardest case of all, that the same punishment was determined for others who should converse with an excommunicated person, especially when it was to be feared that this thunderbolt might be directed against innocent persons, and such as were ignorant of matters in agitation, oftentimes on account of some deficiency in payment of the tields, or the expenses of the bishop's court.

They recalled to remembrance the servile yoke wherewith their ancestors had been oppressed under popery, through fear of excommunication for things of a most frivolous nature; nor was there any reason to expect that the bishops at that day would be any milder, who, though, cap. 18, § 2, they condemned summary excommunication, which is pronounced without any previous lawful citation, yet cap. 8, § 4, they say, that there were some persons *ipso facto* excommunicated, which excommunication the popish canonists termed *excommunicatio juris*, or *late sententiæ*, in which the archbishop of Spalato ingenuously professed there was the highest tyranny; and because, according to the laws of this kingdom, the effects of such as were excommunicated were confiscated, unless they sub-

mitted themselves to the church within a certain limited time, therefore they saw all their fortunes, and whatever uses to be dear to men, exposed to the will of the prelates, against whom it was more dangerous to transgress than against the king himself, as was evident from the practices of Sydsersf bishop of Galloway, and some of the other bishops before noticed.

Having explained those canons thus fully, both for justifying the opposition which was shortly thereafter made unto them, and because they are frequently mentioned through the history of the following years, the same reason calls as loudly upon us to open up a little the nature of the book of liturgy or common-prayer.

This book, according to Mr. Baillie, is mostly the same with the book of common prayer used in England, if you except some alterations, few indeed to the better, but many to the worse;¹ the lessons of the apocryphal books are not here so frequent as in England, yet the chapters of the apocrypha which are retained, are for the most part ordained to be read on those days, when the meeting of the people used, or was commanded, to be most numerous, and whereas in England, the translation of the vulgar Latin is retained, in this they adhered to the last version, which was called that of king James; and these are all the alterations to the better, but alterations to the worse are most frequent.

Of these, the author just now named gives a specimen in the administration of the holy supper.² There, express mention is made of the pompous service of the altar or the table, (which words are promiscuously used in that book); "The situation of the altar was to be nigh the east wall; the minister who officiated was to stand at the north part or side of the altar, which place he was only to possess in the beginning of the action, and while the institution is read, afterwards he is to stand in that place where he can have freedom to use both his hands with greater ease. This change of

place is only to be made while the elements are consecrated by prayer." Now this place can be none else but that before the altar, with his face turned away from the people.

"The deacon," (not such a deacon as is in use amongst the Scots and the Belgæ, but a third order of clergy) "shall bring the collections of the people to the minister with the greatest reverence, who shall present them humbly before God, and lay them on the altar; then the minister shall offer, and place the bread and the wine destined for the sacrament upon the Lord's table."

In the first prayer, after the offering is ended, clear mention is made of the dead, for whom thanks is given to God; frequent mention, that the minister ought to turn himself sometimes about to the people,—(sometimes then he is turned away from them.)

In the prayer of consecration, what in the English liturgy was clear against transubstantiation, is omitted, and in place thereof is introduced, what without any variation, can bear the meaning of the ubiquitarians. "Hear us, merciful Father, and out of thy omnipotent goodness, grant that thou mayest so bless and sanctify, by thy word and Holy Spirit, these, thy gifts, these thy creatures of bread and wine, that they may be to us the body and blood of thy beloved Son," &c. which are the formal words of the canon of the mass.

In the same prayer, upon the margin, are placed the following words: "The minister officiating shall take or lift up the plate in his hands, while these words, 'This is my body,' are repeated; and the cup, while these words, 'This is the blood of the new testament,' are said."

When the consecration is ended, immediately is subjoined the memorial, or the speech of oblation, (which, in the Roman mass-book, is called *oblatio memorativa*) in which it is said, "That Christ would have us to celebrate that memorial in remembrance, not only of his blessed passion, but also of his powerful resurrection, his glorious ascension," &c.; and, in a word, in as far as this

¹ Hist. Mot. p. 20, et seq.

² Ibid.

book differs from that of the English, so much the nearer it comes to the Roman mass-book.

Many other instances of the kind might be here condescended on, were it not for marring the thread of our history too much; yet, because nothing seems better calculated for vindicating the after conduct of presbyterians, than a just representation of the importance of their grievances, we shall in the Appendix add a brief survey of the errors of that book; and we doubt not that survey will be the more acceptable, that it was a national paper, done in the name of the nobility, gentry, ministers, and the whole commonality of Scotland, oppressed by that book, and yet was never published, that we can find, though a most nervous and pithy performance.

The service-book having, as we observed, got the finishing stroke from the bishops by the month of December 1636, they procured a meeting of the privy council for authorising it; which meeting, consisting only of the chancellor with eight other bishops, and the treasurer, with one other nobleman who had never seen the book, and therefore would not concur, readily made an act and proclamation for that purpose, almost in the very words of the king's letter of the 18th of October.¹ And, as that proclamation hath been thought so necessary to the being of the said liturgy, as it behoved to be prefixed to it, we shall here give a copy of the same.

“Charles by the grace of God, king of Great Britain, France, and Ireland, defender of the faith; to our lovites messengers, our sheriffs in that part, conjunctly and severally, specially constitute, greeting. Forasmuch as we, ever since our entry to the imperial crown of this our ancient kingdom of Scotland, especially since our late being here in the same, have divers times recommended to the archbishops and bishops here, the publishing of a public form of service in the worship of God, which we would have uniformly observed the ein; and the same being now condescended upon, although we doubt not but all our subjects,

both clergy and others, will receive the said public form of service with such reverence as appertaineth, yet thinking it necessary to make our pleasure known touching the authorising of the book thereof, our will is and we charge you straidly, and command, that, incontinent these our letters seen, you pass, and, in our name and authority, command and charge all our subjects, both ecclesiastical and civil, by open proclamation, at the market crosses of the head burrows of this our kingdom, and other places needful, to conform themselves to the said public form of worship, which is the only form which we (having taken the council of our clergy) think fit to be used in God's public worship, in this our kingdom; commanding also all archbishops and bishops, and other presbyters and churchmen, to take a special care that the same be duly obeyed and observed, and the contraveners condignly censured and punished; and to have special care that every parish, betwixt and Pasch next, procure unto themselves two at least of the said books of common-prayer, for the use of the parish. The which to do, we commit to you, conjunctly and severally, our full power, by these our letters, delivering the same by you duly executed, and indorsed again to the bearer. Given under our signet at Edinburgh, the 20th day of December, and of our reign the 12th year, 1636. *Per actum secreti concilii.*”

When the book of canons was published, it was, for this amongst other reasons, accounted grievous, that one of these canons enjoined conformity to a liturgy utterly unknown to the people, not published, nor even finished in manuscript, never proposed to, far less approved in any church judicature, but imposed by mere civil authority; and now, after it was known what unbrage that way of doing had given, to have added the most severe penalties to that command, whilst it still laboured under the same disadvantages, was provoking them out of measure.

Yet, because the practice of the canons was not keenly urged, there was no public disturbance raised in the state, notwithstanding every judicious person discerned manifest tokens of the greatest tumults likely to break out, if the sei-

¹Hist. Mot. Baillie, p. 67, 122.

vice was performed; and therefore the chancellor, and some of the king's best friends, ventured to move for a delay, and to represent to his majesty that it was dangerous to surprise the people with the reading of the liturgy before they were prepared; and to enforce this it was observed, that, in queen Mary's time, there was a fire kindled which she did never see quenched;¹ that king James VI. perceiving that fire still under the ashes, blew it but gently; and that, if king Charles should then put that bellows to it, they feared it would flame so as his majesty might never see it quenched. Others, says Rapin,² urged a delay for some months, to see whether, in that interval, the malcontents would attempt to oppose it; in that case they might be oppressed before they had time to take just measures, and the ill success of their attempt would only serve to promote the king's design; and that this reason appeared so plausible, that the king ordered the reading of the liturgy to be deferred for some time.

But the bishops of Ross, Dunblane and Brechin, having had more sail than ballast, made use of the liturgy at Easter, in their several dioceses;³ and, being anxious for the general practice of it, they found Traquair ready to take them by the hand. His lordship having procured letters from them, to Canterbury, posted away to court, and there suggested that there was no danger to be apprehended, only the old bishops were timorous men; and that, if his grace would move the king to intrust him with the business, he would carry it through against all opposition.

"Canterbury being ignorant," says bishop Guthrie,⁴ "that the treasurer's zeal for promoting the work was to ruin the bishops, (especially he having brought him letters from those amongst them with whom he corresponded most) was so affected with the treasurer's speeches, that, although he thought not fit that a work of that nature should be

committed to a laic, yet procured to him a warrant from the king to command the bishops, upon all hazards, to go forward in it, threatening them, that, if they lingered in it longer, the king would turn them out of their places, and fill the same with vigorous and resolute men, who would not be afraid to do him service."

"The bishops," adds the same author, "having, at the treasurer's return, received this peremptory command, were not alike well pleased;⁵ the younger bishops were overjoyed, and esteemed the treasurer their best friend, who had obtained the thing they desired; but the wise old bishops were of another mind, and thought more than they spake; however, now, they had nothing left them but either to do or die; whereupon they did cast away their fear, and went to work."

Accordingly, having met with their synods in April, they dealt with the ministers to buy the service-book. St. Andrews, knowing his zeal for the work was most suspected at court, took instruments of his proposing the buying and using the service-book in his synod; and he, and the bishops of Galloway, Dunblane, Edinburgh, &c.⁶ procured the consent of many in their dioceses to buy these books, yet the most part were at a point, and would have none of them.

As the ministers knew not the contents of these books, they confined their objections especially to the manner of imposing them.⁷ They argued, that it was an unreasonable thing to obtrude matters of so great moment upon the church, until they were maturely weighed and considered in a national assembly of the church, to whom the supreme power in matters of this kind do belong; that ecclesiastical canons were nowhere ever made or ratified but in synods; and that this had been acknowledged by the most learned of the bishops themselves, especially by Lancelot bishop of Winton, in his sermon concerning the right and power of calling meetings, and by Bilson.

¹ Crawford, sect. ix. p. 35.

² Vol. ii. p. 261.

³ Hist. Mot. p. 30.

⁴ Mem. p. 20.

⁵ Mem. p. 20. ⁶ Baillie, vol i. p. 15, 17.

⁷ Hist. Mot. p. 30.

To this it was variously answered, while some of the bishops were carefully endeavouring to bury the very name of synods in silence, of which they stood as much in awe as the Roman pontiff does of the general councils, others of them were more openly affirming, that the whole authority of ratifying ecclesiastic canons and rites belonged to themselves only, as representatives of the church, and that obedience only was left to the other pastors.

The bishop of Dunblane, at his synod, read the service, and gave the ministers of his diocese until Michaelmas to advise whether they would use it or leave their places, and generally the other bishops did the like.¹

Yet all these endeavours fell far short of the end they aimed at. The ministers were afraid that the bishops' cream would be not only sour in the mouth, but bitter in the belly, and therefore would not taste it; so a new and a more forcible method must be fallen upon. The service-book being published towards the end of May, the bishops, upon a narrative to the council, that the greatest number of the ministers of best learning and judgment had given dutiful obedience to his majesty's commands concerning the public form of service in the worship of God, (the falsehood whereof the event did soon shew) yet that some others of the ministry refused to embrace and receive the service-book, and did what in them lay to foster and entertain distractions and troubles in the church,—prevailed with the council to make an act, upon the 13th of June, empowering them to raise letters of horning against the ministers to provide and furnish themselves for the use of their parishes, with two copies of the service-book, within fifteen days next after they were charged, with certification, (to speak so) that, unless each minister should purchase two copies for the use of the several parishes, they would be declared and used as rebels against the king and his laws.²

Yet, for some time, the bishops were

afraid to shew the sting of that summary warrant, and contented themselves with using it as a kind of bugbear to force obedience from the ministers. And thus matters were conducted for a while with clamour and noise, rather than any real execution on either hand. The bishops and their agents were busy threatening or soothing ministers, as they supposed those attempts best calculated for success with the persons they met with; and, on the other hand, presbyterians made it their text daily to shew the multitude of the popish errors contained in the liturgy, the grossness of it far beyond the English service,³ and the way of the imposing it, without authority either of parliament or assembly; which things did sound from the pulpits, and were the talk of high and low: the affections of both sides were daily more and more alienated, differences grew still wider and wider, new occasions of misconstructions were given, and, in short, the most pitiful breach was looked for that ever this or any other church felt.

The bishops, in the meantime, were not forgetful of their own interests; St. Andrews was, it seems, endeavouring to procure a grant of the tithes within the abbacy of St. Andrews, and Glasgow was agenting for the gift of L.5000 sterling out of the annuities within his diocese.⁴

But, about the middle of July, the king's letter came down to dissolve the commission for teinds till farther advise-ment; procured, as most thought, by the treasurer, to cross the chancellor's design of drawing in the churches of the abbacy of St. Andrew as his new casualty.⁵ He proposed, it seems, to cause provide each of the ministers with a legal stipend, *i. e.* a stipend to each within the parish, which would have annihilated the tacks that many noblemen and gentlemen had of the tiends through Fife from the duke of Lennox; for many parishes were wholly dilapidated, and several of the ministers provided out of the tithes of other parishes; so the chancellor, by obtaining a locality to the minister of each

¹ Crawford, book iii. p. 51.

² Baillie, vol. i. p. 109.

³ Baillie, vol. i. p. 109.

⁴ *Ibid.*

⁵ *Ibid.* p. 18.

parish out of the tiends within the parish, would have greatly augmented his own rent, diminished that of the tacksmen, and hurt the credit of the family of Lennox, who had received large sums of money for these tacks: But, to prevent this, the commission for tiends was dissolved, and, before any other expedient could be fallen upon, the archbishop got other fish to fry; and to the treasurer likewise the archbishop of Glasgow did impute his being frustrated of the gift out of the annuities within his diocese.

So both the archbishops intended a journey to court to complain of the treasurer, and to obtain redress; and, that they might be the welcomer there, they thought proper, ere they set out, to attempt a piece of service acceptable to the king.¹

For this end they had procured his majesty's letter for the practice of the liturgy in all the churches of Edinburgh without delay, and an act of the privy council for that effect²—an attempt truly daring; but who, thought they, durst gainsay their lordships' pleasure, especially when supported with the double authority of the king and his council?

Upon this the ministers of Edinburgh were convened, the king's pleasure intimated to them, and obedience required thereto, with a threatening of immediate suspension from the ministry in case of disobedience. St. Andrews would hear no reason for shifting it; the bishop of Edinburgh was no less instant with them; and it seems all the ministers of the town promised obedience, except Mr. Andrew Ramsay; and accordingly, upon Sabbath the 16th of July, intimation was made in all the churches of Edinburgh, that the book of common prayer was to be publicly read there next Lord's day; only Mr. Ramsay and Mr. Harry Rollock omitted it, and the censure threatened against the disobedient was speedily inflicted upon them, which made them the darlings of all who were dissatisfied with those innovations.³

¹ Baillie, vol. i. p. 109. Crawford, book iii. sect. i. ² Ibid. ³ Ibid.

All the week intervening betwixt the intimation and the service, the well-affected inhabitants were exceedingly grieved, and complained unto God, and unto one another, against the authors of these innovations, especially at the making their city the first scene of that action. Notwithstanding, the reading was resolved on in the great church and Greyfriars; and, that it might be done with the greater solemnity, Lindsay bishop of Edinburgh, and Mr. Hanna his dean, assisted by the archbishop of St. Andrews, and the bishops of Galloway and Brechin, began that service in the great church, and Fairly bishop of Argyll, with his accomplices, in the Greyfriars. Upon which sudden, disorderly, and fearful change of God's public worship, the grievous terrors and cries of poor common people were so great, that the service was stopt at that time; but, as this produced an alteration of the scene, or rather changed the testimony of the church of Scotland, from a passive to an active state, we shall here conclude our first period.

BOOK II.

CONTAINING THE HISTORY OF THE CHURCH AND STATE OF SCOTLAND, FROM THE BEGINNING OF THE COMMOTIONS THERE IN JULY 1637, TO THE CONCLUSION OF THE PARLIAMENT 1641.

WE have, in the former period, 1637. traced the course of defection carried on after the death of king James VI. with the several contendings of a number of all degrees against the same; and yet, as if that had been a small matter, we find the power and pride of the clergy were always upon the increase; that the torrent of defection grew ever the greater, and, as if essential to the thriving of prelacy, profanity and superstition were allowed loose reins; arminianism, the harbinger of popery, found kindly reception; the hedge of discipline was taken away from the church, and her precious sons were

brought under the feet of their oppressors.

But, when our church was in the greatest extremity, when she feared that God was about to depart and leave her altogether, and had almost pronounced the hopeless doom upon herself, "We are cut off for our part," even then the set time to favour her approached speedily; the Lord saw the affliction of his people, and heard their cry; for he knew their sorrows, and in all their afflictions he was afflicted: Therefore he did awake for his oppressed inheritance, and his right hand and his holy arm did work deliverance for them; the progress and means of which we shall relate with all the candour and perspicuity in our power.

In executing this task,—if we cannot detach each purpose by itself, as the order of time and the nature of history will seldom admit of that,—we shall as in the former period, divide it into chapters, and make a pause at each remarkable æra.

CHAPTER I.

Of the opposition made by the Scots unto the book of common prayer and canons, from the uproar in July 1637, to the renovation of the national covenant in March 1638.

In the conclusion of the first book we observed, that the reading of the liturgy, upon the morning of Sabbath the 23d of July, was interrupted both in St. Giles' and Greyfriars' churches. The circumstances of the latter are not material, but the former hath occasioned much speculation.¹ No sooner did Mr. Annan the dean begin to read that service in St. Giles', than the people, of which there was a great concourse, at that unusual sight began to make a noise. Upon this the bishop of Edinburgh went up to the pulpit, in expectation of pacifying them, but he also was obliged to succumb to the fury of the enraged multitude; for, from words, several of them proceeded to blows, and, had they not been stopt, the bi-

¹ Hist. Mot. p. 31. Baillie, p. 18.

shop, and especially the dean, had probably been slain at their own altar. But the greater part having, to avoid farther mischief, left the church upon the first appearance of violence, (though not without bitter reflections upon the bishops and their agents for occasioning it) the magistrates of the city, with the help of such of the privy council as were present, did, with much difficulty, expel the assailants, and thereafter the service was performed with shut doors, the enraged populace exclaiming all the time without doors, and throwing whatever came to hand at the church windows.

The service being over, a greater uproar arose among the people than before; they had now provided themselves with such weapons as rage and fury usually dictate, and seemed resolute upon proving the actors' stedfastness in the ceremonial faith. The dean was too sensible of his demerit to commit himself to the mob; so he stole away privately, and took shelter in the first lodging where he thought he would be safe. But the bishop, being a man of more courage, would needs keep the king's high way, and had got short length when he had better been besieged with a hive of bees; but, luckily for his grace, the earl of Roxburgh passing in his coach, and finding him strongly beleagured, he made his way patent with the help of his horses, pulled him into his coach, and then fled as speedily as his horses could carry him, the people all the while making the stones, (which they gathered at the Tron church then a-building) to fly almost as thick as hail after the coach.

There were the same tumults, says Rapin,¹ or rather the bishops Guthrie and Burnet, (for from them all the English authors whom he quotes seem to have taken their accounts of Scottish affairs,) in all the rest of the churches of Edinburgh, and yet no one was killed or wounded; but, according to the manuscripts, that service was not performed in

¹ Hist. Mot. p. 31. Baillie, p. 18.

² Rapin, vol. i. p. 138. Baillie, p. 18. Row, p. 305.

any other of the churches, except the two above named; the ministers who were clear to practise in the other churches, had neither magistrates nor ministers present to assist them, and therefore they stopped short upon the very first appearance of opposition, and performed the worship after the old manner.

According to bishop Guthrie, whom the reader will find disposed to load presbyterians with reproaches in almost every page of his memoirs, this tumult was the result of a consultation of Messrs. Alexander Henderson and David Dickson, with the lord Balmerino and Sir Thomas Hope of Craighall, the king's advocate, in April preceding:¹ But other authors, who, we believe, had as good access to have known the fact as the bishop had, and some more inclination to tell the truth than he, say, that this tumult was raised only by the rabble: And the privy council, in their representation of that tumult to the king,—and the town-council of Edinburgh, in their apology for its happening within their bounds, assure his majesty, “that, after all enquiry made, it did not at all appear that any above the meaner sort were accessory to that tumult;”² a report which must certainly go farther than the bishop's *ipse dixit*, and persuade every impartial reader, on whose side the truth lies.

The tumult was scarce quelled when the chancellor convened the other bishops in town; and, after consulting together concerning their duty in the present posture of affairs, they dispatched an express to the king, the day following, giving a particular account of the tumult, not without such enlargements as seemed best calculated for provoking his majesty against the town of Edinburgh, as the authors, at least actors, in that tumult, and against the treasurer for being absent upon that occasion, though prevented by the heavy rain which fell that morning.³

The council were dissatisfied with the

¹ Guthrie's Mem. p. 23.

² Burnet's Mem. Duke of Hamilton, p. 32. Rapin, vol. i. p. 301. Baillie, p. 18.

³ Ibid. p. 19.

clergy for writing without their knowledge, especially before the truth could be perfectly known, and so they went another way to work. They convened upon the 24th, and by an act, whereof public proclamation was made, they commanded that the service should be continued, and that the inhabitants should contain themselves in quietness, and not offer any injury, by word or deed, to any of the ecclesiastical or civil estate, under the pain of death.⁴ Next, they made strict enquiry after the persons concerned in yesterday's tumult, and caused imprison six or seven servants who were found the most active in it; and then, upon Friday the 28th of July, Traquair, the treasurer, wrote two letters, one to the king, in his privy council's name, wherein they absolutely freed the citizens that were of respect and character, and laid the blame upon the forward rabble, especially the women, and these, too, such as were of the most abject sort; and another in his own name to the marquis of Hamilton, in which he hinted, broadly enough, that the said tumult was owing to the folly and precipitancy of the bishops.

The town-council of Edinburgh, judging that their honour was likewise touched with the bishop's report, wrote a letter to the archbishop of Canterbury, excusing themselves, and begging his good offices with his majesty, to persuade him of their and their citizens' innocence with respect to the tumult, and of their obsequiousness to obey his majesty's commands;⁵ and, that they might the more easily regain the good opinion which they supposed others had of them, they promised an additional stipend to the ministers who should read the book, and made offer to the secret council of their assistance for the peaceable exercise thereof in their churches, and security of the persons employed, or who should be present and assist at the practice thereof; which offer the council approved, and allowed the magistrates to publish, by tuck of drum, the orders to

⁴ Baillie, p. 86. Hist. Mot. p. 32.

⁵ Ibid. p. 86, 123.

be established by them for that purpose.

But the clergy, knowing by whose influence these assurances were obtained, depended very little upon them ;¹ for it appears, from an act of the privy council, dated July 29th, that the chancellor, for himself and the other bishops, thought expedient that there should be a surcease of the exercise of the service-book, until the king should signify his royal pleasure touching the late tumult ; and, according to Mr. Baillie,² “ there were no sacred meetings kept on week-days, nor, for the space of a whole month, were the church-doors opened for prayers or reading, as the custom was formerly, so that the town was, as it were, subjected to an ecclesiastical interdiction, which inflamed the fury of the people, who were sufficiently enraged before.”

In the meantime the bishops were very assiduous in pressing the service-book upon other parts of the kingdom ; and, that the example of the two archbishops might have its due influence upon the other bishops, the chancellor raised letters of horning against several in his diocese, and began with charging Mr. Alexander Henderson, minister at Leuchars, Mr. George Hamilton, minister at Newburn, and Mr. James Bruce, minister at Kingsbarns, to buy two books, for the use of their parishes, within fifteen days next after the charge, under the pain of rebellion, &c.³ And the archbishop of Glasgow was very diligent in causing charge all his presbyters. By no intreaty would he be persuaded to delay them so long as to his synod, which was to sit down the last Wednesday of August ensuing, but would have all to the horn who would not buy the books presently.⁴

While matters were thus conducted by the archbishops, they received new life by a letter from the king to his secret council, dated the 4th August, ordering the authors of the late tumult to be tried, and that all habile methods should be used for the peaceable prac-

tice of the service. Accordingly their lordships, by their act of that date, ordained that the persons who were dilated for that mutiny should be put to their trial and punished.⁵

But a sufficient number of readers of the service could not be had, though the clergy were at the utmost pains ; for, by an act of council, dated the 5th of August, the lords interposed their authority to a resolution of the clergy, that the service should begin upon Sunday the 13th of August, and be thenceforth continued, and, at their request, ordered the town-council of Edinburgh to meet with the bishop of Edinburgh, and to consult with him upon every thing that might concern the orderly practice of the said service, and the security and maintenance of the persons to be employed for reading the same.⁶

And that there might not want sufficient evidence of a readiness in the magistrates and ministers of Edinburgh to do their sovereign a pleasure, they appeared before the secret council, upon the 9th of August, when the magistrates declared, that they had met with the bishop of Edinburgh, and were most willing to obey the council's ordinance of the 5th current, but that they could not, upon so short a time, provide intelligent readers, there being none within the city but vulgar schoolmasters, by whom the service might be disgraced, and his majesty's authority, upon the employment of them, receive opposition, and that they were content to secure the ministers and readers in such a legal way as the laws of the kingdom did provide ;⁷ and at the same time, Mr. Alexander Thomson, for himself, and in name of the rest of the ministers of the city, humbly represented to their lordships, that so soon as the town should furnish readers, and provide them with competent maintenance, they would themselves read service for a month, and in the mean time, instruct those who should be admitted to that charge ; but craved that the ministers in the suburbs and neigh-

¹ Baillie, p. 19, 86.

² Hist. Mot. p. 32.

⁵ Baillie, p. 19, 78.

⁶ Ibid. p. 87.

³ Row, p. 326.

⁴ Baillie, p. 19.

⁷ Ibid. pp. 88, 89.

bourhood of the city, might likewise be obliged to receive and practise the service, and that the city should give assurance for their indemnity.

Accordingly, the lords of the council remitted to his majesty's advocate, and their clerk, to draw up an obligatory act against the city of Edinburgh, for securing of the ministers, and providing for their indemnity;¹ which act having been formed against their sederunt the day following, they allowed thereof, and ordained the same to be passed and expedited; and at the same time, they required the bailies and town-clerk of Edinburgh, for expiation of the former uproar within the city, to make diligent inquiry after the authors and abettors of that mutiny, and with all diligence to provide readers to officiate the service with competent livings; to which acts and orders the magistrates and clerk promised most cheerful and ready obedience, but could not, with all their diligence, furnish readers sufficient for that service, and so it was delayed, to the king and bishops' great mortification.

By this time, the days in the charges given to buy the service-book were near expired; therefore, lest those ministers should be wanting to themselves and the church, by an indolent silence, such of them especially as were more hardly dealt with, thought proper (upon a motion first made by Mr. David Dickson, minister at Irvine, to his presbytery, and afterwards communicated to other presbyteries and ministers) to present their humble supplications to the privy council for a suspension of the charge given them, and that they would not suffer the church to be oppressed with manifest violence, declaring, at the same time, that they were ready to alter every thing that could be made appear by any man to be unsound in the form of discipline and liturgy which they had received from their ancestors. They pointed out the principal heads of error contained in these books, and offered to dispute, or rather converse in a friendly way about them. They shewed that the introduc-

¹ Baillie, pp. 89, 90.

tion of changes in the church might be attended with very bad consequences; and they declared that the then situation of the church, groaning under the burden of schism, did sufficiently demonstrate that such changes are more productive of disturbance by their novelty, than conducive to any benefit or edification; that the reformed churches in Austria had been brought down by the violent obtrusion of liturgies. They observed also, those unhappy controversies whereby the church was oppressed in the reign of Charles the Great, while some adhered to the Ambrosian liturgy, others, in place thereof, promoting the Gregorian or Roman; and with what calamities the kingdom of Spain was in former times shaken, under the reign of Alphonsus VI., who by the advice of the pope's legate, proposed to suppress the ancient Mozarabic liturgy, that he might, in place thereof, introduce the Gregorian, while all ranks of the kingdom were reclaiming against it. In fine, how slender a foundation should the affairs of the church stand on, if, at the pleasure of a few, or at the will of the prince, that innocent form of worship, hitherto observed with the great comfort and satisfaction of the pious, should be changed without the previous consent of the church, and that into a form in many respects vicious? That, if these things were allowed, others of a still more pernicious nature might be introduced by succeeding princes; and that the king, when installed in the government, bound himself, by a sacred and solemn oath, not to make any alterations in this kingdom, unless with the lawful advice and consent of all concerned.²

To the above purpose, four several petitions were presented to the council upon the 20th of August, viz. one from the presbytery of Irvine, by Mr. William Castlclaw, minister at Stewarton; another from the presbytery of Glasgow, by Mr. Robert Wilkie, minister there; a third, from three or four brethren in the presbytery of Ayr, by Mr. James Bonnar, minister at Maybole; and a

² Hist. Mot. p. 32. Baillie, pp. 19, 20, 128.

fourth, by Mr. Alexander Henderson at Leuchars, for himself and his two brethren before-named.¹

Many noblemen by letters, and many gentlemen in person, did likewise solicit the councillors, one by one, to hold that yoke from off the necks of the ministers; and accordingly, the secret council, by their act, dated the 25th of August, declared, That the letters and charges of horning direct anent the service-book, extends allenarly to the buying thereof, and no farther.²

At the same time the council wrote a letter to the king, pretty favourable for the supplicants; for, after representing to his majesty, that, according to his commandment, they had been most willing and ready to give all concurrence and assistance to the lords of the clergy, for establishing of the service-book, and that, notwithstanding of the late tumult, occasioned only (for anything they could yet learn) by a number of base and rascally people, they were very hopeful in a short time, without any farther trouble or importunity to his majesty, to have it brought to practice.³ They say, that, having appointed that meeting of council expressly to think upon the best way for advancing of that service, they found themselves, far beyond expectation, surprised with the clamours and fears of the subjects from almost all the corners of the kingdom, and that even of those who otherwise had to that time lived in obedience and conformity to the laws both in church and state; that they found it so to increase, that they conceived it to be a matter of high consequence, in respect of the general murmuring among all sorts of people for urging of the service-book, as the like had not been heard in this kingdom; so that they durst not longer conceal it from his majesty, not knowing to what the same might tend, and what effects it might produce; neither durst they dive farther into the causes of those fears, or remedies thereof, till his majesty, in the depth of his

royal wisdom, should prescribe the way, after hearing all the particulars, either by calling some of the council to his majesty's presence, to the effect a course might be taken for pacifying of the present commotion, and establishing of the service-book, or by such other means as his majesty should think fit, and which they promised to follow and obey, as became humble and faithful subjects, and those whom his majesty had honoured with his royal commandments.

The farther prosecuting of that affair was deferred to the 20th of September, and the council promised an answer to the supplicants against that time.⁴

For this mitigation of their rigour, and favourable report of the case to his majesty, the petitioners acknowledged their most sincere gratitude to the council; and remembering that the Lord loves mercy, and waits that he may be gracious, presbyterians at this time did generally stir up themselves, and one another, to take hold on God, and seemed resolved to give him no rest until he made his church a praise in the midst of them.⁵

Their opponents were not thus employed; but meeting with disappointments, their spirits were soured, and their rancour augmented, especially against those of the councillors who over-ruled this matter, contrary to their inclination:⁶ For, whereas formerly they expected that all reflections that proceeded from the obtrusion of these books would fall upon the council for interposing their authority, now they saw themselves abandoned by the council, and exposed as a satisfactory victim to the fury of all ranks; and now it was the opinion of men of judgment and prudence that they would be quiet; but, fearing lest it should come to the knowledge of the king that they had imposed on his majesty, (for the young bishops had persuaded him that this business would be easily carried on, without any public disturbance, and that very many

¹ Baillie, p. 20.

² *Ibid.* p. 90.

³ *Ibid.* p. 31.

⁴ *Ibid.* and *Hist. Mot.* p. 32.

⁵ Guthrie's *Mem.* p. 29. *Hist. Mot.* p. 33.

of his subjects of all ranks were earnestly desiring these books), therefore they resolved to make another attempt, and left no method untried, whereby they might bring the ministers over to their sentiments, by fair promises or violent measures, but all to no purpose.¹

Nor were these practices peculiar to the young bishops, some of the old ones were no less active.² The diocesan assembly of Glasgow having been adjourned to the last Wednesday of August, the archbishop wrote to Mr. Baillie to preach the sermon at the opening up of the synod, and to incite all his hearers to obey the church canons, and to practise the service. This our author did, in a letter to the archbishop, flatly refuse, urging, as a reason, the irresolution of his own mind; but having received a new command, charging him upon his canonical obedience to preach on that occasion, he, to avoid strife with that angry man, prepared a sermon, on 2 Tim. iv. 1, 2, from which he intended to have pressed the duties of the pastoral charge there enjoined, without speaking one syllable in favour of conformity; yet the archbishop, being ignorant of the resolution which our author had taken, and suspicious of his preaching for the purpose in hand, wrote to Mr. William Annan at Ayr to preach upon that occasion, who, from 1 Tim. ii. 1, defended set forms of prayer as well as might be, by which he gave great offence to many; for prudent men in the synod judged, that as that was a matter in suspense betwixt the king and the country, the urging thereof at that time was unseasonable.

But the citizens of Glasgow, having an utter abhorrence of the liturgy, were incensed beyond all measure; for, at the dismissal of the congregation, a number of women insulted Mr. Annan in the very sight of the magistrates:³ Two of them were for this apprehended and put in prison, yet did it not put a stop to their commotion; for Mr. Annan going up the street, in the company of

three or four ministers, to visit the bishop, while it was near ten o'clock at night, some hundreds of the enraged populace, who had been watching their opportunity, came upon him, and with their fists, and what weapons were at hand, they had almost made him a martyr for the liturgy; but the magistrates having come opportunely to his assistance, and lights being set out from many windows, he escaped with some wounds, and the loss of his cloak, ruff, and hat; a guard was set upon him for his defence through the night, and he was next day conveyed to his horse by the magistrates of Glasgow, and several ministers whom the people did most reverence, when, unhappily for Mess John, he was scarce mounted, when, in the sight of all the company his horse foundered, and threw him into a mire, which so besmeared his clothes, that the colour of them could not be known; an affront which gave more satisfaction to the populace than all the rest.

While the reaping of the victual was in hand the people in the country continued pretty quiet, but that being over, they, considering that the yoke of their oppressors was only suspended, not taken away from them, and reflecting upon the good acceptance which the first supplicants found with the council,⁴ had recourse again to the same court, when they found their numbers were greatly increased; the four ministers were converted to twenty noblemen, and a considerable number of barons, mostly elders, nearly a hundred ministers,⁵ the provosts or eldest bailies of the burghs of Stirling, Glasgow, Ayr, Irvine, Dumbarton, Dunfermline, Culross, Kirkcaldy, Dysart, Cupar, Lanark, Innerkeithing, Burntisland, and Anstruther, and commissioners from sixty-eight parishes, mostly gentlemen of the greatest distinction and interest through the counties of Ayr, Fife, Lothian, Clydesdale, Stirling, and Strathern, many of whom knew not of the rest until they met with them at the council-house door.⁶

¹ Hist. Mot. p. 33. Baillie p. 21.

² Baillie, p. 20. ³ Ibid.

⁴ Hist. Mot. p. 33.

⁵ Baillie, p. 129.

⁶ Ibid. p. 22.

By this time the king's answer to the council's letter, of the 25th of August, was brought down by the duke of Lennox,¹ who came from court to perform the funeral obsequies of his mother at Paisley, which did more elevate the friends of the hierarchy than it dejected presbyterians.

In it his majesty complains that his former directions had not been strictly followed;² that the council hesitated at them, without proposing any new expedient, farther than the sending some of their number to consult with him concerning the same, which he conceived not fit, as it would, by a needless noise, make it appear either that the council were slack, or the subjects very bad, which he was not ready to believe, after receiving so great proofs of their affection. Likewise his majesty did declare his dissatisfaction both with his council and with the town of Edinburgh, because that, after the service was read, upon Sunday the 23d of August, it was intermitted immediately thereafter, and that none of the authors of, or accessories to the insolent riot committed upon that occasion, were censured for the terror of others; and it did seem strange unto him, that the ministers of Edinburgh, having offered to begin the reading of the service, providing they were kept *indemnes*, and relieved by the city of the charge within a month thereafter, that the said offer was not accepted. And therefore it was his majesty's pleasure, that a sufficient number of the council should still attend at Edinburgh, or near it, during that vacation-time, until the service-book were settled; and that the offer of the city ministers should yet be accepted, and the performance of it seen to. As also he required every bishop to cause read the service within his own diocese, as the bishops of Ross and Dunblane had already done; and that the council should particularly warn every borough to choose none for magistrates, but such for whose conformity they would answer.

¹ Baillie, p. 23.

² Ibid. p. 32.

Notwithstanding of the tartness of this letter, the supplications formerly mentioned were given in to the council,³ all resolving into an allegation that the service enjoined was against the religion presently professed, or that the same was in a disorderly way brought in, without the knowledge or consent of a general assembly, or contrary to the acts of parliament, or inconsistent with the service used in England, which the petitioners undertook to make good; and beseeching the council to deprecate the king, that he would relieve them of the burden of the liturgy.

And, because these were so numerous, and some of them not so smoothly written as to recommend them to the king's favourable construction, there was one common copy drawn out of them all, and presented to the council by the earl of Sutherland, the first nobleman who appeared for the interests of religion upon that occasion, and by the earl of Wemyss, another zealous opposer of the liturgy, the copy whereof, as transmitted by the council to the king, is as follows:

"My lords of secret council, unto your lordships humbly means and shews, we noblemen, barons, ministers, boroughs, and commons, occasionally here present, being most desirous to testify our loyalty to our dread sovereign, and to give obedience to his majesty's royal commandments, and considering that this new book of common prayer, which all his majesty's subjects, both ecclesiastical and civil, by open proclamation, are commanded to receive with reverence, as the only form to be used in God's public worship in this kingdom, and the contraveners to be condignly censured and punished, is introduced, and urged in a way, which this kirk has never been acquainted with, and containeth very many material points contrary to the acts of our national assemblies, his majesty's laws of this kingdom, and to the religion and form of worship established, and universally practised to the great comfort of all God's people, his majesty's subjects, since the reformation, which may tend to the great disquieting of their consciences, and to

³ Baillie, p. 23, 34.

the hinderance of that harmony and comfort which, from the influence of his majesty's government, all do pray for and still expect : We do therefore, in all humility, supplicate, that your lordships, out of your care of religion, so seriously recommended to your lordships by his majesty, and your compassion on our present case, would be pleased fully to represent to his majesty these and the like considerations known to your lordships, that this affair of so great importance may not appear to his majesty a needless noise, but, as it is indeed, the very desire of our hearts, for the preservation of true religion amongst us, which is dearer to us than our lives and fortunes ; and if this be refused, we humbly crave a hearing of our just grievances before your lordships' conclusion, that by your lordships' counsel, some way may be found whereby we may be delivered from the fear of this and all other innovation in this kind, and may have the happiness to enjoy the religion as it hath been, by the great mercy of God, reformed in this land, and is authorised by his majesty, who, we pray, may long and prosperously reign over us.

“ Zester,	Dalkeith,	Angus,
Cranstoun,	Balmerino,	Roths,
Lowdown,	Burleigh,	Wemyss,
Montgomery,	Hume,	Sutherland,
Dalzell,	Cassillis,	Dalhousie,
Fleeming,	Lothian,	Lindsey,
&c. &c. &c.	Boyde,	Sinclair.” ¹

After the reading of these several petitions, which was a work of time, the secret council, for satisfying his majesty, did, upon the 20th of September, nominate and appoint the lords chancellor and treasurer, the earls of Winton, Wigton, and Southesk, the bishops of Edinburgh and Galloway, the clerk of register and his depute, the justice-general and his depute, the advocate, the justice-clerk, and the laird of Blackhall, or any seven of them, the chancellor being always one of the seven, (not excluding any other of the council who should be pleased to be present) to attend at Edinburgh that vacation time, to execute the business committed to their care by his majesty's letter ;² and they superseded answering the foresaid petitions until his majesty's pleasure were known concerning the

¹ Baillie, p. 34.

² *Ibid.* p. 35.

same. But that they might likewise give the petitioners some satisfaction, they promised to acquaint them of the king's answer so soon as it was signified unto them ; and gave the general petition before inserted, with two of the particular supplications, viz. one from the presbytery of Auchterarder within Dunblane diocese, where his majesty supposed he had the most cheerful obedience, and the other from the city of Glasgow, the seat of the archbishop, with a roll of the other petitions, to the duke of Lennox, who was an eye and ear witness to all that was done in council concerning those matters, and was presently to repair to court, entreating his grace to inform his majesty of the true state of the business, with the many pressing difficulties therein, and to solicit his majesty's gracious resolution concerning the same ; which employment the duke undertook, and promised to bestow his best endeavours for the success of it.

And at the same time, the council wrote a letter to the king, wherein, beside resuming the substance of their act aforesaid, they informed his majesty, that they had given orders to the bishops for establishing the service within their several dioceses, and to the boroughs to make a right choice of conform and well-affected magistrates, and profess their unspeakable grief to find his majesty was not satisfied with the sincerity of their faithful endeavours.³

With this conclusion, one would think that the bishops at least had little reason to complain, yet it seems they were displeased with the conduct of some of the king's best friends upon this occasion. It is too common with short-sighted mortals to impute that to instruments which proceeds from a higher airth, and to blame others rather than themselves, and this was truly the case here ; the bishops imputed the countenance given to the supplicants, to the infidelity and treachery of Sir Thomas Hope the king's advocate, Traquair the treasurer, and the earl of Morton,⁴ who had tasted deeply of the king's bounty, whilst they

³ Baillie, p. 83.

⁴ Burnet's Mem. p. 26.

might have seen (had they not been wilfully blind) the equity of the petitioners' cause, and the course of providence pleading loudly for them; and without ever finding fault with themselves for obtruding the innovations complained of, and endeavouring to involve all in the most awful apostacy, they exclaimed against the advocate and these two Lords, because they would not sacrifice the peace of their country, and the authority of their sovereign, to their pleasures. Sir Thomas Hope was indeed known to have a special favour unto the petitioners, which yet did never lead him to betray his trust; but the two nobles were beyond suspicion this way, unless their opposing some of the bishops' extravagancies can fall under that notion.

But though the advantage accruing to the petitioners by that conclusion was very small, yet as the council were shut up by his majesty's letter from granting more, Sutherland and Wemyss did, for themselves and the rest of the petitioners, return thanks to the council for the inclination which they had shewed unto justice, and returned home to their several habitations, "where," says the Latin historian, "all of them wrestled with God, in their private prayers, and public supplications and fastings, that the counsels of the king might be turned to the public good of the church and state, and that he would disappoint the attempts of enemies, who were employed in undermining the church, that was already in a very shattered condition."¹

But, that the reader may have this so suitable a part of the story in full tale, we observe that Messrs. Henderson, Dickson, Ker, and the other ministers who had come up to supplicate, being at dinner together upon the council-day, the 20th of September, and advising upon overtures proper to be attempted by them for the calming of that storm, they drew up general considerations concerning the manner of their public procedure, the causes of a fast, or motives to humiliation, motives for encouraging their faith and hope in God, and over-

tures for remedying the impending and felt evils; which papers being short, but nervous and very seasonable, are given at their full length, both by Mr. Baillie and Mr. Crawford, and therefore they are here added also.²

"CONSIDERATIONS for such as lay to heart the danger of this intruded liturgy, whereunto let every watchman and wise-hearted reader add as he thinks fit.

"1. Seeing the subjects are all brought in straits by the proclamation in December last 1636, either to conform to this new service-book, which openeth a door to the subversion of true religion established by laws, or else to be condignly censured and punished, it is necessary to think of lawful remedies, before this wrath of the Lord be poured forth to the full. 2. The most humble and hopeful way is by supplications to God, and to our magistrates; therefore, as supplications in good number have been presented to the council, to deal with his majesty to deliver his subjects out of this difficulty, and that not without hope of success, at least so many as by supplication testify their resolution to adhere to the doctrine and worship established in the reformation, so must not this mean be rested upon, but the controversy which Christ is pursuing against us must be taken to heart, and repentance both of pastors and people set on work, with supplications to God, joined with mourning and fasting from time to time, or else our supplications to our magistrates, in God's judgment, may prove but irritations of them, and increase the measure of the just provocation of our God unto jealousy. 3. To this end search must be made, not only from what beginnings, and what degrees, we have swerved from the truth, and concord, and zeal, graciously granted unto us in the reformation, unto this measure of corruption in manners, doctrine, and worship, discord of affections, and lukewarm indifferency in God's matters, but also search must be made for the sins common and special of pastors and people, which have provoked our God to threaten thus to cast us over again unto the darkness and dreadful consequence of popery, likely to ensue, except we be humbled and turned to God

¹ Hist. Mot. p. 35.

² Baillie, p. 25, 26, 37. Crawford, p. 64.

in unfeigned repentance of all rasks and estates."

Motives to Humiliation. 1. The gospel hath been so many years lent unto us, with peace and plenty of outward things, in comparison of former times, and yet there is so gross ignorance of the grounds of religion, and controversies about the same, such misbelieving of the laws of God, and threatenings of his wrath, so open disobedience to the known commandments of the first and second table, by not using prayer, and other means of God's worship, in private; by blaspheming of God's name, profanation of the Sabbath in worldly, wanton, and graceless speeches and carriage; by filthiness and contention, deceiving and oppression, lying and scandalizing one another, drunkenness and intemperance, and other like vices, as is a shame for any religion, let be for the truly reformed. 2. Where there is a form of godliness, there is so little sense of sin, or fear of wrath, or right seeking to remedy seen evils by going to Christ, so little estimation of his holy majesty, who is King of kings, and Lord of lords, so little faith in the covenant of grace, wherein we profess to be entered through, so little love to him for all the mercies shewn by him, so little employment of his offices according to our several needs, so little love to the saints, so few fruits of true religion, such resting upon formality and lip-labour in God's worship, in private and public, contenting ourselves with the letter of the Lord's word, without the Lord's spirit, as the fanatic anabaptists content themselves with revelations without the word,—that there is no wonder our Lord should give us over unto this literal and book-worship, that he may be avenged upon this lukewarm formality wherein we are rotting. 3. We have not received warning from the terrible judgments of God fallen upon the reformed kirks abroad, in France, the Low Countries and Germany, who have sticken better unto the measure of reformation which they obtained than we have done, nor have we been moved by all the former rods wherewith he hath visited this land, and doth still visit, but have hardened our hearts so far, that we have neither had feeling of the fears and troubles of Zion at home, nor compassion on the afflictions of Jacob abroad. 4. The upholding of the public honour of God, and propagation of

religion, have been almost altogether devolved by the people upon the weak shoulders of the ministers, as pertinent only to them. Religious conference of people amongst themselves, worshipping of God morning and evening in families, catechising of children and servants, have not only been neglected, but despised for the most part; so as Christ, not being received into families, is provoked to go from the public assemblies. 5. Pastors, all of them, have been overcharged with too great a task for a single man, and readers, without gifts or learning, set up of necessity to supply the want of teachers; some of the ministers have been discouraged, and fainted, and done their work heavily through the people's incorrigibility; some, having run unsent, have sought only their own things, and not the things of Christ; some have been infected with the people's faults, and infected the people with theirs, as tipping, trifling, contention; and many, not willing to be at pains to crave of Christ, and to entertain the gifts of their calling, by reading, meditation and prayer, have taken themselves to their ease, and fostered themselves in a stated form of prayer, and borrowing of printed preachings; some have sacrilegiously sought their own glory more than Christ's, by a windy and vain ostentation of learning, not regarding how the people profited, but how the people was pleased, and praised them; so that there is no wonder that our Lord should be avenged on such a people as we are. For these, and the like causes, we have reason to be humbled."

Motives for Encouragement and Confidence to prevail with God. 1. That, in the midst of wrath, the Lord uses to remember mercy to such as call upon him in truth; and when his hand is stretched out, and has stricken, if any will lay hold on his arm to make peace with him, he will make peace with them, much more if repentance prevent the stroke. 2. We read not, neither was it ever heard, that a land was humbled before him to pray for a blessing, especially spiritual, but he granted their request. 3. The long time of his patience since we began to provoke him, his so slow departing from us, his striving in the meantime to overcome our evils with his goodness, testify, as the proverb is, many good nights are loth away. 4. Whensoever we have joined in prayer for averting or mi-

tigating of plagues of famine, he never refused us, and hath also fought for us against our foes when we needed. 5. He has borne us witness in all the degrees of our defection, and contested with us by some faithful watchmen, that we should return; his cause and truth had never wanted witnesses in assemblies and parliaments, but some have stood in the gap to make up the breach, and now he has stirred up the spirits of so many of all ranks to supplicate against this corrupt liturgy. 6. He has drawn out the honesty of the hearts of these, both pastors and people, who did not apprehend the former innovations to be degrees unto the deep defection whereinto we are likely to fall, and not suffered us altogether to run out after men's inventions, and the deceits of our own hearts."

Overtures for Remedies. 1. Let as many as hate the whore of Babel, and resolve not to go farther in the course of this defection, embrace one another in love, as Christ hath received us unto the glory of God and fellowship of his grace. 2. Let every person who would be free from wrath, and have their own part of this provocation pardoned, deal impartially with their own personal faults, and repent, and cleave unto our offended Lord Jesus, with purpose of employing him in all things, in another sort than we have done. 3. Let every man deal with his charge, friendship, and acquaintance, to take religion more to heart, and to bring forth fruits of it, and not to be ashamed to profess Christ Jesus and his holiness, and to bear his reproach. 4. Let the knowledge of Scripture, and of the grounds of religion and controversies, be better studied, and more mixed with prayer for sound light, and accompanied with more careful practice of uncontroverted truth, Christ being pressed upon for furnishing grace to this end. 5. Let every man acquaint himself with secret prayer to God, so shall he be more able pertinently to express his inward desires before others, as his calling shall require; and masters of families, to press themselves to worship God with their families, meditating what points to pray for before they begin, albeit possibly their prayer should be no longer than a grace before or after meat; for six words, thus spoken in honesty, will be more pertinent and more acceptable than any formal read prayer shall be; and let the reading of the Scripture be rather joined with morning and

evening prayer, than slighted at dinner and supper time. 6. Seeing God has commanded us to make supplication for judges and rulers, let it be done, not formally, but in truth of heart, lest, if we by prayer procure not their good, they, in God's righteousness, may procure our grief."

Nor were these papers all that this meeting of ministers did. "The main thing," says bishop Guthrie,¹ "treated therein, was how the brethren throughout the kingdom might be made to concur with them, in regard few as yet appeared, except from Fife and the western parts, and so it was laid upon Mr. Henry Rollock, who at this time joined the ministers, to deal with those of Lothian, Merse, and Teviotdale; Mr. Andrew Ramsay, who also joined the ministers at this time, "to take the like pains with those of Angus and Mearns; Mr. Robert Murray to travel with them of Perth and Stirlingshires, and an advertisement was ordered to be sent to Mr. Andrew Cant to use the like diligence in the north; and so the ministers disbanded."

Be this as it will, the concurrence against the innovations grew still the greater and more universal; but, before we explain this, the order of time leads us to observe, that the town of Edinburgh having been hindered by Sir John Hay, their new provost, from joining the petitioners in September,² a great number of the citizens and inhabitants, hearing that a committee of the secret council was to sit still at Edinburgh during the vacation, to find means whereby the service-book should be quietly received there, came upon their town-council as they were sitting, and by menaces compelled them to petition the committee of the secret council against the said book; and it was promised them that their petition should likewise be sent to court, but they found afterwards that it had been suppressed;³ only, lest that insurrection should have impaired the good opinion which his majesty had of the town, the provost wrote

¹ Guthrie's Mem. p. 57.

² Baillie, p. 24. ³ Ibid. 130.

to Canterbury and the lord Stirling, that the great confluence of people which had come there the two last council-days had suggested such things to the poor ignorant inhabitants, as had erased the good resolutions, which, by continual pains, had been imprinted in their minds; and that however the town-council had assured the king of their ready obedience, upon the confident assurances which from time to time they had taken of the best part of their citizens, yet they were forced to supplicate the council, that they might be continued in the same state with the rest of the kingdom; but his lordship promised for the council, that they would not forbear to do their master service to their power, and would strive to re-imprint in their people their former good resolutions, that were now evanished.

The country expected not another meeting of council before the first of November, and so were the more slow in their preparations for it; yet St. Andrews, the chancellor, did, a few days before the 18th of October, advertise the town of Edinburgh to expect the answer of their petition against that day.¹ This the leaders of the other supplicants took for a piece of court policy, to divide them and the town of Edinburgh, and to draw off the town from following out the design of their supplication; and therefore expresses were immediately dispatched through the country, advertising the supplicants to be at Edinburgh by the day the council intended to meet.

This diet was accordingly kept, "and that so generally," says bishop Guthrie,² "that, besides the increase of noblemen, who had not been formerly there, there were few or no shires on the south-side of the Grampian hills from which came not gentlemen, burghers, ministers, and commons." According to Mr. Baillie,³ who went to that meeting at the lord Montgomery's desire, the noblemen, gentlemen, and ministers of the west, did meet in great numbers, but at the beginning were very sorry of their jour-

ney. St. Andrews was not come over, few of their brethren from Fifeshire were present, and they expected no meeting of council at that time, and were afraid that Mr. Archibald Johnston, advocate, who gave the warning, had, beside his custom, been too rash. On a sudden they found they were far mistaken; the secret council convened, and they heard a rumour that severe orders were come from court, and that St. Andrews had stayed away because of the ungracious employments of that day, or rather, as some thought, to deceive, and withdrew Fife from that meeting.

However, the commissioners from above two hundred parishes gave in their supplications against the service-book to Mr. James Primrose the council-clerk, and, which was probably as acceptable to Mr. clerk, they gave him a dollar, or more, with each of these.

This done, the petitioners met in several places to consult what were farther proper to be done, the noblemen by themselves, the gentry by themselves, the ministers by themselves, and the burghesses by themselves. In these meetings they began with prayer, after which it was asked of every one, if they disagreed from the service-book; and all answering that they did, both for the matter of it, and the manner of imposing the same, they next proceeded to speak to these points, by which the weak were greatly corroborated by the more learned and intelligent; and upon this occasion, we apprehend, it was, that they drew up the survey of the errors in the service-book, a copy whereof we formerly promised to insert in the Appendix.

While the petitioners were thus occupied, some of their number who had gone out returned in a little, and informed them, that an act of council proceeding upon a letter from the king, dated the 9th of that month, had just now been proclaimed over the cross, by sound of trumpet, dissolving the meeting of council in so far as concerned the matters of the church, and commanding all who had come upon that business to

¹ Baillie, p. 130. ² Guthrie's Mem. p. 130.

³ Ibid.

repair home to their own dwellings, within twenty-four hours after the said publication, except such persons as should make known to the council a just cause for their farther stay, on account of their own particular affairs, under the pain of rebellion, &c. with certification to them, if they failed, they should be denounced rebels.¹

In like manner, because the citizens of Edinburgh had presumed to oppose the bishops, when they were introducing the book of common prayer,² as a punishment to them there was another proclamation issued out, in a few hours after, to remove the secret council, and the court of session, from Edinburgh to Linlithgow, where they were to sit the first of November, and to remove from thence to Dundee.

A third proclamation was made at the same time, discharging an anonymous piece, intitled, A Dispute against the English Popish Ceremonies; which, though wrote by a youth not exceeding twenty-five years of age, the afterwards justly celebrated Mr. George Gillespie, at that time minister of Weymss, was of too corrosive a quality for the bishops' weak stomachs.³

The two first of these politics had been foretold and threatened by some of the bishops; the court thought that the best way to break the combination of the country was to delay them, that, being wearied with delays, they might fall off;⁴ and the information given by the provost of Edinburgh, that the citizens' good resolutions were altered by the confluence of strangers to the council, did, as seems, procure their discharge to remain longer in town; for it was thought that the courts were that town's god, and that their fears of wanting these would draw them anywhere.

But the event soon shewed that the court, or rather the bishops who set them upon those methods, were much deceived in their measures. The city, and all the subjects of the kingdom, did indeed suffer remarkably by the inter-

ruption of public justice which ensued upon those proceedings, but in the event, the injury intended did retort back with greater violence upon the contrivers, and hastened their own downfall.

For the petitioners, suspecting that all the oppression which they met with from their sovereign, in the prosecution of their humble supplications, was owing, in a great measure, to the solicitations of the bishops; and knowing them to be dead weights upon the other lords of the council, they resolved to draw up a formal complaint against the bishops, as authors of the liturgy and canons, and of all the troubles that had, and were like to follow upon them. The penning of that complaint was committed to the lord Balmerino and Mr. Alexander Henderson on the one hand, and to the earl of Loudon and Mr. David Dickson upon the other, who, we may believe, did not sleep sound that night.

Next day two forms were presented to the supplicants, when that drawn up by the earl of Loudon and Mr. Dickson was unanimously gone into; the tenor whereof follows.

“For the glory of Christ Jesus, and preservation of true religion, for the honour of king Charles, and preservation of his native and ancient kingdom of Scotland.⁵

“My lords of secret council, unto your lordships humbly means and shews, we undersubscribers, noblemen, barons, burgesses, ministers, and commons, That, whereas we were in all quiet and humble manner attending a gracious answer of our former supplications against the service-book imposed upon us, and ready to shew the great inconveniencies which, upon the introduction thereof, must ensue, we are, without any known desert, far beside our expectations, surprised, and charged by public proclamation to depart off the town within twenty-four hours, under the pain of rebellion; by which peremptory and unusual charge, our fears of a more summary and strict course of proceeding in thir matters are augmented, and the course of our supplications interrupted; wherefore we are constrained, out of the deep grief of our hearts, humbly to

¹ Baillie, p. 111.

² Ibid. p. 132.

³ Row, p. 327.

⁴ Baillie, p. 132.

⁵ Baillie, p. 43.

remonstrate, that, where the archbishops and bishops of this realm, being intrusted by his majesty with the affairs of the church of Scotland, have drawn up and set forth, or caused to be drawn up and set forth, and enjoined upon the subjects, two books, in the one whereof called *The Book of Common Prayer*, not only are sown the seeds of divers superstitions, idolatry, and false doctrine, contrary to the true religion established in this realm by divers acts of parliament; but also the service-book of England is so abused, especially in the matter of communion, by additions, subtractions, interchanging of words and sentences, falsifying of titles and misplacing of collects, to the disadvantage of reformation, as the Romish mass is, in the main and substantial points, made up therein, as we offer to instruct in time and place convenient, quite contrary unto, and far ranversing the gracious intention of the blessed reformers of religion in England. In the other book, called *The Canons and Constitutions for the Government of the Church of Scotland*, they have ordained, that whosoever shall affirm, that the form of worship contained in the book of common prayer and administration of the sacraments, whereof heretofore and now also we complain, doth contain any thing repugnant to the Scriptures, or is corrupt, superstitious, or unlawful in the service and worship of God, shall be excommunicated, and not be restored but by the bishop of the place, or archbishop of the province, after his repentance and public revocation of this his wicked error; beside an hundred of canons more, many of them tending to the reviving and fostering of abolished superstition and error, and to the overthrow of our church discipline established by the acts of parliament. opening a door for what farther innovations of religion they pleased to make, and stopping the way which law before did allow to us for suppressing of error and superstition; and ordaining, that where, in any of the canons, there is no penalty expressly set down, the punishment shall be arbitrary as the bishop shall think fittest; all which canons were never seen and allowed in any general assembly, but are imposed contrary to order of law appointed in this realm for establishing of matters ecclesiastic; unto which two books the foresaid prelates have, under trust, procured his majesty's royal

hand and letters patent, for pressing the same upon his loyal subjects, and yet are they the contrivers and devisers of the same, as doth clearly appear by the frontispiece of the book of common prayer; and are begun to urge the acceptance of the same, not only by injunctions given in provincial assemblies, but also by open proclamation and charges of horning, whereby we are driven in such straits, as we must either by process of excommunication and horning, suffer the ruin of our estates and fortunes, or else, by breach of our covenant with God, and forsaking the way of true religion, fall under the wrath of God, which, unto us, is more grievous than death; wherefore we, being persuaded that these their proceedings are contrary to our gracious sovereign's pious intention, who, out of his zeal and princely care of the preservation of true religion established in this his ancient kingdom, has ratified the same in his highness's parliament 1633, and so his majesty to be highly wronged by the said prelates, who have so far abused their credit with so good a king, as thus to ensnare his subjects, rend our church, undermine religion in doctrine, sacrament, and discipline, move discontentment betwixt the king and his subjects, and discord betwixt subject and subject, contrary to several acts of parliament, do, out of bound duty to God, our king, and native country, complain of these foresaid prelates, humbly craving that this matter may be put to trial, and these our party taken order with according to the laws of the realm, and that they be not suffered to sit any more as our judges, until this cause be tried and decided according to justice; and if this shall seem to your lordships a matter of higher importance than ye will condescend to until his majesty be acquainted therewith, then we humbly supplicate that this our grievance and complaint may be fully represented to his majesty, that, from the influence of his gracious government and justice, these wrongs may be redressed, and we have the happiness to enjoy religion as it hath been reformed in this land."

This complaint was instantly subscribed by twenty-four nobles, several hundreds of gentlemen, some hundreds of ministers, and the most of the boroughs; and, because it was not received in by the council at this diet, as we shall hear

anon,¹ it was subscribed soon thereafter by fourteen nobles more,² gentlemen without number, the generality of ministers, (the doctors of Aberdeen, and a few in the seats of the other universities, and perhaps a rare person here and there excepted,) and by all the towns except Aberdeen.

“Many of the ministers present in Edinburgh, when that complaint was first exhibited to them, refused to concur therein,” says bishop Guthrie,³ “professing that they came there only to be freed of the service-book, and otherwise had no quarrel to the bishops; which being reported to the noblemen, they sent Rothes and Loudon to persuade the ministers, who, with their long orations (wherein was a mixture of allurements and threatenings) prevailed so upon the ministers, that the challenge against the bishops was instantly subscribed by them all.” But Mr. Baillie, who was present in that meeting of ministers, candidly acknowledges that he was the only person there who hesitated to subscribe; that he was in a difficulty at first, on account of some hard expressions which were in it,⁴ “but,” says he, “after a little silence and advisement, I got my mind extended to subscription, upon thir two grounds; 1. That the words *seeds of idolatry and superstition*, and the *mass*, might, without forcing them, reach far; and indeed, according to my mind, after the Canterburian’s late commentaries, such seeds truly were sown. 2. That, who subscribe a complaint upon the narrative of many wrongs, it was enough to abide by the conclusion, and so many of the premises as truly do justify it. Upon thir two grounds I got my hand to that writ, and did never repent of that subscription; for, after trial and much study, I think there is no word in it which I could not defend in reason.”

While this paper was in subscribing, the Edinburghers, especially the females, became tumultuous; they found their supplication had never been pre-

sent to the king; they saw the courts removed, the greatest evil which they did fear executed upon them; they understood likewise that the provost had promised to bring them to the embracing of the service-book, and they were afraid that the nobles and gentry were charged to depart from the city, that they, being left alone, might, by their provost’s threatenings or allurements, be brought to comply; so the populace, to the number of some hundreds, beset the house where their town council were then convened, and demanded that the provost and council would appoint commissioners to join with the rest of the country in their supplications and complaint, and that they would restore Messrs. Rollock and Ramsay, ministers, and Mr. Henderson, a reader or precentor, who had all been suspended from their offices on that score; and that such denunciation might not be wanting as was in their power, they told the council full plainly, that unless all were granted presently, they need not expect to come out alive.

The council considering that this was no time for arguing, granted all that was sought. James Cochrane, John Smith, and a third of their old bailies in whom they had most confidence, were nominated commissioners to concur with the other supplicants, and an act subscribed by all their magistrates in favour of their suspended ministers and reader, was likewise given out to them, and then they went off in triumph.⁵

But, unluckily for those matrons, they knew not where to stop, nor when to hold themselves content. For the bishop of Galloway coming up the street towards the tolbooth, for the examination of some witnesses in a cause betwixt the earl of Roxburgh and Francis Stewart,⁶ son to the late earl of Bothwell, they would needs examine his lordship concerning the wearing of a crucifix of gold under his coat, of which he had been accused by the earl of Dumfries some years before; and, from interrogatories, they proceeded to tug and

¹ Baillie, p. 133.

² *Ibid.* p. 135.

³ Guthrie’s Mem. p. 30. ⁴ Baillie, p. 134.

⁵ Guthrie’s Mem. p. 136. ⁶ *Ibid.* p. 136, 136.

draw the poor bishop most unmercifully, till he was relieved by some gentlemen, partly by soft words, and partly by making some faint attempts to use violence against the assailants.

But though this repulse wrought the bishop's liberty, the attackers, recollecting themselves, would not put up with the affront, but returning with greater violence, they beset the council-house, whither the bishop fled, and demanded that both he and the provost might be given up unto them.¹ The council being thus beleagured, had recourse to the city magistrates for relief, but they not being able to afford any, they applied next to the nobles, whom they had so lately commanded off the town, to come to their assistance, who, after some sober dealing with the populace, prevailed with them to retire to their several habitations; after which the councillors retired in safety to Holyrood-house.

In the afternoon proclamation was made, declaring this tumult to be barbarous, insolent, and all the evils any could call it, and commanding, under the highest pains, that none of the inhabitants should be seen in the street, except for their necessary affairs.²

Upon the back of this an express was sent to court, wherein that matter was exaggerated to the last degree; and it seems, the bishop and provost were so afraid of the inhabitants, that they would not, for some time, trust themselves in their reverence. The bishop fled to Dalkeith, the seat of the lord treasurer, and the provost pretended to go off immediately for court; but after second thoughts and a sound sleep, he thought fit to take up his quarters in Leith for some days, until the people were appeased, and then returned to his old lodgings.³

This fray being over, the complainers against the bishops used all diligence to get a meeting of council, and at length, by the solicitations of the nobles, they obtained it. The lord Loudon, in name of the supplicants, made a smooth com-

plaint of the severity wherewith they were used, and desired liberty to remain in town, in order to prepare for term-affairs, and that the council would receive their supplication.

Upon this solicitation the council granted liberty to them to stay twenty-four hours longer, and to all who would come and shew the necessity of their particular affairs they promised a licence to stay longer; but refused to read their supplication, pleading the king's interdiction as their warrant not to meddle at that diet with any thing which concerned the church.⁴

And so far were the bishop and provost of Edinburgh from thanking the nobles for rescuing them from the fury of the mob, that they did chide them severely, as if by the numerous conventions of the supplicants the others' insolence was cherished and maintained.⁵ But the more wise amongst the councillors reprehended this impertinence; and lest the public tranquillity should come to suffer, by provoking the supplicants, and wearing out their patience after this manner, they assured them of their willingness to listen to their complaints, and give them a favourable answer whenever their hands should be loosed.

That afternoon the nobles, and so many of the other supplicants as could, met together in the lord Balmerino's lodgings, in order to concert proper measures for making the best use that wisdom and diligence could of every occasion. In this meeting the lords Balmerino and Loudon, and some of the ministers, did greatly strengthen others with their speeches. Our author, who was no mean judge, says, that the eloquence of these two lords, upon this occasion, did greatly charm him; that the harmony, mutual love, zeal, and gravity amongst all, was greater than had been seen in any meeting of ministers for forty years past; and that, in the conclusion, Mr. Thomas Abernethy made a most pathetic speech to the nobles and gentry, exhorting them, that as they had been exemplary unto the people, in a seasonable

¹ Guthrie's Mem. p. 136. Rapin, p. 301.

² Baillie, p. 136. ³ Ibid.

⁴ Baillie, p. 137.

⁵ Ibid.

appearance for the interests of religion, they would be no less so in the reformation of their own persons and families ; which all took in good part, and promised fair ; and so they parted for that time, to meet again the 15th of November, as coinciding with term affairs.¹

According to the proclamation for adjourning the session to Linlithgow, the lord treasurer and other members of court went to that place upon the 1st of November, and made a fashion of constituting the same in the palace ; but that house being out of order, and the advocates and writers refusing to attend there for want of accommodation, they wrote thereof to the king, who adjourned it to Stirling.²

The fame of the meeting intended to be upon the 15th of November spread quickly over the country ; “and,” says bishop Guthrie,³ “the ministers thundered so from their pulpits, that, against that day, multitudes of all sorts of people, in greater numbers than formerly, from all quarters, came to Edinburgh with their supplications ; and among other nobles who had not been there, came the earl of Montrose, so that the bishops thought it time to prepare for a storm.”

To counterpoise all sinister accidents, the lord treasurer indicted a meeting of council at Linlithgow the 14th of November, where, after consulting what course they should take with the petitioners, they did break up the diet and came to Edinburgh.⁴

Being come thither, they found that the number of those who came up to supplicate for an answer to their former supplications was greatly increased ; so the lord treasurer, with the earl of Lauderdale and the lord Lorn, as the three wisest, and least exceptionable of the council, wrote to the nobles convened, endeavouring to persuade them, that their meeting so frequently, and in such numbers, was informal, disorderly, and illegal.⁵

To which it was answered, that the petitioners had, at this time, so divided themselves in several companies, and kept within doors, that their numbers occasioned very little disorder ;⁶ that all of them were desirous that the necessity of so many important matters as their last petition did contain, should be made known to his majesty. That those matters being of common and public concern, and what all the lieges had an interest in, their joint concurrence in supplicating, and attending the answer to those supplications, were justifiable by reason, law, equity, and custom, according to king James’s uncontroverted axiom in the beginning of his discourse on the powder plot, that *pro aris, et focis, et patre patriæ*, and the danger of any of these, is a time when no man ought to keep silence, but that the whole body of the commonwealth should stir at once, not any more as divided members, but as an undivided body.

At the same time the petitioners signified, that, as the redress of their grievances was like to take up some time, they were willing, both for avoiding giving offence by the greatness of their number, and to prevent so great trouble to themselves, to choose a few of the nobles, two gentlemen out of each shire, one minister for each presbytery, and one burghess for each burgh, as commissioners for the whole, to attend his majesty’s answer to their supplications.⁷

The council being afraid, and not without reason, that some tumult, or greater evils, might arise from so great a concourse of people, were content of this motion, only they suggested, that of these a few were sufficient to attend at a time, and promised to give them timely notice of his majesty’s answer, which they trusted would come shortly.⁸

Accordingly, those who stood for the reformation came to a resolution, that all the nobility, or so many of them as pleased, with two gentlemen for every shire, one minister from every presbytery, and one or two from every burgh,

¹ Baillie, p. 138.

² Guthrie’s Mem. p. 31.

³ Baillie, p. 138.

⁴ Ibid. p. 144.

⁵ Ibid. p. 139.

⁶ Baillie, p. 139, 142.

⁷ Ibid. p. 140.

⁸ Ibid.

should represent the whole supplicants, which commissioners were, for their sitting separately, each rank consulting by themselves, called The Tables;¹ and, because it was intended that those whole commissioners should only attend upon extraordinary occasions, it was agreed that the earls of Rothes and Montrose, with the lords Lindsay and Loudon, for the nobles; the lairds of Keir, Cunninghamhead and Auldbar, for the shires; James Cochrane and John Smith, late bailies of Edinburgh, with the provost of Culross, for the burghs; and Mr. James Cunningham at Cunnock, and Mr. Thomas Ramsay at Dumfries, for the ministers; should act as deputies for the whole, and constantly reside at Edinburgh, to receive the answer of their petitions, and give in remonstrances as they should find occasion, and to do and perform every thing which the whole might lawfully do, for promoting and furthering of the petition and complaint subscribed by them, or presenting new grievances to the same end, having the approbation of the whole commissioners.² And to this effect they received written commissions, which were to continue in full force until recalled by their constituents.

Upon this occasion the gentry concerted a method whereby others should by turns succeed in their place, and whereby the whole country might, upon any emergency, be advertised in a trice, and timeously convened.³ These things being settled, the petitioners repaired peaceably to their several abodes, after they were all of them seriously admonished, and had solemnly promised reformation of life and manners, and the serious exercise of fasting and prayer, that God would be merciful unto them, and that he would turn the heart of their king to those counsels which would best promote the divine glory, the establishment and honour of the crown, and the safety and peace of the subjects.⁴

Next day the deputies, who were ap-

pointed to attend at Edinburgh, waited upon the lords of secret council, and propounded unto them the following requests,⁵ viz. 1. That if they received not satisfaction by the courses proposed, and found not his majesty rightly informed of their grievances, they desired they might not be mistaken if they should convene their constituents. 2. They desired satisfaction of some bishops and ministers, who had not only in private discourse, but also publicly in their sermons, slandered the supplicants as mutinous, seditious, and rebellious. 3. That the citizens of Edinburgh having done no harm, except what was done by some clamorous people amongst them, whom they could not prevent, their lordships would intercede with his majesty to restore the courts of judicature unto them. 4. That Messrs. Ramsay and Rollock, ministers, might likewise be reponed to their places. And, 5. That the bishops might be ordained to leave off the practice of the service-book, until the king's mind was known.

The lords, though chapterly convened, protested they were not a council, and therefore they gave only general answers to those requests.⁶ The first they accounted premature. The second they slighted as passionate words, unworthy to be remembered. The third they would not meddle with, because it came not from the provost and magistrates of Edinburgh. To the fourth the bishop of Edinburgh, who was present, and pretended the greatest interest in that matter, professed his willingness, provided it were done with the king and the chancellor's consent. And, for the fifth, the lords said they would advise with the bishops concerning it.

The last was farther urged from a report made by the bailie of Brechin, that doctor Wedderburn, their bishop, was so eager for the service-book, that he had discharged their town-council to choose a commissioner to supplicate against it; and, when they would not forbear, he took instruments in the name of God, and of the king, and in his own name,

¹ Baillie, p. 142, and Neale's Hist. Purit. vol. ii. p. 318.

² Baillie, p. 61.

³ Ibid. p. 116, 142.

⁴ Hist. Mot. p. 38.

⁵ Baillie, p. 140.

⁶ Ibid. p. 141, 142.

being a councillor, that he had discharged them.¹

Against this vehemence, both the chancellor and treasurers did caution bishop Wedderburn; but he, being resolved to serve the king at a time when other feeble cowards couched, would not be advised.² Upon the Sabbath following he went to the pulpit with his pistols, and, as was reported, his servants, and even his wife, were prepared for hostility. He entered the church before the usual time of worship, closed the doors behind him, and read his service; but, as he was returning home, the people having by that time got notice of his exercise that morning, flocked about him, and handled him so rudely, that he fled with all speed, and never had courage to play that game over again.

Notwithstanding the councillors had solemnly protested to the deputies for the petitioners, that they were not met in council, yet, upon the 17th of November, they wrote two letters in the council's name, one to the king, and another to the earl of Stirling, the secretary for Scottish affairs, to be communicated to his majesty, wherein they inform, that, in respect of the important time of the term (which, for the settled custom and practice of the country, is the indicted diet for intercourse of money, payment of debts, and performance of bargains) there should be forbearance of a prohibitory proclamation:³ That, having, by the lords treasurer, Lauderdale and Lorn, represented to the nobility, gentry, ministry, and boroughs, how much it was to be feared that such numerous convocations would be offensive to his majesty, &c. the nobility, and others foresaid, did, with all dutiful respect, vindicate and clear themselves from all imputation of disloyalty, and sincerely professed and affirmed, that the cause and end of their coming to Edinburgh, was to attend, with humble and submissive obedience, the return of his majesty's gracious pleasure concerning their former petitions; as also because they suspected that the council

had not so fully and clearly represented their grievances to his majesty, against the service-book, as was necessary; and, because they conceived themselves and their fortunes to be brought into great danger by the vast and unbounded power of the high commission, they were, for redress of these, laid under the inevitable necessity of addressing the council by their humble petitions; that it was not without great difficulty the multitude convened could be prevailed with to disperse, and not until they, the council, would give way to their desire; that, whenever his majesty's pleasure concerning the service-book should be returned and made known to the council, or as, upon occasion, they should find themselves justly grieved, they might be allowed, by their commissioners, to represent their grievances, and receive his majesty's or the council's favourable answer to the same.

The supplicants were scarce got home when they heard of the arrival of the earl of Roxburgh, lord privy-seal, who had gone up to court after the meeting of council in October, and now returned with a letter from the king to the council, dated the 15th of November, by which they were commanded to give full credit to his lordship's information, in all things which he should communicate unto them by word or writ, concerning the present state of the kingdom, and conform themselves unto the remedies which were thought necessary for the same.⁴

In consequence thereof the councillors were wrote for to meet at Linlithgow upon the 7th of December; and, because there were some hints given which seemed to import that one of Roxburgh's private instructions was the apprehending of some of the ringleaders amongst the nobility, the deputies for the petitioners were no less careful to advertise their constituents.

Accordingly the whole commissioners came to Edinburgh, upon the 5th of that month;⁵ but the treasurer, judging their presence nowise seasonable, dealt

¹ Baillie, p. 141. ² Ibid. ³ Ibid. p. 30.

⁴ Baillie, p. 113.

⁵ Ibid. p. 143.

earnestly with them not to go to Linlithgow; and this, after much debate, was yielded to, upon assurance given, that nothing should be done to their prejudice, and that they should have a new meeting of the council within four days thereafter.

Upon the 7th of December, the councillors being pretty fully convened at Linlithgow, his majesty's letter of trust to Roxburgh was read, and the earl's private instructions communicated, by which they learned, that his majesty, though averse to the council's judging in these controversies, was desirous to have his subjects retain a good opinion of him, and that the course of justice, which had been stopped for nearly a twelvemonth, might again have free egress;¹ whereupon the council made three acts: one declaring that his majesty had had no intention to make any change in the religion or laws of the country; another ordaining that the meeting of council should be kept weekly in Dalkeith until the first Tuesday of February, and thereafter in Stirling, and that they should sit every Tuesday for settling the business of the estate, and every Thursday for hearing the complaints of parties grieved, and requiring the councillors, in respect of the present exigence, to attend more punctually upon the diets of council than they had done formerly; and a third act for the down-sitting of the court of session at Stirling upon the first Tuesday of February following: All which were proclaimed, by sound of trumpet, over the crosses of the burghs of Edinburgh, Stirling, Linlithgow, &c. But, as the two last of these acts did not respect the general complaints of the lieges, we shall only transcribe the first, which runs thus:²

"Apud. Linlithgow, 7th of Dec. 1637.

"Forsuameikle as the king's most sacred majesty, having seen the petition presented to the lords of his privy council, and by them sent up to his majesty, concerning the service-book, determined to have taken the same

¹ Baillie, p. 143.

² *Ibid.* p. 52.

to his royal consideration, and to have given his gracious answer thereanent with all conveniency; likeas his majesty, by his letter to the council, of the date the 9th day of October last, did signify his gracious resolution to the effect aforesaid; but, since that time, his majesty finding, far contrary to his expectation, that such disorderly, tumultuous, and barbarous insolences have been committed within the city of Edinburgh, upon the 18th day of October last, to the great contempt of his majesty's authority royal, by abusing his majesty's councillors and officers of state, and others bearing charge and authority under his majesty within the said city, his majesty, in a just resentment of that foul indignity, wherein his majesty's honour did so much suffer, has been moved to delay the signification of his majesty's foresaid gracious intention, in giving to his good subjects such satisfactory answer to their petitions as would have been in equity expected from so just and religious a prince; but yet, his majesty being unwilling that his majesty's loyal and faithful subjects should be possessed with unnecessary and groundless doubts and fears, his majesty is pleased, out of his goodness, to declare, likeas his majesty by thir presents declares, That, as he abhors all the superstitious of popery, so he will ever be most careful that nothing be allowed within his majesty's dominions but that which shall tend to the advancement of religion, as it is presently professed within this his majesty's ancient kingdom of Scotland; and that nothing is, or will be, intended to be done therein against the laudable laws of that his majesty's native kingdom; and ordains proclamation to be made hereof at the head burghs of this realm."

On this act the ingenuous Rapin observes,³ "That, according to the king, the true religion was that of the church of England: That, by the religion presently professed, he meant only that which contained the hierarchy and episcopacy; and, by the laws of the kingdom, he understood those that were enacted after the king his father's accession to the crown of England. It is at least certain the malcontents gave this sense to his general expressions, from whence they inferred, he was very

³ Vol. ii. p. 302.

far from desisting from what he had undertaken, and still farther from pardoning the late disorders at Edinburgh. Wherefore they resolved to take measures, not only to secure themselves from the king's resentment, but also to cause all the innovations complained of to be abolished."

And now the councillors finding that the surprising of the leading nobility was not to be attempted, and that the very poorest of them was not to be taken off with large offers of posts, pensions, and preferments,¹ for this, according to my author, was also contained in Roxburgh's indefinite commission, their next device was to divide them.

And so, upon the 9th of December, the lord treasurer and lord privy-seal sent for some of the commissioners to Holyrood-house, and were waited upon by four noblemen and a baron.² When they went thither, the lord treasurer expatiated upon the king's condescension, how graciously his majesty had expressed himself by his late proclamation, having cleared any fear that had been conceived of a change of religion; and therefore desired the commissioners to be wise in their proceedings, having to do with so good a king; and seeing the book of common-prayer was the cause which moved them first to supplicate, that being superseded, why should they not acquiesce?

To this it was answered, that the proclamation was unnecessary with respect to them, who never made any doubt of his majesty's love to religion,³ but, on the contrary, had declared against that suspicion, by imputing the innovations imposed upon them to the bishops, who, they supposed, would prove guilty of that fault. As for the book of common-prayer, they said it was not sufficient to supersede it only, for then it might be introduced again, but that it was necessary to remove the same by the same authority which introduced it. And, for the canons and high commission, they could not omit to seek relief

from them, because they overturned all church discipline, subverted the lawful judicatures, and endangered their estates and liberties, being introduced without, yea, contrary unto all order of law, formerly appointed for establishing of ecclesiastical constitutions and lawful judicatories in this kingdom.

The lord treasurer replied, that, supposing all the things complained of were necessary to be removed, yet, as they had to do with a king, it was fit that he should prescribe both the order and time of doing it;⁴ and advised them not to take too much in hand at once, lest that should spoil all, and they, by a precipitate pushing for censuring of the bishops, prove a mean of their higher exaltation.

Whereunto the commissioners replied, That wrongs done to religion ought to be speedily repaired by his majesty, as being the Lord's deputy over his people, especially for the preservation of that religion to which he himself is subjected as well as the people;⁵ and that the corrupting of true worship, and introducing of superstition and idolatry, were crimes which the jealous God would not long bear with, and from which they were confident to have obtained redress ere now, had the king been truly informed of the unsoundness of these books, and the wickedness of the other innovations complained of.

As this engine would not work, these courtiers desired the supplicants would divide their petitions, because, their numbers being great,⁶ it would be less obnoxious to any construction of combining against authority, and more acceptable to his majesty, that each degree would petition separately; and where these were numerous, as was the case with the gentry, that they would come by counties, and at different diets. The supplicants looked upon this as a piece of state policy, that in this way they might be the more easily overturned; nor was it unknown to them that the Britons, in former times, were, as Tacitus writes, ruined by the Romans

¹ Baillie, p. 144. ² Crawford, b. iii. sect. 1.
³ Ibid.

⁴ Crawford, book iii. sect. 1. ⁵ Baillie, p. 204.
⁶ Crawford, book iii. sect. 1.

through such a method as this ; while they fought separately, they were universally overcome ; and therefore the supplicants disdained such fatal counsels, and would not divide their petitions,¹

1. Because they were commissioners limited by those who had entrusted them with a commission, and therefore could do nothing without consent of their constituents. 2. The cause wherein they were employed was equally common to all, and therefore to divide were to condemn their former meetings. 3. If the supplicants should appear separately, it would overturn all order, and bring in confusion ; diversity of motions working upon several humours and judgments, might tend to the disadvantage of the cause ; separate petitions might admit separate answers, which one and the same supplication could not admit ; and, should they supplicate severally, they would become odious to their constituents.

For these reasons the commissioners resolved to supplicate jointly ; and knowing the council was to sit upon the 12th of December, they went out to Dalkeith in a body, but were not allowed access : The lords of council sent out a macer to desire them to send in their petition with him, but the commissioners conceiving that this was a draught to disappoint them of an opportunity of declining the bishops—for the chancellor presided in the council, and some other of the bishops were present in it,—they refused to send in their petition ; and desired him to inform their lordships that they were ready to deliver it themselves, and had something to speak for farther clearing of their minds. This being reported, the council sent out their clerk to the supplicants, desiring that every degree might present their petitions severally ; this the commissioners refused also, because they were appointed to present one petition for all the supplicants ; yet, after all, the clerk was sent on a third message, to demand whether they were come as the three estates, or in what other capacity ; and he having

¹ Baillic, p. 66.

misrepresented their answer, whether by mistake or of purpose is uncertain, the council delayed the affair till next day.

The commissioners getting notice that their answer to the clerk had been mistaken, they were much offended with him, and at great pains to undeceive the lords of the council, assuring them that they appeared in no other capacity but as supplicants of all ranks, and as such they desired to be heard.²

When the councillors had received satisfaction in this particular, the earl of Southesk and the lord Lorn were ordered to deal with the commissioners, that they would alter some passages of the supplication presented the 18th of October, namely, that part thereof bearing that the archbishops and bishops were contrivers of the service-book, and this they would have restricted to some of them only ;³ and where it is said, That the matter may be put to trial, and these our parties taken order with, they insisted that the words, *these our parties*, might be left out, as savouring of revenge.

But the commissioners opposed alterations in general, because, 1. It would offend the whole body of the church and kingdom, who had subscribed the complaint, if the commissioners should give way to alterations without their warrant. 2. It should hurt the cause, knowing that their adversaries would never cease to urge new alterations, if once they found the ice broken. And, 3. It would bring a sudden imputation upon them amongst foreign churches, some of whom had already received copies of their complaint.⁴

And, more particularly, they answered, No alteration of the words *archbishops* and *bishops*, because, 1. It would put them off their ground, being the words of the proclamation in the frontispiece of the book.⁵ 2. It would puzzle them to design either bishops or archbishops. And, 3. It would make them acknowledge the fault to be personal, and to be imputed to some, and not to the episcopal estate and hierarchy.

² Baillic p. 66.

⁴ Ibid. v. 65.

³ Ibid.

⁵ Ibid.

And they declined alteration of the words—*prelates* and *parties*, because, 1. It would draw them upon a higher party, and so not only endanger their estates and persons, but also, which was more dear to them, point at the king's majesty's honour and undoubted affection to religion declared in the late proclamation. 2. If, after the complainers had designed them to be their parties, they should pass from the same, it were the greatest advantage that ever their estate got in this land, which, to that time, had been raised and set up only by corrupt assemblies, and presumptuous usurpations, without any consent or countenance of them or their predecessors, who were of their mind, which they would obtain by that capitulation, &c.

At the same time, lest the subscribers of the complaint should be anyways weakened or discouraged by such attempts, the authors of the complaint drew up the following¹

“REASONS for the clearing of those who have subscribed the complaint against the prelates for undermining of religion in the two books of canons and common-prayer.

“We find the parties of this controversy to be the subjects of all estates on the one hand; the subjects, by way of supplication, calling to the lords of secret council, and by their means to the king's majesty, for justice, according to the laws of the realm, unto whose just complaint we have joined ourselves, and subscribed the same as became us to do, for these reasons following.

1. The laws of God and man direct us, in case of injury in wrongs done to us, to seek redress by civil justice, and to demean ourselves to the ordinary judge by complaints and supplications; therefore could we not but choose this course. 2. The wrong complained of, being no less than the overturning of religion, and ensnaring of all the subjects in the matter of their soul, body, and goods, it behoved us to hold hand to seeking of justice in so weighty a case. 3. Seeing we know the great commotion of minds in burgh and land for this innovation of religion, tending to a tumultuous stirring of the inconsiderate multitude, we find ourselves bound,

¹ Baillie, p. 55.

as good subjects, and lovers of the king's honour and peace of the country, quickly to lay hold on so lawful and quiet a mean to still and pacify the commotion, that lawful remedy may be found by the magistrate. 4. In our confession of faith, printed and set forth amongst the rest of the confessions of the reformed churches, we stand bound by oath and subscription, to reject all points of popery, and to maintain the true religion as it is reformed amongst us; and therefore could not but subscribe so lawful a complaint, so many complainers undertaking to prove the same. 5. We foresaw that an unanswerable outcry had been made against us by all the rest of the subjects, and namely by the commons in the several burghs and places where we dwell, if we had refused to subscribe with others. 6. We being assured that it is better service to God, and to our sovereign the king, to assist justice, in a legal pursuing of the prelates, than to assist the prelates, either to go on in pressing their novations, or to escape the trial of law for their attempts, we have chosen to engage ourselves by our subscriptions to so just a complaint, being confident to be allowed for so doing by his majesty, so soon as he shall understand the truth of the matter. 7. Seeing no good patriot, of whatever affection to religion, can allow any novations brought in without order of law, to the disquieting of the kingdom, nor disallow an orderly proceeding by lawful complaints against such unlawful courses, we could not be excused, at any hand, if we had not subscribed this complaint. 8. Considering the complaint is intended allenary for the preservation of true religion, and welfare of the kingdom, the glory of Jesus Christ, and honour of king Charles, it had been both sin and shame, if either we had been neutral in this controversy, or had taken part with the guilty prelates. 9. It were a wrong done to our sovereign, to suspect that his majesty would be angry at his subjects for complaining on such as do them wrong, seeing we call to himself and to his council only for justice in a humble manner. 10. If we should not subscribe, we declare thereby, that either we account the bringing in of the mass amongst us no wrong, or ourselves to be so indifferent, that we will use no lawful means to hold it out. 11. If we subscribe not the complaint with others, we may just-

ly be judged to receive the book as consenters, and so both divide ourselves from the rest of the kingdom, and make way for division of our people amongst themselves. 12. If we join ourselves with the rest, and so the body of the kingdom be found of one mind, it is not likely but so just a king will give a gracious answer. 13. When the first proclamation and letters patent, for imposing the service-book and book of canons was given forth, the king's majesty knew not that they contained any superstitions of popery, or any thing contrary to the established religion and laws of the country; for now his majesty, hearing that these books are challenged as popish, and contrary to the laws, has, by public proclamation at Linlithgow and Edinburgh, the 7th and 9th days of December 1637, declared, that he doth abhor all superstitions of popery, and will allow nothing contrary to the true religion now presently professed, and to the laudable laws of the kingdom. 14. His majesty has declared the petitioners against the service-book to be good, loyal, and faithful subjects, who may hope for such satisfactory answers from him as could in equity be expected from so just and religious a prince, as his late proclamation shews. 15. Such as refuse to subscribe, pretending only the offence of his majesty, have to take heed lest they be found to entertain in themselves, and foster in the hearts of others, suspicions of his majesty's mind, contrary to his express declaration in the proclamation. 16. Such as take a contrary course to the supplicants and subscribers, traducing them as disloyal subjects, have to take heed lest they be found encouragers or followers of affection for maintaining of superstition and popery, and unlawful practices contrary to the religion professed in this kingdom, and established by laudable laws, and to the king's proclamation."

The supplicants being thus shifted, and put off with one device after another, for two or three days successively, and knowing that the council was to sit no more until the following week, they set two or three of their number at each of the two doors of the council-house, ready to protest in name of all the subjects of the kingdom who had these things at heart, 1. That they might have immediate recourse to present their just grie-

vances to their sovereign, and, in a legal manner, to prosecute the same before the ordinary competent judge, civil or ecclesiastical. 2. That the archbishops and bishops, being their parties, could not be reputed nor esteemed lawful judges to sit in any judicatory in this kingdom, civil or ecclesiastical, upon any of the supplicants, until they, the bishops, after lawful trial, were judicially purged of such crimes as they had already laid to their charge, and which they offered to prove whenever access should be allowed to them to do so. 3. That neither they, nor any whose heart the Lord moved to join with them in supplicating, should incur any danger in life, lands, or other pains, for not observing such acts, books, canons, rites, and judicatories, as had been introduced without, or against the acts of general assemblies, or statutes of the kingdom, but that it should be lawful to use themselves in matters of religion—of the external worship of God and policy of the church, according to the word of God, and laudable constitutions of this kirk and kingdom, and conform to his majesty's declaration the 9th of December last. 4. That if any inconveniences should fall out, which they did pray the Lord to prevent, upon the pressing of the innovations, or evils contained in their former complaint or supplications, and upon their lordships' refusal to take order therewith, the same should not be imputed unto them, who had hitherto behaved in a quiet manner, and did seek all things to be reformed in an orderly way. And, 5. That these their requests proceeded from conscience, and did tend to no other end but the preservation of the true reformed religion, and satisfaction of their humble desires, contained in their supplications and complaint, according to his majesty's accustomed goodness and justice.¹

Yet this protest was not given in, for the councillers having got information of the petitioners' design, and knowing how intent they were upon a hearing, and fearing lest the deferring to hear them

¹ Baillie, p. 63.

should produce worse effects, they assured them of a hearing upon Thursday the 21st of December, and even gratified them with an act to that effect.¹

In the meantime, the commissioners, for avoiding all appearance of tumult, did appoint the twelve deputies before-named to present their supplications and complaint to the council, and to act and do therein as fully and freely in all respects as they might or could have done themselves.² They likewise thought proper, in respect of the present distress of the church, and small prospect of a comfortable outgate, that all ranks should set apart time for humiliation and fasting; and as they could not, in their present situation, indict a set universal fast, they left the time and causes to the discretion of the several ministers and their sessions, only they advised them to acquaint their people with the heinous nature of the late innovations, and how far they were contrary to the confession of faith, or covenant, sworn and subscribed by all ranks in the kingdom; and they gave their opinion that the universities should be admonished in a brotherly way to beware of the service-book, and of suffering any corrupt doctrine to be taught amongst them.

At the time appointed the deputies from the commissioners appeared before the council, which now consisted of laymen only, for the bishops, whether to prevent the ignominy of being forced from it, or because the other councillors advised them to do so, is uncertain, had withdrawn themselves;³ and there the noble and truly religious lord Loudon, viscount of Aurence, as the mouth of the other deputies, gave in new copies of the two supplications of the 20th of September and 13th of October, which had lain in the clerk's hands, and copies thereof been sent up privately to his majesty, though not acknowledged by the council, because discharged at that time from meddling therein.

With these old pieces, the copies

¹ Baillie, p. 147.

² Ibid. p. 60.

³ Ibid. p. 147.

whereof are formerly inserted, his lordship gave in a new supplication, which, after resuming the substance of their former supplications, adds, by way of farther complaint, that, since that time, many of the prelates had publicly practised the liturgy themselves, and urged others publicly to practise the same;⁴ and that some of the ministers of Edinburgh, &c. had, in their speeches and sermons, defamed their legal proceedings, and humble supplications, with the odious and intolerable imputation of rebellion and conspiracy against authority, &c. Therefore they did earnestly crave, that the council would read, consider, and give a present answer to their supplications and complaints, or represent the same fully to his majesty, as the equity and great importance of the cause did require; and, for the better satisfying of their just desires, they besought their lordships to intercede with his majesty, that a warrant might be obtained for a formal and final determination of these their overwhelming grievances, according to justice, and for prosecuting all who had thus injured them in their allegiance and loyalty.

And, because the former declinature had not been given in, the said noble lord presented another, craving, that because the archbishops and bishops were, by the foresaid supplications, made their direct parties, as contrivers, devisers, introducers, maintainers, and urgers, upon them, and others his majesty's good and loyal subjects, of the books of common prayer and canons, both altogether unlawful, and by being authors of several other innovations and just grievances, set forth in their supplications, therefore they declined them, and humbly craved that the council would not suffer them to sit as their judges, until the cause were tried and decided according to justice, &c.⁵

Upon this production lord Loudon took instruments in the hands of the clerk of council, with a Carolus of gold; and, being allowed to offer what he had farther to say, he delivered

⁴ Baillie, p. 73, 147.

⁵ Ibid. p. 76, 147.

the following speech with great eloquence.¹

“ My Lords,— A more weighty and state-ly cause than this, for the which we compear before your lordships at this time, was never pled before any judge on earth, being for the defence of true religion and established laws, on which dependeth the welfare both of church and commonwealth, our condition of life, liberty, and fortune, in this transitory world, and our eternal happiness in the life to come; our duty to Almighty God, the supreme King of kings, and our allegiance and duty to our sovereign lord and master the king, do call seriously upon us to consider, that, as the public form of God’s worship is the most comfortable and solemn action of us his creatures on earth, so the greatest grievance we can sustain is the alteration of religion, which, by the innovations complained of, is pitifully changed, in doctrine, sacraments, and discipline, contrary to several laudable acts of parliament, and the constitutions of the national assemblies of our church, by the illegal introduction of the Book of Canons and Ordination, high commission and service-book, called the Book of Common Prayer, in which are sown the seeds of diverse superstitions, idolatry, and false doctrine, so as the Romish mass is in the main and substantial points made up therein, which whole innovations, as they are fraughted with heaps of absurd and intolerable pollutions in the matter, tending to the undermining and extirpation of true religion, so, in the manner of in-bringing, they want the warrant of the general assembly, the only representative body of the church, or allowance of parliament, but are unlawfully introduced, contrary to both, by the prelates. First, by causing set forth a book of canons, wherein it is ordained, that ‘ whosoever shall affirm the form of worship in the service-book, and administration of the sacraments, doth contain any thing repugnant to the Scriptures, or are corrupt, superstitious, or unlawful in the worship of God, shall be excommunicated;’ which book of canons was the forerunner and usher of the service-book, anno 1636, after which the service-book, by the bishops’ conduct, was, by act of council, ratified long before it was either printed or seen; and therefore,

¹ Baillie, p. 120, 147.

being thus sheltered by some shadow of authority, it took vent by a public proclamation, charging all his majesty’s subjects to conform themselves thereunto, as the only form of God’s public worship to be used within the kingdom; and though the book was not then seen by those who were charged to accept it upon implicit faith, yet were the ministers charged to buy the said books, for the use of their parishes, under the pain of rebellion; whereupon they were forced to supplicate your lordships of his majesty’s council, by giving in a bill of suspension in the month of August, being charged in July before; and the subjects finding themselves thus ensnared betwixt two extremes, by danger of rebellion and excommunication on the one hand, or of falsifying the way of true religion, and breach of our covenant with God on the other hand, could find out no such legal and safe way, as humbly to supplicate your lordships against these innovations, so far tending to the overthrow of true religion and our lawful liberties; for preventing whereof we resolve to proceed in that most orderly and legal way which might avoid all imputations of factions, convocations, and tumultuous dealing, and which might best testify our loyalty to our king our master, by selecting one or two of the gravest ministers within each presbytery, and two discreet gentlemen from each shire, to prefer our complaints, and remonstrate our just grievances to your lordships, that by your lordships’ mediation the matter might be represented to his sacred majesty, from whose justice redress was humbly craved and expected; and supplications at several diets were given in, in name of the nobility, gentry, ministry, and burgesses, to that effect, as the petitions themselves, especially those which were given in upon the 23d day of September, and 18th of October, do clearly purport: At which time, by warrant from his majesty, procured, as we apprehend, by the bishops, the course of our supplication was interrupted, and the council at that time discharged to meddle with any church business; and the supplicants, by open proclamation, were charged to depart off the town within the space of twenty-four hours, under the pain of rebellion, whereby we were constrained to give in that supplication the 18th of October, containing a complaint against the bishops and archbishops,

as the contrivers, maintainers, and urgers of the service-book, and other grievous innovations; and so, in obedience to the proclamation, that meeting was dissolved, and the supplicants did return to the several places of their residence, until the earnest desire of a gracious answer of our former demands, which was always longed for from his majesty, made us return to Edinburgh the 15th of November, as a time convenient for our meeting, being coincident with the term and downsitting of the session; where we might likewise consult and resolve upon the most expedient way of remonstrating our just grievances to the king's majesty: But my lord treasurer, with the earl of Lauderdale and the lord Lorn, having, out of their respect to his majesty's service, and the quietness of the country, signified to us that so frequent a meeting might be misconstrued, and produce some dangerous effects, even contrary to our intentions, to testify how desirous we were to carry ourselves in that humble and respectful manner which might be most pleasant to his majesty, we hope your lordships will bear us witness, that we readily yielded, that this important affair, so deeply concerning us all, might be attended and prosecuted by a few; that, thereupon our numerous meeting was dissolved, and commissioners chosen for attending his majesty's answer, and to do what else might conduce for furthering our lawful desires, who have remained in Edinburgh till the earl of Roxburgh's coming from court, with whom his majesty's answer was expected, at whose return the privy council was appointed to convene at Linlithgow the 7th of December, where we likewise expected to have gotten his majesty's answer of our former demands, but were desired, by my lord treasurer and the earl of Roxburgh, not to appear at Linlithgow, upon assured promise, that our petitions and desires should be judicially heard in council the next week thereafter. In obedience whereto, we did stay at Edinburgh, where, after your lordships returned from Linlithgow, there was a public declaration, shewing, that his majesty doth abhor all superstitions of popery, or violation of the laudable laws of the kingdom, by which signification of his majesty's gracious pleasure, we are still more and more confirmed of his royal care for the preservation of religion established in this his ancient

and native kingdom, and are encouraged, with the greater confidence, to remonstrate and prosecute our just exceptions and complaints against the service-book, and other superstitions and unlawful innovations, which we offer to prove, in time and place convenient, are contrary to our true reformed religion, contrary to the laudable laws of the kingdom, and contrary to his majesty's gracious declaration: And seeing, after so long and patient attendance, our earnest desires do tend to the preservation of true religion, which is the very salvation of our souls, his majesty's honour, and the subjects' lawful liberties, we beseech your lordships, out of that duty ye owe to God, to the king, and your native country, that ye will be pleased to read and ponder our supplications, and give such answer thereto, as the justness of our cause, and the equity of our commands, do deserve; or, if this shall seem a matter of such importance as your lordships will not give a determinate answer until ye know his majesty's royal pleasure, we humbly crave, that these our pressing grievances, and just desires, may be fully represented to his majesty by some of your lordships who have the honour, as prime officers of state, and as his highness's particular servants, to be intrusted with his majesty's royal commandments, whose faithful council and travels are most requisite in the business which does so highly concern God's glory, the king's honour, and the good of his subjects: And in respect that, by the whole strain of our supplications and complaint given in to your lordships, the archbishops and bishops are our direct parties, as contrivers, devisers, introducers, maintainers, and urgers of the book of common prayer, the book of canons, and constitutions ecclesiastical, and other unlawful innovations, and just grievances, complained of by us, we did crave, that the matter might be put to trial, and the prelates, our party, taken order with, according to the laws of the realm, and not suffered to sit as our judges, until the cause be tried and decided according to justice; and so the said prelates being our only parties, upon whom we have at this time justly complained, we decline them as our party, and crave therefore that they be not permitted to sit as our judges until the cause be tried, seeing they cannot be both judge and party, but must be declined according to the laudable laws of this and all

nations in the like case; and our declinature ought to be sustained as relevant against the prelates, notwithstanding at this time they have purposely absented themselves, because if the matter and action depending shall not receive a present decision, but shall happen, by answer or letter from his majesty, to be remitted back to the council, the chancellor, and other bishops who are counsellors, will be judges in the complaint given in against themselves, and may give decision therein, till, before we be called or heard from the several parts of our residence in the country, as well as they did enact the service-book before it was seen; and where, by our petition, it is craved, that the matter may be tried, and the bishops, as the party delinquent, taken order with according to justice; we declare, that our desires do chiefly tend to the preservation of true religion, and the subjects' lawful liberty; neither do we crave the bishops' blood, nor revenge on their persons, but that the abuses and wrongs done by them may be truly remonstrated to his majesty; that, after due trial of the wrongs, such order may be taken as the evils may be remedied, and the power that they have abused may be so restrained, as the like evils may be prevented in time to come."

After this noble lord had thus explained what had been done since their petitions were first presented to the council, what were the causes of these, how patiently they had waited for his majesty's answer, that they were ready to prove the bishops guilty of the most grievous crimes, and that it was therefore absurd to have them for their judges; the deputies from the ministers succeeded, when Mr. James Cuninghame made the following speech.¹

"We account ourselves happy to appear before your lordships, whom God hath honoured with his own name, calling you gods, to lay before your lordships our deep grievances and just exceptions against the book of canons and common service, and other innovations, contained in our former supplications, tending to no less than the overthrow of religion, in doctrine and discipline: This your lordships should take to your wise

consideration, being a business which concerns the honour of the great and ever living God; the conscience and honour of your places ties you to this duty, in thankfulness, to honour your Lord, who has honoured you more than others; the loyalty ye owe to his majesty, our sovereign, answerable to that trust ye have from him, seeks this at your hands, that ye vindicate his name from all unjust aspersions, according as his majesty has declared by his late proclamation, and, by true and full information, make his majesty know wherein, and by whom, his honour is wronged, and this is the only way to your lordships' honour and happiness: Fearing God, he will build your houses so much the rather your lordships would lay this to heart, when ye remember that wonderful work, and way of his mercy, by your lordships' noble ancestors, his instruments of reformation, upon the hazard of their lives and lands, by whom God brought his gospel to this land, and from whom it has been conveyed to your lordships, and enjoyed by the whole body of this kingdom, with a special blessing, to the admiration of the world: And what shall more become your lordships, than to transmit the same in purity to your children, and to the ages to come, without mixture of the traditions of men, abjured in the confession of faith, and by the oath and covenant of the whole land? The eyes of that eternal God, who sits in your assemblies, and judgeth among you, are upon you one by one, and he will not think enough ye be not his enemies, if ye still shun your testimony at this time; 'Them that honour God he will honour, and they that despise him shall be lightly esteemed.' Remember Meroz was cursed when he came not to help the Lord when he fought against the mighty. Our humble request is, that your lordships would make petition for us to our king, and if (as God forbid) your lordships should refuse, comfort and deliverance will come to his church by other means, not thought upon by your lordships, nor us. I pray God save your lordships from the sequel, as the words run; but we shall be hopeful, and heartily wish, that your lordships, in a deep and divine providence, may be appointed happy instruments at this time. We have to do with a good and just king, who, we are persuaded, accounts it his honour and happi-

¹ Baillic, p. 71.

ness to kiss the Son, to serve him in fear, and to rejoice with trembling; and we will rest assured, that, from the influence of his bounty and fatherly respect to this his ancient kingdom, especially in a matter of this importance, we shall receive a comfortable answer, by which our hearts shall have matter of praise to God's holy name, and encouragement more and more to have our hearty prayers to God, that his majesty may have many and happy days to reign over us; and for your lordships, as the blessings of the land, under whose shadow we may lead peaceable and quiet lives."

Mr. Cuninghame having ended his speech, Mr. Ramsay added,¹ That he had been several times before them as a complainer against papists, and never went from them without satisfaction, which he expected much more now, being before them concerning popery itself, the seeds of whose superstition and idolatry were thick sown in the service-book, and its hierarchial tyranny in the canons and high commission, &c.

These speeches being delivered with much strength and energy, are said to have greatly affected the auditors, and that the second drew tears from several of the councillors,² and, it is believed, was the breaking of the snare to the lord Lorn.

When they were ended, the lord treasurer, privy seal, and register, exhorted the ministers to instruct the people to carry loyalty to the king, and to think well of him, especially in the matter of religion: To which Mr. Cuninghame answered, "Our consciences and our hearers were our witnesses, that we endeavoured to carry ourselves suitably in this respect, neither had we ever a thought to the contrary; but his majesty was wronged, after the manner that Ahasuerus was wronged by Haman, and we are looking to see the way of the Lord's righteousness in his appointed time." This return was accounted very smart, and so much the more, as it could not be forethought; and, if we advert to the fate which some of these

councillors met with shortly thereafter, it might likewise be accounted prophetic.³

The deputies being fully heard, the lords of the council assured them, that they had their cause very much at heart, but, because they were expressly discharged by the king to do any more in relation to this controversy, they were sorry that they could not as yet answer the demands of the deputies,⁴ therefore they desired them to wait patiently for a short time, until they informed his majesty of all these things; and in the mean time, they made the following act upon the whole.

"*Dalkeith, 21st Dec. 1637.* The lords of secret council having read, heard, and considered the supplications and petitions given in by the noblemen, barons, ministers, and burgesses, and finding the matter therein contained to be of that weight and importance, that they cannot determine therein till his majesty be acquainted with the samen, and his royal pleasure returned thereant; therefore the said lords, for answer to the said petitions, declare, that they will represent the samen to his majesty's royal consideration, and that without prejudice of the declination given in by the said supplicants, whereupon they shall be heard in time and place convenient; and, in the mean time, shall receive no prejudice."

The next question was, how all this business should be signified to his majesty. All agreed, that it was nowise sufficient to commit the same to the common post, and that it was altogether necessary that some of the councillors should go up to court.⁵ Both Traquair and Roxburgh seemed emulous of the employment; some of the council inclined to the employing of the one, and some of the other, but most of both.⁶ At last, they came to a resolution to remit the choice of the bearer to the king's discretion; and wrote a letter, acquainting his majesty, that they had hitherto tried all those methods whereby they expected those disturbances might have been stilled, but that they were increasing every day, nor had they any hopes

¹ Crawford, book iii. p. 97.

² Baillie, p. 148.

³ *Ibid.* p. 73.

⁴ *Hist. Mot.* p. 40.

⁵ Baillie, p. 148.

⁶ *Hist. Mot.* p. 40.

of seeing them settled, unless he would be pleased to shew some regard to the requests of his supplicating subjects. And, seeing he had reserved to himself alone the judgment of these controversies, they earnestly intreated him to send for some of the members of council from Scotland, whom he could best trust, seeing this was an affair of greater moment than that it could be transacted by letters, as they had hitherto experienced, to their no small grief.

Upon this the council rose, and, next day, the whole commissioners, who had waited the issue of that diet, set out for their several abodes, after they had relieved their former deputies, by nominating six others of the nobility, twelve of the gentry, and some few of the ministers and burgesses, to attend at Edinburgh, *per vices*, until the first of March, in order to receive his majesty's answer, and advertise the commissioners in case of any unexpected emergency.¹

It were a piece of honour due to the memory of those zealous defenders of the true religion, to perpetuate their names to posterity, but these we cannot give farther than as they occur in the course of our narrative: The deputies named for the gentry, at this time, were the lairds of Keir, Dundas, Niddrie, Lawers, Lugton, Cunninghamehead, Lammington, Gadgirth, Scotscraig, Auldbar, Freeland, and Aithie.² The manner of their advertising the commissioners afforded a special evidence of their earnestness in promoting the ends of their deputation, and shewed how easy it is, where there is a general concurrence, to maintain a speedy correspondence through all the country.

No sooner was the country away, but the provost of Edinburgh fell to his old trade of seducing the citizens;³ he dealt keenly with the town-council to supplicate the king by themselves for his favour, and for the pardon of the tumults which had been amongst them; and to prevail the better, he promised, that both the privy council, and the court of

session, should be restored to them. With this bait a great number of the town-council were almost taken; but the deputies from the supplicants, finding how the matter was like to go, engaged bailie Cochrane and bailie Smith, two very good instruments in keeping that good town, to remonstrate, that their petitioning for such a pardon would be a taking all the guilt upon them, which had hitherto been imputed only to some base people in the town, who could not be found; that it would be used as a preparative to bring the whole city, and all in the kingdom who had opposed the liturgy, under the stigma of rioters, and consequently under the lash of the law; and that it would inflame the whole inhabitants, who were indeed little short of making an insurrection, upon the news of the provost's attempt; and so the design was laid aside, and the council resolved to stick closely by the rest of the petitioners, in defending the cause of religion, and to suffer all inconveniences, rather than afford such a fatal example to the rest of the kingdom.

In the meantime, Sir Robert Spotiswood, president of the session, set out for London, contrary to the deputies' desire, who knew he was a professed enemy to them; the councillors dissuaded him likewise, but he pretended, that secular business of great importance obliged him to go at that time, and would not be stopped.⁴ His friends gave out, that his only errand was to compound for his father the archbishop of St. Andrews's demission of the office of chancellor, on account of his old age; and others said, it was for the sitting of the session, which had been so long deferred, to the great prejudice of the lieges. However, of these there were no more heard; but of the other, *viz.* his proving an incendiary betwixt the king and his subjects, there was much speaking; and hard was his information to the king, as it not only made him thoughtful, but sad and dejected, until the earl of Haddington, being then at court, and having got notice of it, had the courage to put

¹ Baillie, p. 148. ² *Ibid.* p. 76.

³ *Ibid.* p. 148.

⁴ Baillie, p. 149.

into his majesty's hand a missive from the earl of Rothes, his brother-in-law, giving a much more favourable relation of the state of affairs in Scotland, (for the truth of which account he would be answerable.) This did somewhat alleviate the king's melancholy, and he gave liberty to the duke of Lennox to write for the lord treasurer, and did shortly thereafter write to him with his own hand, to hasten up to court.

So soon as this came to be known to the deputies, they were very desirous that the lord treasurer would carry up an information, which the lord Balmerino and Mr. Archibald Johnston, the only advocate who was as yet trusted by the petitioners, had drawn; and that he would present the same, with their supplications, to his majesty. And, to induce his lordship to gratify their desire, they demonstrated to him the evils which were likely to follow from his majesty's want of just information, and full knowledge of the true state of matters here, and that a written information, however exact, was not capable of replying; nor could it anticipate answers to such doubts as his majesty might propose.¹

But by no entreaty would he be prevailed with to look upon their information, and pretended, that he was to purge himself, by oath, to the king, that he had seen no such thing, yet he consented that lord Orbiston, whom he took with him to hold the marquis of Hamilton fast to his interest, should carry it in his company, and assured them, that it should come to his majesty's hand.

As his lordship travelled to court, he had almost perished in a water, and was saved from drowning by a hold of his horse's tail; and, about the same time, his lady's life was in the utmost danger; for, having dismissed their porter for his bad service, the ruffian came upon her with a drawn sword, as she was walking in her garden at Dalkeith, and, had it not been for the seasonable interposition of two of her servants (who were wounded in rescuing her) she had certainly been murdered; and, which was almost

as difficult to encounter as both these accidents, when Traquair came to court, the king did pose him upon a great many articles, furnished by the president, by way of complaint against him; yet he rode out that storm also: he satisfied the king with his reasonable answers, and gave a very ample relation of the state of matters in Scotland, which having been in many particulars new, his majesty was much displeas'd that he had not been inform'd sooner. Traquair represented, that though the Scottish council had been discharged from intermeddling in the business publicly, yet they had always acquainted the earl of Stirling, the secretary, therewith privately, to the end he might communicate the same to his majesty. This the secretary granted, but alleged, that having shewed them to Canterbury, his grace had prevented his presenting several papers to the king. Canterbury denied this, hoping to bring him off another way, which he forgot, and so the secretary beheld to stand alone in that matter.

Unhappily for the supplicants, whilst the king's mind seem'd to be somewhat mollified, the archbishop of St. Andrews added new fuel to the flame, by a letter to his majesty, in which he gives his opinion, that, as the noblemen who entered into a bond to cut off David Rizzio, did disband and flee away whenever the queen, his grandmother, had caused proclaim them traitors; so if his majesty would condemn the present proceedings of the nobles, and discharge them thereafter under the like pains, their combinations would vanish, and he would gain his design with very little trouble.²

The comparison here was very inept, and the miscarriage of the like practice, upon a very late occasion, no further back than the 17th of October, might have served as a monitor against complying with this advice. But *quos Jupiter vult perdere, prius dementat*, the advice took, the king commanded the treasurer pre-emptorily to execute it,³ and

² Baillie, p. 154. Crawford, b. iii. sect. 1.

³ Baillie, p. 155.

¹ Baillie, p. 203, 150.

took an oath of him for his fidelity and secrecy. This course his lordship was averse to, and gave his opinion against it in very strong terms; yet finding his majesty was resolute, he undertook the disagreeable task.

About the 10th of February, an express came down to Scotland, with a peremptory command to the members of the college of justice, to attend at Stirling, for the discharge of their several offices.¹ This command was accordingly proclaimed by sound of trumpet, and obeyed by the senators; but the advocates and writers of any note went not thither. They knew that was only a feint, and they would have no share in it.

With this express, news were likewise brought, that the lord treasurer was to be in Scotland against the middle of that month, and many of the supplicants resorted to Edinburgh, in hopes of a gracious answer from his majesty.² Upon Traquair's arrival, a few of the nobles were sent to enquire at his lordship what they might expect, and were answered, with oaths and great asseverations, that he had no directions from the king concerning their supplications; but the petitioners had received contrary accounts from court, and soon after, they procured a double of his majesty's injunctions to the treasurer, for making the proclamation, which we shall shortly notice.

Upon this, four or five of the supplicants were again sent to wait upon Traquair, to know the truth of the report; but he kept all close, and refused to make known to them what he was commanded to deliver to the council, only he alleged the necessity of prohibiting such numerous convocations of the lieges as had lately met at Edinburgh, &c. and that their continuing to assemble thus frequently, would oblige the council to inhibit them.

It was answered, that the discharging their meetings would be the ready way to bind all the evils upon them under which they were groaning, and against which they had so loudly complained; that, in these meetings, they never had

the remotest view of assuming to themselves any juridical power, but only to advise and consult together how to prevent the evils complained of; and, as their end was lawful, they had conducted themselves with all possible discretion: they had never, at these meetings, fallen into any disorder, and it was their joint endeavour to concur in suppressing every rude motion, and cherish the best and humblest measures that could be devised for obtaining redress of their grievances, which ends could never be so effectually obtained if each shire should petition apart, and far less if the supplicants should stay at home and do nothing.³

These deputies finding how matters were like to go, returned to the other supplicants; when it was resolved to send four or five of their number to Stirling, to wait upon the secret council, who were to meet there the 20th of February, and to give in an information to them against the proclamation, which they understood was to be made at that time and place.

The lords treasurer and privy seal, hearing that some were to be directed to Stirling, sent for three or four of the supplicants, and with all their might dissuaded them from the resolution which they had taken;⁴ but the supplicants resuming the heads of their information above-mentioned, did thereby shew the necessity laid upon them to do what they could for preventing the unhappy effects of the proclamation; and, returning to their brethren, it was farther resolved to use a declinature in that meeting of council, lest the bishops, their parties, should sit in council, and bear a part in the judgment which should be given in that affair.

When these courtiers found their persuasives contributed rather to the rousing of the petitioners' zeal and courage, than abating their circumspection, they persuaded the nobility to send only two of their number to Stirling, in name of the whole, and assured them that no harm should be done to their cause;⁵ ac-

¹ Baillie, p. 155.

² *Ibid.* p. 153

³ Baillie, p. 205.

⁴ *Ibid.* p. 207.

⁵ *Ibid.* p. 153.

cordingly the supplicants named the earl of Rothes and the lord Lindsey, to manage their cause upon that occasion; but it was found, saith our author,¹ that Traquair intended to keep these two prisoners in the castle of Stirling. This was at least given out by some of the bishops' accomplices, upon Sabbath the 18th of February, which determined the supplicants not to trust to so small a number, but to go thither in a body, both for mutual defence, should any of them be attacked, and because it might be expected that the council could be more exactly informed by many than by a few.

And, having thus far receded from their former resolution, they thought proper, for preventing mistakes, to send four of their number to excuse their different resolution, which brought on a new conference betwixt the lord treasurer and the deputies.

The treasurer alleged, that if the supplicants had followed the advice which was given them, to supplicate apart, and to confine their complaints to the books of common-prayer and canons, and the high-commission court, it had succeeded better with them, and that, having once proven these, it was then soon enough to petition for redress of their other grievances; but as they insisted upon all their complaints at once, and would be satisfied with nothing less than the reducing of the bishops, they could not expect that his majesty would suffer one of his estates to be brought under their subjection.²

To this the deputies answered, That, if the matter had concerned their own particular affair, they could have engaged their lives, honours and fortunes for the success of the advice, but, as the business in hand was no less than religion and policy, and the party concerned almost the whole kingdom, secrecy would not do; they behoved to have recourse to their prince, that he might, by his authority, provide redress in due course of law, which had been common and ordinary in the like, and even in less momen-

tous cases: And though, upon a supposition their complaints had been confined to the particulars noticed by his lordship, and had been redressed, yet if, after supplicating against the bishops, to whom the other evils were owing, and a root naturally productive of such fruits, his majesty should refuse them a hearing, the subjects would suffer by their relying upon this unpledged trust, and the whole envy be retorted by the bishops upon the supplicants.

The lord treasurer finding the supplicants were to stick by their tackling, asked them, what course they would take next? whereunto they answered, very ingeniously, that they would give in a declination against the bishops: But, said Traquair, it will be refused. Then, said the deputies, they would, upon the council's denial of justice, protest for remedy, and have immediate recourse to his majesty with their supplications; and Traquair adding, that he doubted if his majesty would accept the same, the deputies answered, they would do their duty, and commit the event to God, who is wise in counsel, and excellent in working, and sufficiently able to protect his own cause, and their just proceedings.

Whereupon the deputies left the lord treasurer, and communicated the substance of their conversation to the other supplicants, who, knowing it was Traquair's manner to embrace every opportunity which might conduce to his own ends, and that the meeting of council was to be upon the Tuesday following, they appointed four or five of their number to set out timely upon the Monday, and resolved, that the rest should follow at their leisure.³

To prevent this (for both sides were so much on the look-out, that little could be done by the one without the knowledge of the other) Traquair and Roxburgh set out from Edinburgh upon Monday morning, a little after midnight, with a design to make the proclamation before the supplicants could get up; accordingly they reached Stirling by eight o'clock, and after waiting about two

¹ Baillie, p. 203.

² Ibid.

³ Baillie, p. 210.

hours in vain for the upcoming of a quorum of the council to ratify that proclamation, they anticipated the authority of council, and caused make a proclamation by ten o'clock, to the following effect:¹

“That the bishops were unjustly accused as being authors of the service-book and canons, seeing whatever was done by them in that matter was by his majesty's authority and orders; besides, that he had diligently examined these books, and, after the most accurate perusal, had found nothing in them that could be prejudicial to the ancient laws, or the religion received in Scotland, but, on the contrary, was persuaded, that they were very well calculated for promoting solid piety, and preventing the growth of popery, his abhorrence of which was sufficiently evidenced by his daily proceedings; that he condemned all the meetings of his subjects that had been hitherto kept for exhibiting any petitions against these innocent books, and the bishops the promoters of them; as also, all subscriptions by any of his subjects of whatever rank for that end, as manifest conspiracies for disturbing the public peace, so frequently discharged by the laws of the kingdom; yet that, for what was already past, he indemnified those who should afterwards religiously abstain from the like practices, and discharged all such meetings in time coming, under the pain of rebellion; as also, that none should go to any borough where the privy-council were sitting, without their warrant for that effect, with a special charge to magistrates of boroughs to observe this order, and that all who did not reside in council, or were members of the privy-council or session, should remove from Stirling, within six hours thereafter, under the pain of treason; and, as concerning petitions which should thereafter be offered upon that, or any other subject, his majesty declared, he would not shut his ears against them, providing that neither the matter nor form were prejudicial to his royal authority.”²

But this medicine did rather increase than cure the disease: 1. It waved the subject of the supplications which had been presented, and this convinced the petitioners that the king was not dispos-

ed to discharge either the liturgy or canons. 2. It represented their meeting for consultation and supplicating, without his liberty, as crimes of a heinous nature, and by it the king taught them, that obedience to his commands was their only course. And, 3. The discharging all such convocations, in time coming, under pain of treason, was disuniting them, and of consequence frustrating them of any prospect of relief; for though the king declared he would not shut his ears against their separate petitions impugning the state of bishops and the hierarchy, it was easy to foresee that his majesty would reckon himself at liberty to reject these, as prejudicial to his royal authority.

The king having thus openly declared his mind, the supplicants were resolved not to be wanting in their own exoneration, and providence wrought their access to this in a way unexpected. When Traquair and Roxburgh set out so early from Edinburgh the day before, one of their servants happened to stop a little, and take his morning drink at a house where a servant of lord Lindsey's lodged, and, not being so good a secretary as the case required, he blabbed out, that his master was already upon horseback for Stirling. This intelligence was quickly carried to lord Lindsey's ears, and he awaked several of the other noblemen, who prepared for the journey as speedily as they could conveniently; but, fearing Traquair and Roxburgh should take the advantage of them before they got to Stirling, it was thought proper, that the lord Lindsey and the earl of Home should go before; so these two took post, and outrode the treasurer; and no sooner did the lyon-herald mount the cross to make proclamation, but Home and Lindsey were ready with a public notary, and after they had, with all humble reverence, heard the proclamation read, they used a protest against the same, to the following purpose:

“1. That the seeds of superstition and idolatry are contained in these books. 2.

¹ Baillie, p. 161.

² Rushworth's Collections, vol. ii. p. 731.

Though there were nothing such in them, yet are they full of novelties which cannot be admitted, unless with the violation of their liberty, laws, and received religion, especially when they are obtruded against their will, without any previous judgment of the national synod, who has always had the supreme power of judging in ecclesiastical matters of that kind. 3. That it is unjust to deny liberty to accuse the bishops, whom they are able to prove guilty of many crimes: How much does it concern both church and state, that the wickedness of men, who are placed in a more eminent station, should not be let go unpunished. 4. They protest against the use of the high commission, in regard it is a court supported by no foundation in justice, constituted by no municipal law, obtruded upon the Scots, from the practice of the English, contrary to the fundamental laws of the kingdom, nor do they see any other use of it than to establish the tyranny of bishops; in short, that it is nothing else but a branch of the Spanish inquisition. 5. That they reject the bishops as unjust judges, and cannot admit their judgment till their innocence shall be made appear in a competent court. 6. That all their meetings, and their petitions to the council, are designed for no other end but to defend the purity of divine worship hitherto received, against the obtrusion of innovations, and the liberty of the church against the tyranny of the bishops; and that they have determined, for prosecuting those sacred purposes, to attend sober meetings of that kind, nor can they, with a good conscience, desist from them, unless they would be esteemed betrayers of the glory of God, the honour of the king, and the liberty both of church and state.¹

Which protest was publicly read, immediately after the publishing of the above proclamation, and a copy thereof affixed upon the cross beside it.

The rest of the supplicants came up that afternoon from Edinburgh, and the country around Stirling, in great numbers, and understanding what was done, they sent some of their number to the lords treasurer and privy-seal, requesting a copy of the proclamation, that

they might advise with the same, but were denied a sight thereof, till it should be published in other places, and were urged to give obedience to the will of the proclamation.² The deputies supposed their protest did take off the force of the proclamation, and for no request would they remove from the place, alleging, that their stay was necessary, to oppose the approbation of the proclamation in council, which it yet wanted: And being asked what kind of opposition they would make, they answered, they would give in a declinature against the bishops; and, if that were refused, they would protest for immediate recourse to his majesty, as they had told them at Edinburgh.

But after a short altercation, the courtiers urged the removal of the supplicants from the place, otherwise they would break up the council, and be gone;³ and the others insisting they might be allowed to stay, it was promised, on the part of the council, that, if the supplicants would remove from the town, they would do no more in that business; whereupon the lords, and other leaders among the supplicants, dealt with the rest, and, with great difficulty, they prevailed with them to remove towards Edinburgh, after commissionating Sir William Murray of Polmais, in the neighbourhood of Stirling, and Arthur Erskine of Scotsraig, to attend the motions of the council.

The supplicants were scarce well removed, when the council met in the castle, and entered upon the proclamation, whereupon the two deputies before named, perceiving several of the bishops present, gave in a declinature of their judgment, which the council having refused, the deputies took instruments upon that refusal, in the hands of Mr. David Forrester, notary-public;⁴ and being upbraided for bringing in common notaries before the council, they offered to take instruments in the hands of the clerk of council likewise, but he refused it. Nevertheless, the council did, by a

² Hist. Mot. p. 210.

³ Ibid. p. 155, 210.

⁴ Ibid. p. 154, 212.

¹ Hist. Mot. p. 42.

great majority, approve the proclamation, which greatly surprised the petitioners.

This being the case, the deputies did, next morning, wait upon the councillors with the information before mentioned, whereof the following is a just double:¹

“1. That the supplicants had been, from time to time, put in hope of a gracious answer, especially by the act of council in August last, declaring, that the buying of the service-book, and not the using of it, was only intended; and by his majesty's declaration in December last; but, by this proclamation, their former hopes would be turned into fears. 2. That the proclaiming of a dispensation to the supplicants for that which they were assured they were doing in duty both to God and his majesty, would either make his mercy disregarded, or force them to condemn their own doings, so justifiable before God and the world. 3. That the prohibiting of such like peaceable proceedings, under the pain of treason, would make the supplicants either incur the imputation of treason, or else be cast all into the hands of their adversaries, and cast themselves loose of religion, liberty, and peace, against the duty which they owe to God, the church, and the country. 4. That, contrary to the king's majesty's declaration in December last, this proclamation transferred the guilt of these innovations from the prelates upon the king's majesty; not that he can be judged the author thereof, but that they may escape censure, whereby it is hard to say whether his majesty be more dishonoured or justly frustrated, or his majesty's good subjects disappointed. 5. That the supplicants tremble, that after so many supplications and declarations, bearing the manifold seeds of heresy, superstition, and idolatry, to be contained in the service-book, it should be declared, by proclamation, to be the form of God's public worship, and the mean of maintaining true religion, and holding out of superstition, which must make the subjects either receive that which their conscience does condemn, or directly oppose themselves against his majesty's proclamation. 6. Seeing many worthy councillors have regretted the passing of the first act in favour of the service-book, and have made many excuses for the same, the supplicants

¹ Hist. Mot. p. 205.

are confident, that they, having a new occasion of more mature deliberation, would rather give counsel to his majesty, to choose a course that may give satisfaction to the desire of his good people, than, by confirming so summary a conclusion, grieve many, wound their own hearts, and work farther disturbance in the church and country.”

Which information had a very good effect: The earl of Angus, and the lord Napier, two of the councillors who had concurred in the approbation of that proclamation, professed to be sorry for their rashness;² Sir Thomas Hope the lord advocate, who was absent at the making that act, but had now come up, refused to subscribe it, for this reason, (though a thin one) that the king's direction was transgressed, because the warrant for that proclamation did bear only the highest pains, whereas the proclamation did bear the pain of treason; and, which was less expected, the lord Down (though but newly admitted a councillor, and supposed firm to the bishops' interest) did subscribe the complaint against the bishops, to the great dissatisfaction of his father, the earl of Moray.

And, as a farther mortification to the bishops, Sydserv of Galloway was so hotly engaged by the populace at Stirling, that the magistrates found it difficult to relieve him:³ In his return through Falkirk, the wives railed upon, and bickered him with stones, for which some of them were punished; and on his arrival at Dalkeith, he met with the like hard usage, and two of these mobbers were likewise imprisoned, so that the poor bishop was glad to become a kind of recluse, and shewed little of his old desire of martyrdom in this so good a cause.

Yet, notwithstanding the remorse of some of the councillors for their concurrence with the said proclamation, and its disagreeableness to the inclinations of almost the whole nation, it was published by sound of trumpet over the cross of Linlithgow, where also the protest taken against it at Stirling was renew-

² Hist. Mot. p. 154.

³ Ibid. p. 155.

ed; and when, upon the 22d of February, that proclamation was published over the cross of Edinburgh, sixteen of the nobles, with many barons, gentlemen, ministers, and burgesses, did, after hearing the same with great reverence, cause Mr. Archibald Johnston, advocate, read a protest against it, which being already in print, we shall rest with the substance thereof. In it they protested,¹

"1. That they might have immediate recourse to the king, to present their grievances, and, in a legal way, to prosecute the same before the ordinary competent judges. 2. That the archbishops and bishops could not be reputed or esteemed lawful judges, till they had purged themselves of such crimes as were laid to their charge. 3. That no proclamation, nor any act of council, passed in preference of the archbishops and bishops, could anywise be prejudicial to the supplicants. 4. That neither they, nor any that had joined, or should join, with them against innovations, should incur any danger in life, lands, or any political or ecclesiastical pains, for not observing such acts, books, canons, rites, judicatures, or proclamations introduced without or against the acts of general assembly, or parliament, and the statutes of the kingdom. 5. That, if any inconveniences should fall out thereupon, they could not be imputed to them, since the council refused to hear their just remonstrances. 6. That their requests tended to no other end but the preservation of the true reformed religion, and the laws and liberties of his majesty's kingdom."

By this protestation, the supplicants did convince the king and his council in earnest, that they were too powerful, and had more right on their side, than to be compelled by arbitrary proclamations, and orders of council; and as they were persuaded the king intended to surprise them, they were the more persuaded of the necessity of union amongst themselves, and therefore they resolved to renew the national covenant; the manner of which shall be referred to the next chapter.

¹ Ibid. p. 164; and Rushworth's Collect. vol. ii. p. 732.

CHAPTER II.

Containing the history of what happened in Scotland, from the renovation of the National Covenant, in March 1638, to the sitting of the General Assembly at Glasgow, in November that year.

THE proclamation at Stirling, and especially the under-hand way of publishing it, proved a kind of crisis. If the king and his councillors were so credulous as to imagine that it could satisfy the malcontents, (as Mr. Rapin calls our reformers,) they were very quickly undeceived.² No sooner were the contents known abroad, but the country was all aghast. This being the case, the nobles and deputies for the gentry, ministers, and boroughs, who had come to Edinburgh, drew up an advertisement, and sent it through all the kingdom, desiring their associates, the friends of religion and liberty, to come quickly to Edinburgh, in order to deliberate on such things as might contribute for the common safety.

While those advertisements were in dispersing, the Tables at Edinburgh were not idle. On Friday, the 23d of February, they traced back the suggestion which had been made to several of them, of dividing their supplications, and confining them to the service-book, the book of canons, and the high commission court.³ This made all consider the particular condition, and former proceedings of the principal statesmen, who had given that advice; and they were convinced, that though the lords treasurer and privy seal had, by the greatness of their estates and honours, and their approved understandings, raised the expectation of all needful care, and faithful diligence, yet the preservation of their places and credit with the king,—the influence which the bishops, their yoke-fellows in the state, had upon them,—the watching by others over their ways, and informing of every thing not conducive to their end,—and solicitations from other statesmen in favours of the bishops, had prevented their informing and acting in that matter with so much care and faith-

² Baillie, p. 159.

³ Ibid. p. 112.

fulness as became their place, interest, and knowledge; that by a smooth representation of matters, they had, at best, laboured rather to quench the pain than cure the disease; and occasioned a diversion from the root of the evils complained of, to the pruning of the branches, at least the whole of their proceedings tended this way; and therefore the supplicants found it unsafe to trust them farther, and that it behoved them to essay other methods, as God should clear their way.

Accordingly, the country coming to town in crowds, and the several Tables being assembled, the nobles, with Messrs. Henderson and Dickson, whom they called to their assistance, resolved to renew the old covenant for religion, which was sworn by king James and his privy council, anno 1580, and by persons of all ranks in the years 1581, 1590, and 1596; and the design being communicated to the other Tables, a committee was named to prepare the draught of it.¹ On the Sabbath following, the whole strain of the ministers' discourses was calculated for convincing the hearers, that the breach of that covenant had been a special cause of all the evils which were brought upon them; that the renovation of the same was a good mean for obtaining the Lord's special favour; and that, for this, they had many precedents in holy writ; and to speak in the language of the general assembly, anno 1640, The remembrance of their breach of covenant did sting, wound, and pierce through their consciences; wherefore, being moved with serious repentance, they resolved to renew their covenant, or national confession.

The occasion of the first swearing of that covenant, and the form of it, have been formerly related;² and, as the renovation of the same was the present design, they first inserted a copy of it *verbatim*. Next, for satisfying the world, that though in this step they proceeded without their sovereign going before

¹ Baillie, p. 156. Hist. Mot. p. 43. A Short Relation, &c.

² Introduction, p. 72, 73. Baillie, p. 157, 169, 171.

them, yet, to shew that they wanted not the authority of law upon their side, they inserted a great many acts of parliament, which justify and allow the several things sworn to: And then, instead of the general bond which was subjoined to that covenant in the year 1590, they subjoined a new bond, accommodating the same to their circumstances in the year 1638, which being printed with the confession of faith, in the hands of every body, it were unnecessary to repeat the same here.

On this last part, our author says, many had difficulties, and mentions the earl of Cassilis, with Mr. George Young and himself, as of this number; but, after long reasoning, and some yielding on both sides, all present upon that occasion agreed to the covenant as it now stands, except three or four brethren from the synod of Angus.

Several acknowledged, that they could not condemn Perth articles, and the other innovations complained of, as positively unlawful. But as the covenant was designed for corroborating their union, the general meetings, who never pretended to act in a judicative capacity, would not expressly condemn these innovations as contrary to the covenant, but refer the same to the determination of a free and lawful general assembly, which was expected soon.

One clause of that covenant did trouble some, viz. their swearing to continue in the doctrine and discipline of this church all the days of their life. Here they were afraid, that they were tied to that particular form of discipline which was in use at the first swearing of that oath in Scotland. But they satisfied themselves with believing, that, because our church declared in the larger confession, that they do not think any policy and order in ceremonies so immovable, but several particulars may be changed therein, that the form of church government which took place in the former period of episcopacy might be so too;³ and for their further satisfaction, the framers of the bond declared, that by

³ Baillie, p. 170.

discipline there, they meant only the substantial grounds of it, which clearly are set down in scripture, and not the circumstantial parts, which necessary reasons will force us oft to change.

Several had sworn to conformity, and knew not how to dispense with their oath. That tie, says our author, was loosed to him by the singular favour of that courteous man, (as he calls bishop Law of Glasgow) who was pleased, in the matter of conformity, to remit him to his own discretion;¹ yet, for satisfying those who became bound to conform, it was said, that in oaths the subject and matter would be distinguished; what we swear to believe is inviolable, for *credenda* are not changeable; but what we swear to do, may, with the safety of our oath, be oft omitted, for *facienda* are either in things necessary or indifferent: Things necessary, even God's commands, *non obligant ad semper*; but in matters indifferent, though sworn, the nature of the thing pleads some more liberty. It could not be the mind of any bishop, in the taking of the oath of conformity, to astrict their incumbents to practise the thing sworn, on all occasions, without exception; such rigour was never known at Rome itself; for there, in matters of ceremony, they have liberty often, *extra casum contemptus et scandali*, to do or abstain as they find expedient. Now, if at any time conformity may be abstained from, it was said that was the time; and that if ever it were scandalous to conform, it behoved to be so then; for not only was scandal taken, but the conformity of ministers helped to draw their people nearer to the innovations complained of, and by them to popery, which stood at their back: And how much is to be done, or left undone, in the case of scandal, we may see in the practice of the apostle Paul, who, even before the council of Jerusalem, would not circumcise Titus, and yet after the council he would circumcise Timothy. And the apostolic injunction, to abstain from things strangled, was not opposite to the

later acts of the church, of eating freely things strangled; the danger of scandal present in the apostle's days, but absent in after times, did so change the case, that both the injunctions did agree without any repugnancy.

Some others, of which number were the earl of Cassilis, and our author, who had both studied under doctor Cameron, a great stickler for absolute government, in the university of Glasgow, could not yield to some clauses in the first draught of the covenant, which seemed to import a defence in arms against the king. But with the covenant, as it now stands, they were satisfied from the following considerations:² 1. That all subscribers do most solemnly renounce all disloyal intentions, and all desire to attempt any thing that might anyways tend to the diminution of the king's authority. 2. That all subscribers make the maintaining of the king's person, estate, and authority, to be one of the principal causes of their oath. 3. That the oath contains a detestation of all rebellion and combination against the king; and profession of our unfeigned desire to maintain the king's majesty, and peace of the kingdom, no less than religion. 4. That all subscribers swear to be examples of godliness, righteousness, and of every duty they owe to God or man. 5. The religion that here is sworn to is expressed according to the tenor of the largest confession, approved by all our parliaments since our reformation. Now, the 25th article of that confession concerns the magistrate, and affirms, that all who would take away, or trouble the state of our civil policy, now established, to be no less than enemies of mankind, and fighters against the manifest word of God; that all who are in authority are to be loved, honoured, feared, and held in the highest estimation, because they are God's vicegerents: God sits in their thrones; and to princes God himself has given the sword; and that all who resist authority resist the ordinance of God, and so cannot be innocent before God.

But, said some other, this bond limits

¹ Our author had not sworn the oath of conformity.

² Baillie, p. 214.

the maintenance of the king's authority to the defence of the true religion, the liberties and laws of the kingdom, and it obliges the swearers to assist one another in the maintaining of religion against all persons whatsoever, the king not excepted.

To the first our author himself answers, That the professing to maintain the king's authority, in the preservation of religion and laws, did not hinder them to maintain his authority in sundry other cases. We swear, says he, to maintain him in that case, *ergo*, we are bound to maintain him in no other case; it is an evident *non sequitur*. In two places of the writ we promise to maintain the king's authority in that case, but in many places we swear and avow the maintenance of the king's authority without limitation; therefore, by this covenant we are bound not only to maintain the prince in that case, but in all cases which scripture, reason, and the laws and customs of our kingdom, can require, and more the heart of any royalist doth not require. Farther, if the expression of this particular case, or this limitation, as they call it, deter them from the subscribing of the application or addition to the old covenant, with what reason do they assent to our large confession of faith, which all our parliaments, for seventy-eight years, have obliged us to subscribe, or to the shorter confession, wherewith this covenant begins, which king James and his council obliged all ranks to subscribe? for that limitation, which they make the ground of their scruple, is expressly set down in both these writs, and yet never deterred any man from swearing and subscribing them. For the large confession, see the 25th article in the end, where the help we are to give to the prince is limited, as they would speak to the case of his faithful administration of his office; and, if they look to the shorter confession, near the end, the limitation they complain of is there set down word by word; so that these clauses can no more be conceived as restrictions of the king's authority in the one case than in the other.

As for the other objection, of the mu-

tual defence against all persons whatsoever, they would consider that themselves are willing to swear to the old confession the clause to defend their religion, according to their power, all the days of their life, under the pain of losing body and soul in the day of judgment. Also, that they are willing to maintain the acts of parliament which king Charles himself has ratified, viz. act 47th of the third parliament of king James, which ordains all faithful subjects to promise to maintain, to the uttermost of their power, all the preachers and professors of Christ's evangel, against all gainstanders whatsoever. Now, this mutual defence, commanded in our standing laws, is more absolute than the defence here objected; for in this there are two limitations put in of purpose to prevent mistaking; one, that the defence we promise to the true professors is not only in the case of maintaining true religion, but also of his majesty's authority, which is made as ample by this writ as can in any reason be desired, or either our religion or laws can admit.

Several other difficulties were started, the repetition of which might afford entertainment, but, as they are contained in other papers which fall afterwards to be inserted, we defer them for the time.

The national covenant being agreed on with so great harmony, amidst a world of difficulties, gave vast joy to all concerned; so, upon the first day of March, a solemn fast being appointed in the Greyfriars church at Edinburgh, the covenant was subscribed by several thousands, consisting of all the nobles who were then in Scotland,¹ except the lords of privy council, and four or five others; commissioners from all the shires within Scotland, and from every burgh except Aberdeen, St Andrews, and Crail; and of other gentlemen and ministers, whose zeal had brought them up to assist or concur with their commissioners upon that occasion; and so very well pleased were the covenanters with this their solemn deed, that many copies of the covenant were subscribed,

¹ Baillie, p. 196, 220.

by them,* and laid up among their archives, where some of them yet remain.

Their next endeavour was to have that covenant renewed through the several parts of the kingdom: For this purpose copies thereof were, with all diligence, made out, and sent by the deputies to their several presbyteries, with directions concerning the renovation of the same in every parish, and a paper for paving the way to it, entitled, The Lawfulness of the Subscription to the Confession of Faith, 1638.¹

At the same time, in regard no commissioners came from the burgh of Aberdeen, owing, as they pretended, to the paper sent them not being subscribed,² another advertisement, or rather invitation to them to concur in the covenant, was, upon the 6th of March, subscribed and sent to them by their countrymen, the lairds of Dun, Morphy, Balmain, and Leyes, with Mr. Alexander Wedderburn clerk of Dundee, and Mr. Robert Barclay provost of Irvine. Upon the 16th those commissioners arrived at Aberdeen, and at their coming, a meeting of the town-council was called *pro re nata*, and the covenant was read all over to them; but the town being much under the influence of the marquis of Huntly, and misled by their doctors, they refused to subscribe.

The lord Boyd, with the lairds of Blair and Keir, and Messrs. D. Dickson, R.

¹ Baillie, p. 196. ² Row, p. 329.

* Amongst the subscribers on that occasion, were the following, viz.

Nobles:—Rothés, Montrose, Cassilis, Sutherland, Eglinton, Wemyss, Home, Lindsay, Lothian, Zester, Burleigh, Loudon, Melville, Johnston, Forrester, Cranstoun, Boyd, Sinclair, Balmerino, Cowpar.

Barons:—Elcho, J. Sutherland, J. Sinclair, Arthur Erskine of Scotsraig, Home of Wedderburn, William Home of Avton, J. Campbell of Larber, Lammington, Bishopton, Keir, Blair, Fulwood, Rowallan, W. Kiddel, Sir D. Cunningham, J. Garthland, W. Ricarton, Killmahew, W. Murray, Lag, Craigdarroch, Cunninghamhead, Sir W. Moncrieff, Kelburn, J. Greenock, Charles Buntein, W. Hay, J. Campbell, William Graham of Killerny, J. Rollock of Duncrab, — Murray of Auchadoun, Thomas Inglis of Frathrum, Mr. Hew Pollock, advocate, Thomas Buchannan, &c. &c.

Ministers:—Mr. Robert Murray at Methven, Mr. Alexander Scrimzeour at Kinghorn,

Baillie, and Michael Wallace, ministers, were also sent in commission, to deal with Messrs. Zachary Boyd, John Maxwell, and John Bell younger, ministers at Glasgow, that they might bring them off from their opposition to the covenant, and so remove the stumbling-block out of the way of that people; but no reasoning could move any of them at that time to pass from their scruples, and conform they would to Perth articles, gainsay them who would.³

Nevertheless, before the end of April, every parish throughout Scotland, where the minister was friendly to the reformation then sought, (and the number was inconsiderable who at that time durst profess otherwise,)⁴ having observed a fast to humble themselves for the former defection and breach of the covenant, did renew the same with great solemnity, scarce a person opposing themselves, but every one, women as well as men, concurring, and publicly avouching the Lord to be their God, with their right hand lifted up, except, 1. Papists (to whom it was not offered, the number of whom in all Scotland were not reckoned above 600 persons.) 2. Courtiers, who had no will to displease the king. And, 3. Some of the clergy, who had sworn the oath for conformity, or were dignitaries in the church, the chief of whom were the doctors of Aberdeen. Yea, even in St. Andrews and

³ Baillie, p. 221.

⁴ *Ibid.* p. 220. Rapin, p. 303.

Mr. Robert Douglas at Kirkcaldy, Mr. George Gillespie at Wemyss, Mr. Samuel Cunningham at Partincraig, Mr. David Dickson at Irvine, Mr. Alexander Henderson at Leuchars, Mr. William Arthur at Westkirk, Mr. James Porteous at Cessford, Mr. Lawrence Skinner at —, Mr. Daniel Bennet at Auchtermuchty, Mr. Andrew Ramsay at Edinburgh, Mr. Henry Rollock at Edinburgh.

Burgesses:—William Paterson, Thomas Durhame, David Kay, John Kay, John Buchanan, James Cochrane, Robert Barclay, James Glen, Alexander Wedderburn, Andrew Paterson, Thomas Hay, William Meldrum, William Lindsay, James Meldrum, William Firscl, James Adam, Henry Paterson, Walter Ramsay, Stephen Duncan, Joseph Stark, &c.

Besides these and a good many others whose names are worn out, there are near sixty burgesses and others, who subscribe by James Trotter, writer of one of the said copies, and Mr. William Thrist, co-notaries.

Glasgow, the generality did concur, notwithstanding of the opposition made to them by some of their clergy.

And now this covenant did divide the kingdom into two parties, viz. covenanters and non-covenanters. Non-covenanters have been already described, and the covenanters were either such as would not conform to Perth articles, &c.—the chief of whom were Messrs. Henderson, Dickson, Rutherford, Blair, Cant, and the two Livingstons; or such, who, though they had submitted to the bishops, and conformed to the articles of Perth, were orthodox preachers, and zealous opposers of popery and arminianism, the chief of whom were Messrs. Robert Baillie, Henry Rollock, John Adamson, John Bell, Robert Wilkie, and Andrew and Robert Ramsay, who, upon the first appearance of the service-book, joined with the former in opposing innovations.¹

All presbyterians whose writings of that time we have seen, bear witness, that a great measure of the divine presence did remarkably accompany that solemn action, and that its happy influences were everywhere signally felt and seen. The general assembly 1640, in their letter to the churches of Helvetia, subjoined to *Historia Motuum*, &c. say, "That when they began to descend into themselves, and thoroughly to search their own hearts, the remembrance of their broken covenant did prick and wound their consciences; and therefore, being led by serious repentance, they resolved to renew their covenant, which first they sealed with their subscriptions, and thereafter, a public national fast being appointed, they publicly confirmed their subscriptions in the churches, by a solemn oath, with their right hands lifted up, and with many groans and tears."² The general meetings, or Tables, in a paper intitled, Reasons against the Rendering of our sworn and subscribed Confession of Faith, which may also be reckoned a national deed, say, "That the Lord from heaven did testify his

acceptance of that covenant, by the wonderful workings of his Spirit in the hearts both of pastors and people, to their great comfort and strengthening in every duty above any measure that ever hath been heard of in this land." Messrs. Henderson and Dickson, in the end of their first answer to the replies of the doctors of Aberdeen, call that season, by way of evidence, "The day of the Lord's power, wherein they had seen his people most willingly offer themselves in multitudes like the dew of the morning: That others of no small note offered their subscriptions, and were refused, till time should try that they joined in sincerity from love to the cause, and not from the fear of men; and that no threatenings had been used, except of the deserved judgment of God, nor force except the force of reason." The pious Mr. John Livingston gives the like testimony in his Life:³ "I was present," says he, "at Lanark, and at several other parishes, when, on a Sabbath after the afternoon's sermon, the covenant was read and sworn, and may truly say, that in all my lifetime, except one day at the kirk of Shotts, I never saw such motions from the Spirit of God, all the people generally and most willingly concurring: I have seen more than a thousand persons all at once lifting up their hands, and the tears falling down from their eyes; so that through the whole land, except the professed papists, and some few who for base ends adhered to the prelates, the people universally entered into the covenant of God." Mr. Baillie also doth bear witness, that in his part of the country the covenant was renewed with much sorrowing; that many tears were shed upon that occasion, and that there was evidently much amendment of life.⁴ And the judicious author of *The Fulfilling of the Scripture* relates,⁵ "That the Lord did let forth much of the Spirit on his people, when this nation did solemnly enter in covenant in the year 1638. Many yet alive do know

¹ Crawford, book iii. p. 125.

² Baillie, p. 231.

³ Livingston's Life, p. 22.

⁴ Baillie, p. 366. ⁵ Folio edit. p. 186.

how their hearts were wrought on by the word. The ordinances were lively, and longed after. Then did the nation own the Lord, and was visibly owned by him; much zeal, and an enlarged heart, did appear for the public cause; personal reformation was seriously set about; and then also was there a remarkable gale of providence that did attend the actings of his people, which did astonish their adversaries, and forced many of them to feign subjection." Nay the bishop of Dunkeld, who will not be suspected of over great affection to the covenanters, doth acknowledge, that the covenant was subscribed by the general meetings at Edinburgh with much joy and shouting: and, speaking a little afterward of the subscription of that covenant in the several parishes, he says, It was everywhere done with joy, except in the north parts.¹

The solemnity of that action having been so great, and our design in repeating the same being as well that the present generation may be bettered by it, as gratified, we hope it will not be disagreeable to the serious reader, that we conclude this part of our relation with the pious and necessary reflection of a late judicious writer upon that remarkable era:² "Reader," says he, "stop here, and behold the nobility, the barons, the burgesses, the ministers, and commons of all sorts in Scotland, all in tears for their breach of covenant, and for their backsliding and defection from the Lord, and at the same time returning with great joy unto their God, by swearing cheerfully and willingly to be the Lord's. It may well be said of this day, 'Great was the day of Jezreel:' It was a day wherein the arm of the Lord was revealed, a day wherein the princes of the people were assembled to swear fealty and allegiance to that great King, whose name is the Lord of Hosts: It was the day of the Redeemer's power, wherein his volunteers flowed unto him, even the day wherein his youth was

like the dew from the womb of the morning. If we compare our present times with the above day of the right hand of the Most High, may we not take up a lamentation over our land, and cry, 'Ah, Scotland, Scotland! How is thy gold become dim! How is thy most fine gold changed!' Where is that zeal for the Redeemer's honour and glory that was once warm in the breasts of thy nobility, thy barons, thy ministers, and commons? Where is that heroic courage and resolution for the cause of Christ, as well as for the liberties of the nation, that did at this time animate all ranks of persons through the land? Where art thou now? Ah! how much sunk in great degeneracy and defection from the Lord! Can these dry bones in Scotland live? the Lord only knoweth; the residue of the Spirit is with him."

The covenanters having, by this their solemn conjunction, gained a discovery of two things very encouraging to them, viz. the unanimity with which that action was everywhere conducted, and the paucity of the numbers who struck out,—they hoped that the king would be more propitious; and therefore they formed a supplication to his majesty, clearing the innocence of their proceedings, and the injustice of the bishops their opponents, which will be found in the Introduction. This they sent up to the earl of Haddington with Mr. John Livingston, minister; and, at the same time, they wrote to Lennox, Hamilton, and some others of the nobles at court, requesting them to solicit his majesty for a gracious answer to their supplication.³

The privy council, being likewise alarmed with so general a confederacy amongst the covenanters, did also send up Sir John Hamilton of Orbiston, lord justice-clerk, to inform the king with what had happened, and to urge that a stop might be put to the innovations complained of, at least that the grievances of the subjects should be listened unto and examined, and that his ma-

¹ Guthrie's Mem. p. 35.

² Wilson's Defence of the Reformation on Principles of the Church of Scotland, p. 242.

³ Baillie, p. 238.

jesty would be pleased to hear what reasons his council had to offer in support of their petition;¹ and, to shew how serious the council were in that matter, they gave Orbiston particular instructions for regulating his conduct upon that occasion, which the reader may find in Rushworth's Collections, Burnet's Memoirs, &c.

Those instructions, which contained a kind of remonstrance to the king, were seconded by a letter to his majesty, signed by Traquair and Roxburgh, and by a letter from the council to Hamilton.

By these means the bishops were cast into a sudden consternation and fit of despair. According to bishop Guthrie,² the archbishop of St. Andrews, being in Edinburgh when the covenant was first subscribed there, said, "Now all that we have been doing these thirty years past is thrown down at once; and, fearing violence, he fled to London, where he died next year." But whatever truth may have been in this, another cause for the archbishop's departure was better believed. Notwithstanding his archbishopric, priory, and chancellorship afforded him above L.40,000 Scots per annum, a sum which might have gone as far at that time as near double of it can do now; and, though his sons were well provided with posts and pensions, yet, to the surprise of every mortal, that family run in debt to the extent of near 350,000 merks, which they were in no capacity to pay; and, knowing they had little sympathy to look for in Scotland, they found it needful to make an elopement.³ Such other of the bishops as knew themselves to be most ungracious to the people, thought fit to take the same route in a short time thereafter; and the few who remained behind were advised to hold themselves quiet, and live retired. But to return to the express sent to court.

Mr. Livingston was not above four hours at London, when the king heard, by Orbiston, of his journey, and of the

design of his coming, and gave orders for apprehending him; but the earl of Haddington, to whose care the supplication sent was committed, having got notice of the attack intended against Mr. Livingston, sent him immediate information of the same; and so, after one day's lurking privately at London, he returned to Scotland in great haste. Our author observes, that Mr. Livingston had the misfortune to be accounted a rigid and passionate man, and, which was worst of all in the judgment of the court, he was standing under the censure of excommunication by the Irish church;⁴ so that the employing him on such an errand might be reckoned an inconsiderate step; yet the censure here may be the lighter, that Mr. Livingston was only to deal with Haddington, he with Lennox, Hamilton, and Morton, and they with the king. However, the employing such a bearer was made use of as a cover to excuse the king's displeasure with the covenanters, and conceal his unwillingness to listen to their request; and so the supplication to his majesty was sent back unopened; and the duke, in a letter to Montrose, Hamilton in one to Rothes, and Morton in another to Lindsay, wrote, that the king did not think proper to look upon their supplication, but that, being informed of their desires by his council, he was to give an answer to them by proclamation.⁵

Notwithstanding Orbiston was an informer against Mr. Livingston, whereby he did much disoblige the covenanters, his fidelity in the discharge of the trust committed to him by the privy council did go far in making amends; for in no jot did he fail to discharge himself of all that was contained in his instructions, and thereby reconciled the king's mind to listen to farther information.

Accordingly, his majesty wrote first to his council, requiring that they might send up the lords treasurer and privy-seal, and afterwards he wrote to the lord Lorn also to come to court; and ordered that the most eminent and least sus-

¹ Baillie, p. 238. ² Guthrie's Mem. p. 35.

³ Baillie, p. 346.

⁴ Baillie, p. 223.

⁵ Ibid. p. 261.

pected of the Scottish lawyers should be consulted concerning the legality of the covenanters' proceedings, in convening together without his authority, protesting against the proclamation of his royal pleasure, and entering into covenant without his majesty's command or concurrence.¹ Sir Thomas Hope, the advocate for the crown, with —— Nicolson, and Sir Lewis Stewart of Blackhall being thereupon advised, gave their opinion, that the most part of the covenanters' proceedings were warranted by law; and that though in some things they seemed to have exceeded, yet there was no express law against them; an opinion which could give no satisfaction to his majesty, and in which it was not doubted the two last had crossed their inclination: but their solid judgment, and deep knowledge of the law, would not allow them to say otherwise; and for the former, it was shrewdly suspected that the covenanters had hitherto acted by his advice in the most intricate steps of their management.

The three councillors sent for did not linger long; they set out on their journey very quickly, and were soon followed by the lord president, the lord register, and the bishops of Ross, Brechin, and Galloway.² The chancellor was there before them; and shortly after the marquis of Hamilton wrote for his friend Orbiston, who had returned to Scotland with the order of calling up Roxburgh and Traquair.

So great pains used for advice could not miss to put the covenanters in great fear. Lorn was the only person of the whole they hoped well of; and they were afraid lest the king should either persuade him to go his way,³ or find him errands at court for a long time; and for the others they looked for no good from any of them. The treasurer had so steered betwixt duty and difficulty, leaning sometimes to the one, and yielding anon to the other, as had made him lose much of his trust with both sides, and they laid their account with

the worst, from the rest who went up, that their wit could devise; and therefore they thought fit, while their opponents were thus gathering for consultation against them, to betake themselves to their old course of fasting and prayer.

It was not long ere they found the necessity of having God upon their side. The bishops, especially Ross and Brechin, the two worst of them all, foreseeing that, if the king were inclined to clemency, they would be undone, laid all oars in the water to excite his majesty to take violent measures with the covenanters.⁴ They knew well with what bait the king's mind could be most easily caught; and therefore they argued that his majesty was bound up, of necessity, either to repress by severity the insolence of his seditious subjects, or expose the majesty of the royal dignity to contempt; that the punishment of offenders was expected from his equity, that the possibility of doing it would render the neglect thereof inexcusable, and that there was the greatest probability of doing the same successfully; for, without calling in the aid of the English, they alleged that there was force in the kingdom sufficient to correct the insolence of the covenanters; and that the three marquises of Hamilton, Huntly, and Douglas, with the earls of Seaforth, Nithsdale, and Abercorn, and the lord Semple, with their followers, the town of Aberdeen, and especially the Mackays, Grants, and other northland clans, who had not subscribed the covenant, might easily oversway all the subscribers.

What use the covenanters made of the bishops' advice shall be related in a little; meantime the nobles opposed it with vigour. The ingenuity of the lord Lorn upon that occasion was much applauded;⁵ it was said he concealed nothing he knew of our country's grievances, of his own dislike of Perth articles, of the books of liturgy and canons, and of the bishops' ill conduct; and professed his own resolution rather to leave

¹ Baillie, p. 224, 260.

² Ibid. p. 224, 260.

³ Ibid. p. 260.

⁴ Baillie, p. 224, 260. Crawford, p. 137.

⁵ Ibid. p. 261, 263, 343.

the kingdom than concur in binding these burdens upon his countrymen. Traquair also was for peace. Whereupon the bishops, unable to conceal their dissimulation any longer, fell to reproaching his lordship, as one who was in the covenanters' secrets, and gave them intelligence. On the other hand, Traquair's recriminations against the bishops were as great; for he laid the whole blame of the miscarriage of the king's designs upon their imprudence and violent conduct. And the English lords fearing, that, if once a war were kindled in Scotland, the malcontents in England might procure a change of the scene there also, were no less averse to war than the Scots themselves.

The arguments which were made use of on that occasion would well deserve a place here, were it not that a speech, said to have been delivered by the duke of Lennox, containing the substance of the whole, doth supersede repeating what was said by others, and therefore it may be proper to insert it here.¹

"Most gracious Sovereign,—I am not altogether insensible of the nature of this business wherein I am now called to give my advice; and I know I shall suffer some disadvantage by reason that I am a Scotchman, both by birth and education, and indeed the best blood which runs in my veins I have extracted thence. What I shall now speak, *ex animo* and not *ex cute*, some may possibly impute as proceeding from strength of affection to that place and people from whence I came; but I do protest that my zeal to your majesty shall at this time suspend the thoughts of such principles, and I will set aside all particular relations, and look upon the question as it is, and not as passion or affection may set it forth.

"The question is concerning war, an unknown subject, sweet to those who have not tried it. The worst of war is, usually, in the conclusion of the most advantageous war that ever was, all reckonings being cast up, the conqueror hath but little to glory of. But this is not a war betwixt a king and a stranger, but between a sovereign and his subjects; a near relation, and they had need

be weighty motives that dissolve this knot. Subjects are easily lost we see in the work of every day, but, being once lost, are hardly regained; affections are like chrysal glasses, which, being once broken, no art can cement again; but these are not such subjects as the kingly prophet speaks of, 'A people whom I have not known shall serve me;' but your majesty may say of them as Adam did of Eve, who was formed out of his rib, 'This is flesh of my flesh, and bone of my bone;' or, as David of his subjects the day of his inauguration, 'For my brethren and companions' sake;' your majesty being theirs and they yours by a double tie; you are not only *rex factus*, but *rex natus*, and therefore the union being so strait, the motive had need be weighty that shall cause a man set his own house on fire, and destroy the work of his own hands.

"Now let us consider of two things: 1. The necessity of war. 2. The motives thereunto, whether they be *tanti*, of such moment that a king should hazard the uncertain chance of war, and the miseries that accompany it, rather than forego the same. It is a good note of Tacitus, that *bellum* should be *ultimum refugium*, the last, because it is the worst refuge; and if we consider of the wisest kings that ever wore sceptres within these later times, how willing they have been always to decline the stroke of war almost upon any terms. If your majesty but consider the practice of Lewis XI. and king Henry VII., than which two, England and France, in their large list and catalogue of all their kings, cannot point to two of more profound judgments, and better versed in the mystery of government; yet what means did they use, or rather not use, to divert the course of war, when at any time it did run within their channel? They counted it no dishonour to yield to their subjects' desires, though sometimes unjust and unreasonable; nay, themselves to be the first seekers and proponers of peace; and so, by this means, when the storm was over, and things came to be debated over the green carpet, they were masters of their own deeds and subjects' affections, and obtained the victory without striking one stroke. These wise kings considered that the end of war is uncertain, and the event various, and he who commits an error in the war, especially when the seat of it is in his own kingdom,

¹ Crawford, p. 375.

seldom lives to commit a second. We need not go far for instance, Richard II. and Edward III. will be fresh precedents to any that shall desire to buy the experience thereof in so dear terms as they did. It should be in the body politic as in the body natural, phlebotomy should never be used but when the humours are so predominant that no other course will remove them, and that, unless they be dispelled, they will occasion *dissolutionem continui*; but, blessed be God, there is no such occasion in this case. There be some tough humours in the body politic, it cannot be denied, and some, it may be, that work obstructions in some of the lesser pipes of the government, but their *vena basilica* and *vena cava* are free, and the royal spirits in them have their proper influence and motion without any opposition. What is now to be done? Force is not fit for every subject; some humours are expelled by lenitives, whereas purgation maketh others more malignant. There are yet three means to be used that have not been tried, any of which is better than the mean in hand. 1. Remove the occasion: This can be no impeachment to the sceptre. The wisest kings have had their oversight in government, which a wiser day hath taught them to recal: Your father reigned gloriously, and commanded as well the affections as the bodies of the Scots, yet he never sought the abtrusion of *minima et infima*, and yet no man more zealous of kingly government than he. It is an act of extreme folly to hazard the substance for the shadow, not worth the contending for; and, if your majesty were master of your desires, it would not add one cubit to your stature. 2. If this like not, let time work it out, and by this means they will either swallow the hook, or endure the proposal with less regret; distasteful things work most at the first, less afterwards; by degrees your majesty may work them to that, which, for the present, they would rather die than embrace. We see how the Romans, by degrees, brought a total slavery over all the world, which, if at first they had proponed upon downright terms, had hardly been accomplished, if ever. So William the Norman brought England by degrees to wear the yoke, which, if it had been tendered in plain terms, he must either have missed of his aim, or had no people over whom to impose it, so impatient was the English nation,

either to hear of a conqueror, or to be branded with the name of a conquered nation. 3. We see the way to conquer is sometimes to cede. What if your majesty should seem in these things to yield to the Scots' demands, and give them the advantage of a fair gate? Cannot your majesty remove the obstacles by degrees, and turn the humour some other way, for a more reasonable opportunity to serve in these things, by instruments more fit, and less subject to exception? The proposal of this course I should hold more safe, more secure, than that cruel one of the sword, which knoweth no law but this, 'The sword devours one as well as another:' And I hold that king most miserable, that is forced to make use of a remedy worse than the disease. This much for the first thing, there is no necessity of war *rebus sic stantibus*. These things in agitation are not *tanti*, of such a value as should require such a desperate adventure, to hazard a kingdom at a cast for the gaining them. Plutarch wisely compares them that know not how to proportion the mean to the right end, to such as fish with a golden hook; the loss of the hook is of more consequence than the fish they can take thereby. Truly, to speak plainly what I think, those that advise war, in this case, know not what it is to get, nor greatly care for the loss of a kingdom, if so they may play their own game, and fish in troubled waters. Such councillors as these were the bishop of Ross to the late queen of Scots, and the bishop of Brukes to Ladislaus the miserable king of Hungary, who were the occasion of bringing the French into Scotland, and the Turks into Hungary; two guests that both the nations have cause to wish they never know the way thither again.

"Three reasons have been given to persuade unto war, which I will not now answer, but leave to him who is better able for such a purpose; wherefore, considering *nulla salus bello, nulla necessitas belli*, my advice to your majesty is not to use war, but when the end of it is either a certain or a probable peace. In this advice though I displease others, yet I shall please myself, because I have spoken as I think; and my hope is, that whenever your majesty shall be obliged to draw the sword in a just quarrel, I shall be as ready to do your majesty service as they are who now talk much of war,

but neither know where to begin nor greatly care where it ends."

This golden speech was afterwards said to be suppositious; however, as it is the language of reason, the considerations it proceeds upon could not miss presenting themselves as well to the king as to his subjects, and happily for his majesty, as well as these lands, his royal mind became at length more inclinable to peace, and better disposed to give way to a treaty with the covenanters.¹

But, before we enter thereupon, it may be proper first to bring forward the account of some things that happened during the consultations at court.

Upon the news of the bishops' advice, and assurance given by them that so great force might be raised for supporting their interest, especially amongst the clans in the north, commissioners, generally lawyers or ministers, or both, were sent through the kingdom where any were disaffected, and especially to the north, to procure subscriptions of outstanders to the national covenant, and they happily procured the subscriptions of the most of the names of Hamilton and Douglas, of all the Gordons who were under the influence of Sutherland and Kenmure, of all the Campbells without exception, the generality of the Forbesees, Frasers, Grants, Mackenzies, Mackays, Macintoshes, Macleans, Macdonalds, Irvines, and Inneses, a fifth part of whom, reasonably speaking, were able to have repelled force with force against all the recusants through Scotland; many in Aberdeen and Glasgow, who had hitherto stood out, subscribed also; not a burghess in St. Andrews refused; and, in Edinburgh, Dr. Elliot minister, with Mr. Robert Ranken and Mr. John Brown, two of the regents, were the only persons of note who refused to give their subscription.² This so universal a concurrence of the kingdom being reported at court, the bishops who advised the king to make war upon Scotland, in the faith of assistance from those clans, were looked upon as enemies

to their king and country, and as consulting their own interest upon the ruins of both.

The episcopal interest being so low, several presbyteries ventured, about this time, to ordain ministers without the knowledge or consent of the bishop. All of them removed the constant moderator. Mr. Rutherford returned to his charge at Anwoth, and the ministers who came over from Ireland were settled either in vacant congregations, as Mr. John Livingston at Stranraer, Mr. James Hamilton at Dumfries, and Mr. John Maclellan at Kirkcudbright; or colleagues to others, as Mr. Robert Blair to Mr. William Annan at Ayr, and Mr. Samuel Row to Mr. Henry Macgill at Dunfermline.

Those places, saith the bishop of Dunkeld, were vacant by the flight of the incumbents who had formerly served therein, for their disaffection to the covenant had rendered them obnoxious to the fury of the people, and they saved their lives by abandoning their country. But, though mobs did too much abound, as we shall shew in a little, that was not the case in either of these places; some of them were vacant by the death of their former pastors, and others of them called those ministers as colleagues, not successors to their former pastors, and gave them a maintenance, without abating the livings of the others; and, according to my author,³ Mr. Blair was settled with Mr. Annan's own consent.

Yet, notwithstanding the so imminent hazard this bishop would hold his brethren in, others of them were not a whit confounded. The professors in the university of St. Andrews gave out reasons for refusing their oath and subscription to the covenant, which, with the answers to the same, will be found in the Appendix. In Aberdeen likewise the doctors began a paper war. Dr. Baron published a piece in favour of the service-book, and against the covenant, but it was too weak to hurt the cause; and therefore Dr. John Forbes of Corse, another professor of divinity there, wrote

¹ Crawford, p. 447.

² Ibid. p. 223.

³ Baillie, p. 221

a pamphlet, under the title of *A Peaceable Warning to the Subjects of Scotland*; but, within a few days, there came forth an answer which silenced that gun also. However, in a few months after, these doctors, with some others at Aberdeen, did unite their force against the covenant, as we shall relate in its place.¹

The zeal of the town and university of Aberdeen being so much displayed against the covenants, the king, upon an information of their loyalty by Mr. Balantyne bishop of Aberdeen, wrote to them upon the 9th of April, by the title of our trusty and well-beloved the provost, bailies, and council of our city of Aberdeen, and ministers thereof, giving them thanks for their affection to his service, and promising them, if they continued so, good effects of his majesty's favour. This, saith Mr. Row,² with Huntly's promises, (which he bravely performed, May 14, 1644, when he set Aberdeen on fire in four or five parts) and their ministers' assiduous preaching down of the covenant, made them resolute and bold in the anti-covenanting profession.

At this time the kingdom was in a very disordered condition: there had been a vacation of the courts for twelve months past.³ Some were become disregarding of their creditors; and, which was still worse, many of the Gordons, and some of the other clans, taking the advantage of the surcease of justice, began to arm, plunder and oppress their neighbours, and some murders were committed. In the south the marquis of Douglas, the earl of Abercorn, and the lord Semple, did openly prepare for hostility.

Nor could the covenanters prevail with all their well-wishers to behave with that decency which became the professors of so good a cause. Several of the meaner sort, especially amongst the women, committed outrages against some of the non-conform clergy; as, at Lanark, against Dr. Robert Hamilton, a

great agent for the bishops, and Mr. John Lindsay, the constant moderator of the presbytery of Lanark, because they were the two greatest sticklers for the innovations complained of in that bounds. For the same reason Dr. Ogston, minister at Collinton, was attacked in Edinburgh: He had been brought south by bishop Forbes, which, to the credulous, was reckoned cause enough for suspecting his orthodoxy. Before the communion, he used to cause the people answer his examination upon their knees, and, at this time, he was suspected by some to have spoken somewhat in favour of the virgin Mary. Mr. Hanna, at Torphichen, was also beaten by some of his parishioners, but without effusion of blood. He had been intruded upon them against their will: the famous Mr. Livingston had been put out to make way for him; and, since his settlement there, those who would not conform could not have liberty to live in quietness for him. Dr. Monro at St. Andrews, in his passage through Kinghorn, was likewise beset by a rabble there, and escaped not their fury without blood and wounds. He had been at Edinburgh, whither it was suspected he had been sent by the bishops as a spy, to give account of the proceedings of the covenanters, and that, joined with his known favour to the innovations complained of, and opposition to the covenant, was thought of sufficient weight to justify the severity used against him; and, at Edinburgh, Dr. Elliot and one Mr. Fletcher were, some time after that, insulted and rudely maltreated by the women there.

These, and some few other instances of the kind, were quickly transmitted to the king; and, to add oil to the flame, those facts were greatly exaggerated, and, since that time, they have been improved by adversaries to the disparagement not only of the actors, but of all the covenanters and their proceedings, as if their whole conduct had been riotous and disorderly; but the two following considerations must take off the force of that imputation: 1. That the administra-

¹ Baillie, p. 222, 250, 255. Row, p. 330.

² Hist. p. 330. ³ Baillie p. 224.

of justice was stopped, the courts did not sit, and the chief judges of the land, whose authority might have prevented these disorders, had either gone to court, or left off the exercise of their offices for a time. And, 2. Those disorders were discouraged, and endeavours used to prevent them, by the more judicious amongst the covenanters, as that in Lanark¹ was suppressed by the diligence of the magistrates, those in Edinburgh² by the influence of Messrs. Rollock and Ramsay ministers, and that in Kinghorn by the activity of the magistrates and some gentlemen in the place and neighbourhood; yea, wherever a spirit of that kind shewed itself, the ministers inveighed against it, as hurting the good cause, and bringing a reproach upon the whole covenanters; and if, with all this diligence, they were not able fully to stop such disorders, the reader is left to judge who were to blame for that, whether the covenanters, who used all their influence for allaying such heats, or the judges of the land, whose authority, joined to the others' influence, might have effectually done it.

The advice for war being set aside for the time, the king came to a resolution to yield somewhat to his Scottish subjects, and for that purpose his majesty resolved to name a commissioner to treat with them. The next question was, who should be intrusted with that service? or rather, who had shoulders able to bear the burden? The lord treasurer was once like to have been employed; but the bishops, to prevent the intrusting of their mortal enemy, did again, when no such matter was expected, give in a long accusation of all things which they apprehended could in the least militate against him. Brechin having been one of Traquair's creatures, and privy to a great deal of his table-talk, was judged the fittest for forming their accusation, and the same being finished, was subscribed by the chancellor and the bishops of Ross and Brechin.³ The bishop of Galloway's concurrence was excused, on

account of his connection with the accused. Traquair not having been aware of this charge, had no formal recrimination in readiness; but, being a loquacious man, he boldly asserted his own innocence, and threatened those bishops, especially St. Andrews, with a charge of very deep crimes; and, indeed, their carriage at that time (abstracting from all their former mal-practices) did not become ecclesiastics. Múch was spoken of their rioting, drinking, and absence from all divine service on the Lord's-day. But no account was taken of these things; and the articles wherewith the treasurer was impeached were likewise accounted trifling. The king would not take time to discuss the same, yet his majesty's mind was thereby diverted from him, and this was perhaps all that the bishops aimed at.

Traquair's hopes being frustrated, the king made not longer deliberation, but quickly pitched upon James marquis of Hamilton, as a person of the greatest authority of any in Scotland, who was not tainted with a party spirit, to act as his majesty's high commissioner, although, at the same time, his father having procured the ratification of Perth articles, anno 1621, which, in a great measure, gave rise to the present commotions, and himself having tasted so deeply of the king's liberality in the matter of the taxations, some could not help looking on him as equally liable to suspicion with others who were overlooked.⁴

While this commission was in agitation, a rumour was spread amongst the covenanters, that the king, by yielding somewhat to them, would please some, and so divide them;⁵ but to prevent fears of this sort, the earls of Rothes, Cassilis, and Montrose, wrote letters to the nobles at court, inclosing a paper of the following tenor, as the least that could be asked for settling this church and kingdom in a durable peace.

“ARTICLES for the present peace of the kirk and kingdom of Scotland.

“If the question were about such matters as did come within the compass of our own.

¹ Baillie, p. 224.

² Ibid. p. 274, 477.

³ Ibid. p. 363.

⁴ Baillie, p. 345.

⁵ Ibid. p. 271.

power, we would be ashamed to be impo-
 rtunate, and should be very easily satisfied,
 without the smallest trouble to any; but,
 considering that they are the matters of
 God's honour, of the kingdom of Christ, and
 the peace of our souls, against the mystery
 of iniquity, which we clearly perceive to have
 been incessantly working in this land since
 the reformation, to the ruin of true religion
 in the end, it cannot stand with our duty to
 God, to our king, to ourselves and posterity,
 to crave or be content with less than that
 which the word of God, and our Confession
 of Faith, doth allow, and which may, against
 our fears, establish religion afterwards. 1.
 The discharging of the service-book, the
 book of canons, and of the late high com-
 mission, may be a part of the satisfaction of
 our humble supplications and just complaints,
 which therefore we still humbly desire; but
 that can neither be a perfect cure of our pre-
 sent evils, nor can it be a preservative in time
 to come. 2. When it is considered what
 have been the troubles and fears of his ma-
 jesty's most loyal subjects from the high
 commission, what is the nature and constitu-
 tion of that judicatory, how prejudicial it
 proves to the lawful judicatories of the kirk
 and kingdom, how far it endangers the con-
 sciences, liberties, estates, and persons of all
 the lieges, and how easily, and far more
 contentedly, all the subjects may be kept in
 order and obedience to his majesty's just
 laws, without any terror of that kind, we
 look that his majesty's subjects, who have
 been used to obey according to the laws,
 shall be altogether delivered from the high
 commission, as from a yoke and a burden
 which they feel and fear to be more heavy
 than they shall be ever able to bear. 3. Re-
 membering by what ways the articles of
 Perth were introduced, how strangely and
 with what opposition they were carried in
 the assembly, upon what narrative they were
 concluded, how the ratification in parliament
 was not desired by the kirk, but earnestly
 supplicated and protested against, how they
 have been introductory of the service-book,
 whereof now they are become members,
 and in their nature make way for popery,
 (whatsoever hath been the intentions of the
 urger) and, withal, what troubles and divi-
 sions they have caused these twenty years
 in this kirk and kingdom, and what jealousies
 between the king's majesty and his subjects,

without any spiritual profit or edification at
 all, as we can see no reason why they should
 be urged by authority, so can we not find,
 but we shall be more unable to digest them
 than in the beginning, when we had not as
 yet tasted and known how bitter and un-
 wholesome they were. 4. The judgments of
 the best divines of the reformed kirks, and
 of the most pious and learned of this kirk
 since the reformation, concerning the civil
 places and offices of kirkmen, and concern-
 ing the vote of ministers in parliament, have
 been made known in divers general assem-
 blies, which moved the assemblies of this
 kirk, when they could not by their modest
 opposition, prevail to limit the ministers that
 were to vote in parliament, by certain par-
 ticular cautions agreed upon at first, and or-
 dained to be inserted in the act of parlia-
 ment, and by other cautions to be made after-
 ward, as the assembly should find meet and
 necessary; and therefore, if we will declare
 our minds, after lamentable experiences of
 the evils which were then foreseen, feared,
 and foretold, we cannot see how ministers
 voting in parliament absolutely, without the
 limitation of these cautions, can be thought
 fit to vote in the name of the kirk. 5. We
 have no grievance more universal, more or-
 dinary, and more pressing, than that worthy
 men, who have testimonies of their learning
 from universities, and are tried by the pres-
 byteries to be qualified for the work of the
 ministry, and for their life and gifts ear-
 nestly desired by the whole people, are not-
 withstanding rejected, because they cannot
 be persuaded to subscribe and swear such
 unlawful articles and oaths, as have neither
 warrant of the acts of the kirk nor laws of
 the kingdom, and others of less worth, ready
 to swear for base respects unworthy to be
 mentioned, are obtruded upon the people,
 and admitted to the most eminent places
 of the kirk and schools of divinity, which
 causes continual complaints, makes the peo-
 ple run from their own kirks, refuse to re-
 ceive the sacrament at the hands of the
 ministers set over them against their hearts,
 or to render them that honour which is due
 from the people to their pastors, and is a
 mighty hindrance to the gospel, to the souls
 of the people, and to the peace of the whole
 kirk and kingdom; all which might be easi-
 ly helped, by giving place to the 14th act
 of parliament 1592, declaring, That God

hath given to the spiritual office-bearers of the kirk, collation and deprivation of ministers, and ordaining that all presentations to benefices be directed to particular presbyteries in all time coming, with full power to give collation thereupon, they being the lawful office-bearers of the kirk to whom God hath given that right, which therefore never was nor can be taken from them, and so conferred upon others, as that they shall be quite secluded therefrom. 6. The lawful and free national assemblies of this kirk, warranted by divine authority, ratified by acts of parliament, kept in other reformed kirks, and in this kirk since the reformation, and acknowledged by king James to be the most necessary means for preservation of piety and union, and for extermination of heresy and schism,—(who willed therefore, that the act of parliament for convening the general assemblies once in the year should stand in force)—if they were revived, and by his majesty's authority appointed to be kept at the ordinary times, and if one, at his majesty's first opportunity, and so soon as may be conveniently, should be indicted, kirkmen might be tried in their life, office, or benefice, and kept in order without trouble to his majesty, and without offence to the people, the present evils might be speedily helped, to his majesty's great honour and content, and to the preservation of the peace of the kirk, and these courses might be stopped afterwards; and, on the contrary, while kirkmen escape their due censure, and matters of the worship of God are imposed without the consent of the free assemblies of the kirk, they will ever be suspected to be unsound and corrupt, as shunning to be tried by the light, to the continual entertaining of heart-burnings amongst the people, and to the hindrance of that cheerfulness of obedience which is due, and from our hearts we wish may be rendered to the king's majesty. 7. If, according to the law of nature and nations, to the custom of all other kingdoms, and the laudable example of his majesty's worthy progenitors, in the like cases of national grievances, or of commotions and fears of a whole body of a kingdom, his majesty should be graciously pleased to call a parliament for the timeous hearing and redressing of the just grievances of the subjects, for removing of their common fears, and for renewing and establishing such laws,

as in time coming may prevent the one and the other, and may serve to the good of the kirk and the kingdom, that the peace of both might be firmly settled, and men's minds, now so awakened, might be easily pacified, all our tongues and pens are not able to represent what would be the joyful acclamations and hearty wishes of so loyal and loving a people for his majesty's happiness, and how heartily bent all sorts would be found to bestow their fortunes and lives in his majesty's service. 8. The more particular notes of all things expedient for the weal of the kirk and kingdom, for his majesty's honour and satisfaction, and for extinguishing of the present combustion, may be given in to be considered in the assembly and parliament.¹

At the same time the covenanters, knowing of what consequence it was to the cause to preserve unity of measures amongst themselves, agreed upon articles, and sent them abroad through the country, of the following import.²

1. That no answer be made to statesmen concerning the public business without common advice and consent, nor private motions tending to break their covenanted union, otherwise they were to be reputed unfriendly to the covenanters and their cause.

2. For the better preparing and managing of matters to be treated of, it was thought fit that there should be a committee chosen out of each degree; and, to prevent offence being taken at the nobles, as taking too much upon them, that some of the gentry, ministers, and burgesses, should be present in their meeting.

3. It was recommended, that all who were named to wait at Edinburgh should attend punctually; and, lest the adversaries should suspect that the strength of their cause lay in the so frequent attendance of the nobles, it was thought proper that fewer of them should attend thereafter, that so it might be seen that others had the honour of God, and the peace of their consciences, no less at heart than they.

4. In case any proclamation was made contrary to the desire of their former

¹ Baillie, p. 264.

² Ibid. p. 269.

supplications, they were to meet the same with a protestation containing for reasons the substance of the eight articles before inserted, and these were to be sent by the commissioners, or deputies, through the several parts of the kingdom, to prevent imposition and surprise.

5. If the discharge of the books of service and canons, and the limitation of the high commission, should only be granted upon pretence the other evils complained of were ratified by law, it would be answered, That the abuse of the episcopal government is contrary to and censurable by law, and that our desires for the yearly free exercise of a general assembly, free admission of ministers, the ceasing of the articles of Perth, and limiting the prelates' boundless usurped power, according to the caveats, are all agreeable to law. If the bishops and statesmen be of a different opinion, the general assembly and parliament, who were the law-makers, are only competent judges for explaining their acts, and their judgment would be craved thereon; and although the law were interpreted, as the bishops, &c. would have it, yet the body of the kingdom, for whose good the law is designed, may crave the lawful redress of grievances sustained by that law, as in fact they had done; and therefore supplications and protestations for clearing the subjects' liberty, and repairing the wrongs complained of, could not be otherwise lawfully judged in, the present evils remedied, nor the like or worse in time coming prevented, without a free assembly and parliament.

6. It was thought fit, that all who had subscribed the covenant should be made sensible that they ought not to rest with less than was contained in their articles.

7. That the number of commissioners named for attending at Edinburgh, should be doubled against the commissioner's downcoming.

8. That the reports concerning the subscription of the covenant be sent from all the different parts of the kingdom.

9. That there be a fast, at the time of the general meeting, for such causes as the ministers should condescend upon.

Finally, That their committee should advert to all things formerly committed to them.

Some of the bishops, who remained in Scotland, getting a hint of what the covenanters were doing, they, with a few of their accomplices, thought proper to send up one of their friends to court with the following

“ARTICLES of information to Mr. Andrew Learmonth, for my lord archbishop of St. Andrews, the bishop of Ross, &c. and in their absence for my lord archbishop of Canterbury his grace.¹

“1. You shall shew their lordships how they have changed the moderator of the presbytery of Edinburgh, and are going on in changing all the moderators in the kingdom. 2. How they have abused Dr. Ogston the 9th of May in Edinburgh, Mr. George Hanna at Torphichen the 6th of May, Dr. Lamond at Markinch the 9th of May, Mr. Robert Edward at Kirkmichael, whom Kirkerran is forced to entertain at his own house. 3. That the presbytery of Haddington have given imposition of hands to Mr. John Ker's son, to be his colleague, without the knowledge of the bishop, and likewise the presbytery of Kirkcaldy to Mr. John Gillespie's son to the church of the Wemyss, and the presbytery of Dumfries to one Mr. John Weir to the church of Morton, within two miles of Drumlanrig; and that they of Dunfermline have admitted Mr. Samuel Row (a minister banished from Ireland) to be helper to Mr. Henry Macgil, and they of Ayr Mr. Robert Blair to be helper to Mr. William Annand; and that the town of Dumfries have made choice of Mr. James Hamilton to be their minister, and the town of Kirkcudbright one Mr. John MacLellan, all of them banished from Ireland; and Mr. Samuel Rutherford is returned and settled in his place; and they intend to depose Mr. John Trotter, minister at Dirleton,—and how they intended to use the regents. 4. That the council of Edinburgh have made choice of Mr. Alexander Henderson to be helper to Mr. Andrew Ramsay, and intend to admit him without advice or con-

¹ Burn. p. 41.

sent of the bishop. 5. That the ministers of Edinburgh, who have not subscribed the covenant, are daily reviled and cursed to their faces, and their stipends are withheld and not paid; and that all ministers who have not subscribed are in the same condition with them. 6. That they hound out rascally commons on men who have not subscribed the covenant, as Mr. Samuel Cockburn did one John Shaw at Leith. 7. That his majesty would be pleased, by his letters, to discharge the bishop of Edinburgh to pay any prebend-fee to those who have subscribed the covenant; as also, by his royal letters, to discharge the lords of session to grant any process against the bishops for their fees. 8. That his majesty would be pleased, in the articles of agreement with the nobility, to see honest men, who shall happen in this tumultuous time to be deposed from their places, restored and settled in them, and others that are violently thrust in removed, and that the wrongs done to them be repaired. 9. That, if it should happen his majesty to take any violent course for repressing these tumults and disorders, which God forbid, that in that case their lordships would be pleased to supplicate his majesty, that some speedy course may be taken for securing of the persons of those honest men, who stand for God and his majesty.

(Signed,) "Da. Edin. Ja. Hanna.
 Ja. Dumblanen. Ja. Mitchell.
 Ja. Lismoren. Da. Fletcher."

These papers are inserted rather as containing a variety of facts, than on account of any notice taken of them at this time; the court went on in their own way; and first, a commission to the marquis was drawn up in the ordinary form, containing a power "to settle the late disorders in that kingdom, and to perform such other service concerning the good of the kingdom as should be intrusted by his majesty unto him, and to that effect to convene his majesty's council at such times and places as he pleased;¹ and, with their advice, to set down the means and order to be followed for the premises; and also to do and perform, as well in council as out of the same, all and every thing in his majesty's name which might tend to

¹ Baillie, p. 294.

the effectuating of the trust of his present commission, and prosecuting thereof to the full and final end of the same, siklike and as fully as if his majesty were present in his sacred person;" and which commission was to endure until it were expressly discharged.

Upon the 10th of May the king, by a letter to his privy council, acquainted them with his commission to Hamilton, and ordered that all the members, bishops as well as others, should meet with his grace in council at Dalkeith, June 6, and the marquis also wrote to almost all the nobility and gentry of note to meet him at Haddington the day preceding.

Next, the king signed a declaration to be published for the satisfaction of his subjects, which will fall more properly to be noticed afterwards;² and at the same time his majesty gave instructions to his high commissioner, for regulating his procedure as follows.³

"CHARLES R.—1. Before you publish the declaration which we have signed, you shall require all the council to sign it, and, if you find that it may conduce to our service, you shall make all the council swear to give their best assistance in the execution of the same; but this of putting them to their oaths, we leave to your discretion, to do as you shall find occasion; but, if you shall find it fit to put them to their oaths, those that refuse must be dismissed the council till our further pleasure be known. 2. We give you power to cause the council to sit in whatsoever place you shall find most convenient for our service, Edinburgh only excepted, and to change the meeting thereof as often as occasion shall require. 3. You may labour to prepare any of the refractory persons to conceive aright of our declaration before it be published, so that it be privately and underhand. 4. You are to get an act of council to pass, to declare, that this declaration of ours ought to free all honest subjects from the fears of innovations of religion or laws; but this you are not to propose publicly, except you are sure to carry it. 5. If any protestation be made against our declaration, the protesters must be reputed rebels, and you are to labour to apprehend

² Baillie, p. 307.

³ Burn. Mem. p. 50.

the chiefest of them. 6. If petitions be presented, to demand farther satisfaction than that we have already given by our declaration, you are to receive them, and to give them a bold negative, both in respect of the matter and the form, as being presented from a body which you are nowise to acknowledge. 7. If it should be objected against the high-commission, that it ought not to be introduced but by act of parliament, your answer must be, That we found it left us by our father, and therefore we mean to continue it, having first regulated it in such a way, that it shall be no just grievance to our subjects, or against our laws, and, when there is a parliament, we shall be content that it be ratified as we shall now rectify it. 8. If after the limited time in our declaration, a body remain at Edinburgh, or elsewhere, you must raise what force you can to dissipate and bring them under our obedience. 9. As soon as the peace of the country will permit, you are to call a general assembly for settling of a constant and decent way for God's worship, we having resolved to call them, or to permit them to be, as often as occasion shall require, we likewise intending to have a parliament to ratify what shall be condescended on at the assembly. 10. You may say, the bishops shall impose no other oath upon ministers, at their admission, but what is warranted by act of parliament. 11. You are to give direction that the same service be used in our chapel-royal, that was before the enjoining of the service-book. 12. You must admit of no petition against the five articles of Perth, but for the present you are not to press the exact execution of them. 13. Whenever the town of Edinburgh shall depart from the covenant, and petition for our favour, we will that you bring back the council and session to it. 14. You shall deny no pardons nor acts of council to any particular persons that shall desire the same for their security. 15. Some marks of favour we may be moved to give to particular persons that may deserve the same. 16. All acts of council that enjoin the use of the new service-book are to be suspended, and to be of no force hereafter. 17. You shall declare our pleasure to our two archbishops, (as soon as the country is any way settled) that it is our pleasure, that every bishop shall live within his own diocese, except upon his own urgent occasions, or that

he be commanded from us, or the council, to attend there for our service, which I intend as seldom as may be. 18. You shall refuse complaints against no man in particular, whether officers of state, concillors, or bishops, so that it be against their persons and not their places. 19. All those ministers, who have been displaced by the seditious multitude, are to be (so soon as conveniently may be) repossessed again as they were. 20. As for silenced ministers, you may connive at their preaching, if you find it may tend to the quieting of the country. 21. For the organs in the abbey-church, we leave them to your discretion when to be used, and to advertise me of your opinion. 22. You are to cause insert six weeks, in our declaration, for the delivery up of the covenant, and, if you find cause, less. 23. You shall declare, that, if there be not sufficient strength within the kingdom to force the refractory to obedience, power shall come from England, and that myself will come in person with them, being resolved to hazard my life rather than suffer authority to be contemned. 24. If you shall find cause, you are to raise a guard of two hundred, or more, to attend our council. 25. You may treat with the earl of Mar for the keeping of our castles of Edinburgh and Stirling, and, for the present, he must be charged with their safe custody. 26. You shall take seriously into consideration the copper-coin, and declare our willingness to remedy the evils that have risen thereby, or what else the subjects may justly complain of. 27. You may declare, that, as we never intended to assume the nominating the provost of our town of Edinburgh, so we mean not by our too frequent letters to hinder the free election of their own officers. 28. You may likewise declare, (if you find cause) that, as we never did, so, by God's grace, we never shall, stop the course of justice by any private directions of ours, but will leave our lords of session, and other judges, to administer justice as they will be answerable to God and us. If you cannot, by the means prescribed by us, bring back the refractory and seditious to due obedience, we do not only give you authority, but command all hostile acts whatsoever to be used against them, they having deserved to be used no other way by us but as a rebellious people; for the doing whereof, we will not only save you harmless, but

account it as acceptable service done us. Such of these instructions as you shall find cause, we give you leave to divulge and make use of as you find our service shall require.*

Meantime the marquis would not stir from court until all his countrymen, who could be spared, were sent down before him, as well to prevent frustrating the design of his commission by their advice in his absence, as that they might contribute to his majesty's service by their presence here.¹ The lord treasurer, with the lord Lorn and the bishop of Galloway, were the first who came down, and were followed by Morton, Linlithgow, Mar, Kelly, Kinnoul, Haddington, Belhaven, Almont, and others, in such numbers, that the country, who knew nothing of the commissioner's design, was in hopes of a parliament presently.

The bishops at court, with the president of the session and the clerk register, were hardly drawn to comply with this resolution.² All of them knew how unacceptable they were to their country, and several of them durst not appear there for fear of diligence; but though they offered to remove to Bath, or reside anywhere in England at a distance from court, no excuse could be sustained, but come down they must. Canterbury, says bishop Burnet,³ said much and well on the subject; and, adds Mr. Baillie,⁴ the chancellor, the president, and register brought with them a protection, to prevent the execution of diligence against themselves and cautioners, their persons, lands, or goods, until a pacification were obtained, and that Mr. Hanna, the dean of the chapel-royal, and the parsons of Leith and Liberton, had the favour of the like shield.

Much having been expected from this treaty, the deputies at Edinburgh advertised the other covenanters through Scotland to be in Edinburgh some days before the commissioner's coming; yet were they put in great fear by the rumours industriously spread abroad,⁵ that

Hamilton was not to offer farther than the recalling of the books and limitation of the high commission, and that upon the condition, or rather command, that the covenanters should surrender all the copies of their subscribed covenant, and lie under the old danger of Perth articles, and the bishops' unlimited power; and, if this was not accepted, they were threatened with a bloody onset by the English navy on the east coast, by an Irish army on the west, and by all the power that the three Scottish marquises, Hamilton, Huntly, and Douglas, with the popish party and the north of England, could make; so that well might our author write, as at this time he did, to Mr. Spang,⁶ "We see great appearance of mischief, but in God is our great confidence, and we have resolved on a general fast the 3d of June."

Accordingly, upon the day set, that fast was generally observed over all the kingdom.⁷ Several who had not subscribed the covenant refused to join, but the humiliation of those who did was as remarkable as on any former occasion. This was especially the case in the college-kirk at Edinburgh; there the preachers were Mr. Samuel Rutherford, Mr. Robert Baillie, and Mr. Henry Rollock the minister of the place; the congregation was exceeding great, and many of the nobles and gentry being present, provoked the meaner sort, by their example, to abase themselves before God.⁸ "And indeed," says our author, "that people's humiliation did even exceed my hope; may God have the praise. Mr. Rollock," adds he, "is a man much more mortified than ever I thought to have seen him, and Mr. Rutherford excels all both for preaching and prayer."

Next day there was great reasoning amongst the deputies concerning their meeting the marquis at Haddington, as he had desired; and many would gladly have done him that pleasure, but Rothes especially, and some others of note,⁹ reasoned strongly for forbearing attendance at that time, either upon the

¹ Baillie, 345.

² Ibid. p. 346.

³ Mem. p. 43.

⁴ Coll. p. 146.

⁵ Coll. p. 262.

⁶ Coll. p. 262.

⁷ Ibid. p. 350, 351.

⁸ Ibid. p. 351.

⁹ Ibid. p. 296, 300, 351.

high commissioner, or others who were not joined in covenant with them, as exposing themselves to temptations, threatenings, or allurements; as diminishing their number, and giving occasion of misinformation that the covenanters were not so considerable a party as they had given out; as increasing the appearance of their opposites, who had already imposed upon his majesty with false informations of their number; and as incompatible with their covenant, not to suffer themselves to be divided directly or indirectly; and so, in end, the meeting came to an agreement, that none of the covenanters should, without the concurrence of the rest, wait either upon the commissioner, or mix themselves with papists, prelates, or statesmen attending him, who had anywise shewed themselves their party. With this resolution the lords Lauderdale (or, as some say, Loudon) and Lindsay, were appointed to acquaint his grace, who was much disobliged therewith; but Rothes, having been sent on a second deputation to him, did greatly allay his heat.

Some days before this there fell out an accident which occasioned great misunderstanding. The castle of Edinburgh having been in want both of arms and ammunition, the lord treasurer had agreed with Patrick Wood, merchant in Edinburgh, to supply the same;¹ and he having, in a ship belonging to Leith, brought in above sixty great barrels of powder, some hundreds of pikes, and several chests full of muskets and matches, the lord treasurer caused lay them up in the house of Dalkeith. This affair being conducted with all possible secrecy, and happening immediately before the meeting intended there, raised a strong suspicion of violent designs against the covenanters; whereupon Mr. Wood's credit was much called in question,—every one who had any demands upon him exacted them, and it was not without great difficulty that his friends got him supported; and so hard did that matter bear upon Traquair, that, to allay the covenanters' indignation against

him, he came to Edinburgh, and there, before Rothes, Lorn, and Loudon, he purged himself, upon oath, of any such wicked design, as that of blowing up the covenanters, but confessed, that it having been laid upon him to provide the castle of Edinburgh with arms and ammunition, he thought proper, upon a surmise that the covenanters intended to seize the same, to cause them be landed at Fisherrow, and carried to Dalkeith, as the nearest place of security, till a fit opportunity for transporting them to Edinburgh.

This acknowledgment helped the matter very little; for, though it could have been believed that the covenanters' first suspicion was groundless, they conceived that they had now sufficient evidence, from the lord treasurer's own mouth, of hostile designs against them;² and their fears were augmented with the news which they received, that the commissioner, in his way through Northumberland, had directed the sheriffs to have their trained bands in readiness, and that, since that time, they had already been several times mustered; so the lord Lindsay was sent to find out, among other things, what was his grace's part in those preparations; and both the marquis and Lindsay having carried the matter a little too high, the marquis avowing that, unless the covenanters were yielding, the king would correct their insolence, and the other justifying the equity of their demands with some warmth, the deputies became the more distrustful of the court, as meaning some other thing than a safe and comfortable treaty; and their jealousies were heightened by new reports spread abroad,³ as if Huntly, Herries, Abercorn, and Winton, were to come to town with all the forces they could raise, under the pretence of supporting the king's interest there. Wherefore the gentry, with the citizens of Edinburgh, began avowedly to set guards upon the castle, to prevent its being reinforced, or supplied with any thing more than the necessary provision of the garrison there.

¹ Coll. p. 352, 353.

² Coll. p. 353.

³ Ibid. p. 354.

This watch was much spoken of, as the first of the covenanters' illegal actions; and since that time, some of the English historians assert,¹ that at the time the Scots blockaded the castle of Edinburgh, they received two ships laden with arms for their service. But, as all our Scotch authors whom we have seen, even the bishops Guthrie and Burnet, who shew all inclination to have told whatever could militate against the covenanters, are silent upon this latter fact, that foreign importation must go for nothing. And for the vindication of our countrymen in the other particular, it was answered,² that for the body of a kingdom or commonwealth to defend themselves in the evident danger of their religion, liberties, and laws, was warranted by the laws of God, of nature, and of nations, and particularly by the law and practice of our nation, approved by several acts of parliament; and, if this were granted, it could not be denied that all things simply necessary for such innocent defence were alike legal; and, in this view, the preventing that castle from being put in a condition to destroy the metropolis of the nation, the only convenient place of their meeting, and the chief sinew of their union and strength, was justified by the friends of the reformation, especially as the covenanters kept strictly upon the defensive.

We took notice formerly, that the privy-council were warned to attend the high commissioner, and assist him with their advice; accordingly, against the time prefixed, the council met at Dalkeith, where the archbishop of St. Andrews sat with the seals, or, as some said, with the marquis's commission hanging in a bag about his neck, in imitation of the lord keeper of England, when the king is present;³ at which time also the marquis of Huntly and the other supporters of episcopacy were present, but no business was done there, only the lord commissioner did inform himself as fully as he could concerning the present business; and yet he was at a

loss even in that respect, the earls of Traquair, Roxburgh, and Southesk, "being," says bishop Burnet,⁴ "the only men well-affected to the king's measures."

"At this time," says the same author, "the more violent amongst the covenanters threatened that they would force the lord commissioner, with the lords of privy-council and of the session, to take the covenant; but the only occasion for this report, according to Mr. Baillie,⁵ was, that the deputies for the ministers served each of the nobles who were attending the council with the copy of a humble petition, penned by Mr. David Dickson, entreating them in the most pathetic terms to subscribe the covenant. This paper, which hath been several times printed, was indeed well calculated for exciting the councillors to concur, nor had it the smallest appearance of force, and yet the only answer it met with, was a smooth excuse; the council had no such intention,—their great aim was a meeting with the covenanters; and how to obtain this in a way agreeable to the commissioner's honour was their present difficulty. The deputies for the covenanters would not go to Dalkeith to treat, both because of the hazard they were exposed to by the warlike stores brought thither, and that their numbers could not be accommodated with lodgings and provisions in a place already crowded with courtiers and their attendants; nor would the lord commissioner yield to come to Holyrood house, unless he were solemnly met, and the watch removed from the castle.⁶ To the first part of this motion the covenanters cheerfully yielded, but would not to the other, till Haddington, Southesk, and Lorn, who mediated betwixt parties, gave their word of honour, that no ammunition, nor even provisions, except for daily use, should be brought into the castle during the treaty. This parole did, however, disoblige the commissioner, as betraying a distrust of him; whereupon the guards

¹ Strype's Annals, and Rapin.

² Baillie, p. 355. ³ Ibid. p. 357.

⁴ Mem. Dukes of Hamilton, p. 53.

⁵ Baillie, p. 277, 356. ⁶ Ibid. p. 355.

were doubled, and the marquis advertised the king to hasten his preparations for teaching them their duty by force; but upon a renewed application from the city, he consented to come in; and to please his grace, the lord Lorn took it upon him to discharge that watch without any condition; to which the covenanters agreed, only they kept a private watch, which some thought might have sufficiently answered their end from the beginning.¹

In the commissioner's way to Holyrood-house, June 8th or 9th, almost as great compliment was paid to his grace as could have been given to the sovereign himself; for having taken the links of Leith in his way, he was there met by the covenanters, to the number of about 20,000, amongst whom were above 500, some say about 700 ministers, beside almost an infinite number of women and children, and by the town council, citizens, and inhabitants of Edinburgh, at the Water-gate, all crying earnestly for the safety of their religion and liberties; and amongst the rest, the ministers, in black cloaks, were conspicuously placed on the side of a rising ground, and had appointed Mr. William Livingstone at Lanark, a man of a strong voice and venerable countenance, to give him a short welcome.² But though his grace was moved with the humble cries of the multitude, even to tears, yet, upon a surmise by Doctor Balcanquhal, who attended him, that they intended some invectives against the bishops, he excused himself, saying, that harangues in the field were above his place, and only becoming princes. However, four of the ministers, in name of the whole, were next day allowed a private hearing, when Mr. Livingstone, as their mouth, did make the following speech.

"May it please your Grace,

"We the servants of the Son of God, and preachers of that peace that passeth all understanding, being sensible of the fearful wrath of God that justly pursues this land

for our sins, and the sins of the people, where-through our kirk is rent by schism and division, which is like to consume all, if it be not suddenly quenched, having, for remeid of these evils, humbled ourselves before God, renewed our covenant with him, and made our supplications to the king's majesty, do give your grace an hearty welcome, as his majesty's commissioner, and the messenger of the God of heaven, by whose blessing your grace may be an happy instrument for doing one of the best works that can be done in the earth, for the honour of God, contentment of the king, good of our kirk, peace of our kingdom, and joy of all the reformed churches, as having power in your hands from his majesty to quench this fire, cut away the occasions of division, purge the house of God, minister justice, and give satisfaction to grieved souls, according to their supplications, whereby your grace shall shew a worthy proof of a worthy patriot, a faithful counsellor, a good Christian, and a compassionate member of our mother-church, mourning under manifold miseries, and shall reap the fruit of a sweet remembrance in after ages, and of a marvellous peace and strong consolation when it comes to the breaking of the eye-strings, and giving the last gasp, (for who lives and shall not see death?) when all the pleasures and honours of the world shall stand in no stead. And this we and our people expect at your grace's hand, and humbly and heartily crave in his name who shall judge the quick and the dead."³

For several days there was little heard of but mutual compliments passing between the lord commissioner and the heads of the covenanters, and of great pains taken on both hands to procure information of the other's motions and designs. Some stratagems were used to expiscate from the commissioner a declaration of his powers, and his grace again would by turns cajole or threaten the covenanters, as he thought fittest for his purpose, and best calculated for gaining those of them who waited upon him. But neither of them obtained any advantage by these means; for, when the commissioner urged that the laws made for forty years past were in force against

¹ Baillie, p. 356. Burnet's Mem. p. 54.

² Baillie, p. 357.

³ Baillie, p. 274.

the covenanters, this confirmed their belief that no treaty for the better was intended; and they observed, that those laws were made upon the ruins of our reforming laws; that they were rather obtruded by craft and violence, than by the consent of the nation; that they were destructive to religion and subversive of true liberty, and were therefore the chief causes of their complaints, and what ought to be annulled. Again, when his grace hinted that the books of canons and liturgy, &c. should be discharged, &c. on condition that the covenanters would give up with their covenant, this did exceedingly displease all; and it served only to make them the more desperate, and at greater pains to support and vindicate that solemn deed.

Wherefore the celebrated Mr. Henderson was set to work, and in a short space, the public were favoured with reasons why the covenanters could upon no terms pass from any part of their covenant. Of this paper we have seen printed copies; but as they are rare and as the covenanters' aversion to that demand might otherwise be constructed as proceeding from obstinacy and ill-nature, we shall, in justice to their memory and cause, subjoin a copy of these.

“REASONS against the rendering of our sworn and subscribed Confession of Faith.

“1. If we should render our subscribed covenant, we cannot be free of the great guilt of perjury before God; for, as we were drawn by necessity to enter into a mutual union and conjunction amongst ourselves, so are we bound, not only by the laws of God and nature, but by our solemn oath and subscription against all dangerous or divisive motions, by all lawful means to promote and observe the same without violation, and not suffer ourselves, by whatsoever suggestion, allurements, or terror, directly or indirectly, to be divided or drawn from it; and it is too manifest, that no motion can be more divisive upon the one side, nor can we, upon the other part, more directly give way to division, than willingly, and with our own consent, to render the bond of our union and conjunction to be destroyed, that no testimony thereof may be any more extant. 2. We

should distinguish (except we would deceive ourselves) between *res jurata* and that which is sworn, and *juratio*, or, swearing thereof; for, although all the general and particular points contained in our subscribed covenant, were to be insert in another covenant to be made by the express command of authority, yet to render our sworn confession were both to pass from our swearing thereof, *ac si res esset integra*, as if we had never sworn or subscribed, and also to destroy that which we have been doing, as a thing unlawful, and to be repented of. It were not only to make our oath to be no oath, our subscription no subscription, and our testimony no testimony, but really to acknowledge and confess ourselves in this to have been transgressors, so that we can neither claim any right to the promise of God, nor think ourselves obliged in any duty to God by virtue of that oath. It must ever be remembered that oaths and perjuries are multiplied, not only according to the diversity of the things that are sworn, but according to the swearing of the same thing at divers times: So oft as we swear and subscribe the same things, by so many oaths and obligations are we bound to God, and consequently the rendering of our subscription the renouncing of that undividable bond and obligation, although possibly, by another, we may stand bound or sworn. 3. Our voluntary renewing of our covenant with God carrieth greater evidence of a free service to God, than if it had been done by express commandment of authority, because the power of God making his people so willing, the readiness and sincerity of the people is so much the more manifest: Like as the Lord from heaven hath testified his acceptance, by the wonderful workings of his Spirit in the hearts of both pastors and people, to their great comfort and strengthening in every duty, above any measure that ever hath been heard of in this land; and therefore, to give any token of recalling the same were unthankfully to disregard the work of God, and to quit all the comforts and corroborations that the people of God have, to their great joy, experienced at this time. 4. We have declared, before God and the world, that this our covenant, as it now standeth sworn and subscribed, is lawful and necessary; that it is done in obedience to the commandment of God, conform to the practice of the godly,

and according to the laudable example of our religious progenitors, who, by the like oath, have obliged us to the substance and tenor of this; and therefore, if we should now, by rendering our covenant, undo that which we have done, we should deny the commandment of God, condemn the examples in Scripture, and the practices in this church, and pre-condemn all like commendable courses to be taken by posterity in the like exigence. 5. No covenant in things civil can be altered or rescinded without consent of the parties with whom it is made; but our covenant is a religious covenant, made with God amongst ourselves, and therefore cannot be rendered without the express consent of the meanest of all the subscribers, who justly, for their comfort, may crave of us all the benefit and performance thereof. 6. There is no appearance that such as affect the prelates and their courses will be moved to swear and subscribe all the parts of this covenant, although required by a new command, as for instance, to labour by all means to recover the former purity and liberty of the gospel as it was established and professed before the novations already introduced, or to declare that they undoubtedly do believe that the innovations and evils contained in our supplications, complaints, and protestations, are abjured in the Confession of Faith, as well as other heads of popery expressly contained therein. 7. Although all the points of the subscribed covenant were ratified by act of parliament, yet could we not render the same, because acts of parliament are changeable, and of the nature of a civil ratification; and it is necessary that this our oath, being a religious and perpetual obligation, should stand in vigour, for the more firm establishing of religion in our own time, and in the generations following. 8. All the world would justly wonder at our inconsistency; and our enemies, who in their insolency are ready to insult over us on the least occasion, would not cease to mock and traduce us as perjured covenant-breakers, and troublers of the peace of the church and kingdom without any necessary cause. 9. Although we do not compare the Scriptures of God with a written Confession of Faith, yet, as the rendering of the Bible was the sin of the traitors of old, and a sign of the denial of the truth contained therein, so the rendering of our Confession of Faith, so

solemnly sworn and subscribed for staying the course of defection, and for barring of popery and all other corruptions of religion, could be interpreted to be no less than a real denial of our faith before men, in a time when God calleth for the confession thereof. 10. Many fair promises have been made for not urging of articles already concluded, and for not troubling us with any farther novations, which being believed, have ensnared many, and drawn them on to do that which otherwise they would not have done, all which promises have been broken and denied when the performance was craved; and why shall we not expect the like in this case, especially where the challenge will be found to be more hard and difficult.¹

OBJECTIONS ANSWERED.

“*Obj.* 1. It may be objected, that the Confession of Faith, being confirmed by the king's authority, were much to be preferred to this, which seemeth to have no express commandment. *Ans.* 1. Our covenant wanteth not the warrant, civil and ecclesiastical, which authorised the former covenant. 2. Although rash and unadvised oaths be unlawful, yet voluntary covenanting with God, is more free service to God, as hath been said before, than that which is commanded by authority. 3. We ought not to do evil that good may come of it, and must resolve to chuse affliction rather than iniquity.

“*Obj.* 2. The rendering of the whole copies of the subscribed covenant were a ready mean to remove all fears of the king's wrath against the subscribers. *Ans.* 1. It is more fearful to fall into the hands of the living God. 2. They wrong the king who threaten his good subjects with his wrath, for covenanting with God in defence of religion and of his majesty's person and authority. 3. It were more righteous with God to turn his majesty's heart and hand against us for dealing thus deceitfully in his covenant.

“*Obj.* 3. If this be not granted, his majesty will grant neither assembly nor parliament for establishing religion, and settling the peace of the kirk and kingdom. *Ans.* 1. The good providence of God, so visible in this whole work from the beginning, will incline the heart of so just and gracious a king to deal more kindly and benignly with

¹ Baillie, p. 279.

his good subjects. 2. We have law, reason, and custom, for craving and expecting of these lawful remedies of the grievances and fears of the whole church and country.

“*Obj.* 4. The end of our making of our covenant was, that we might be delivered from the innovations of religion, which being obtained, our covenant should cease, as having no farther use. *Ans.* 1. As acts of parliament against popery did not supersede the necessity of our former Confession of Faith, when popery was abjured, so acts of parliament to be made against these innovations cannot make our covenant to be unprofitable. 2. Although the innovations of religion were the occasion of the making of this covenant, yet our intention was against these, and all other innovations and corruptions, to establish religion by an everlasting covenant never to be forgotten.”

Nevertheless, at the lord commissioner's desire, the multitude were willing to retire to their respective places of abode, upon his grace's consent that they should leave deputies at Edinburgh to treat with him in their name.

The first thing which those deputies did, was to draw up a supplication to the lord commissioner, wherein they set forth, that the manifold just grievances contained in their supplications and complaints, &c. to the sovereign, being remitted to his grace for a remedy, had moved them to wait for a declaration of his majesty's pleasure; and, as they had been continued till his grace convened the lords of privy-council, now that the council had met, and their condition required dispatch, they humbly desired a free general assembly and parliament, as the only mean that could redress the disorders of church and state, daily growing worse by delay, restore the purity of God's worship, preserve the perfection of his majesty's obedience, establish the peace of the church and kingdom, and procure great respect to his grace from them all.

And, to make way for a ready answer to this supplication, the petitioners spread abroad a paper, purposely that it might come into the hands of the courtiers, containing articles of the following

import, to be advised, upon supposition that force should be used, or their patience wearied out with delays. 1. Seeing the grievances complained of do concern the whole kingdom, the remedies ought to be public and of as large extent, and must secure against the like in time coming. 2. A free general assembly and parliament are only able to produce so good effects. 3. That the bishops could not be their judges until they were lawfully tried and purged of the crimes laid to their charge. 4. If delays were used, it was desired that advice might be sought concerning the power of calling a general assembly, how they should in the mean time behave with respect to controverted points, and that some lawful course might be thought upon how justice might have free course, and fraud be prevented. And, 5. If violence were used for enforcing obedience, that a committee should be chosen to consider what was fit and lawful to be done for the defence of their religion, laws, and liberties.

It was thought this half boast disposed the commissioner to receive the petition in better part; he promised an answer to it in a few days thereafter, and, in the interim, he heard Mr. Alexander Henderson preach, and conferred with him in private concerning the state of matters, which wanted not the desired effect of soothing the covenanters into a belief of his good affection to them. Notwithstanding, when, at the time set by the lord commissioner, deputies were sent from the covenanters, to learn his grace's pleasure concerning their supplication, his lordship told them, that the only answer he could give them, was to proclaim his majesty's declaration; but the deputies knowing, that any thing that was granted therein would be far from satisfying their constituents, replied, that, if his grace caused that declaration to be proclaimed, they would, for preserving the legality of their after meetings, be constrained to protest for the following reasons:

“1. A protestation is a most ordinary,

humble, and legal way of obviating any prejudice that may redound by any other legal act of preserving our right, permitted to the meanest of the subjects in the highest courts, in assemblies and parliaments, wheresoever they are not fully heard, or, being heard, are grieved by any iniquity in the sentence ; which is granted by the law of nature and nations, and is the perpetual custom of this kingdom, to protest in favour of all parties having interest, and not heard, by an express act, *salvo jure cujuslibet*, even against the acts of parliament. 2. Our not protesting now were a condemning of that legal course used by our predecessors, both in the assembly and parliament, in the beginning of the former period of defection, and used by ourselves against former proclamations. 3. It were a sliding back from our testimony, and a real relinquishing of the cause, giving just occasion of discouragement to all, especially the weaker sort ; when, on the contrary, experience shews, that many were encouraged by these former protestations. 4. It were a tacit consent, and token of our satisfaction with what is declared, and of our passing from the rest, and resting content with that manner of granting by proclamation, any of our desires, and a quitting of the only sufficient remedy, viz. an assembly and parliament. 5. Our protesting together were an avouching of our confession of faith before God, and of our bond of inviolable union and conjunction amongst ourselves, which we are by all lawful means to maintain and promote, and so by this to obviate all motions of division, which is mainly intended by the partial offers and threatenings contained in the proclamation : It is dutiful for warning of the king and his commissioner of our desires, and the lawful remedy thereof, the benefits of granting them, and evil consequences of refusing them ; it is a sensible exoneration of us before foreign nations, a legal introduction to our lawful defences, *cum moderamine inculpate tutelæ*, and the most necessary preface to such after declaration as may be extorted from us by extreme necessity. 6. It is a public thanking of the king's majesty for his public favour in points granted, and the most legal way in this great exigence, when we have declined the council, and are not satisfied with the declaration of his will from his commissioner, to preserve our recourse and immediate address to his

majesty himself, by new supplications and remonstrances."

These reasons could not however divert the lord commissioner from making the proclamation, but rather incited his resentment ; he let the covenanters know, that in this he would see his royal master obeyed, that he would come up to the cross in support of the lyon-heralds, and, if they should protest, he would denounce them all rebels.¹ Accordingly, in two days thereafter, the lord treasurer, by order of his grace, came up the street, sent for the lyon-heralds, and caused sweep the cross for the hangings, in order to the publishing of that declaration. This being perceived, the covenanters were resolved not to be behind in what they judged incumbent on them : Some thousands of gentlemen and chief burgesses convened in a trice at the cross, all with their swords hanging loose in their arms, in case of any sudden attack upon them ; and a scaffold was made for the earl of Cassilis, the laird of Durie, Mr. William Livingston, and Mr. John Smith, to have protested against that proclamation in the name of their respective Tables. When this dangerous resolution was perceived, the heralds were ordered to prepare horses, in order, as was supposed, to have made that proclamation in other borroughs, whereupon certain of the covenanters were also ordered to attend them, and directions given for their conduct in protesting against that declaration in every place where it was expected to be made.

The commissioner receiving so full persuasion of the covenanters' firmness, and fearing lest the affronting of his majesty, by a protestation against the proclamation of his royal pleasure, should have had consequences, he was advised to desist from his resolution at that time ; and, as if he meant still to be in earnest for a peaceable treaty, he desired the earls of Traquair and Southesk, with the lord Lorn, to assure the covenanters of his willingness that their demands for an assembly and parliament should be

¹ Baillic, p. 360.

granted, on condition they satisfied some scruples concerning the covenant, which these nobles should propose to them. And with these the earls of Rothes and Montrose, with the lord Loudon, were appointed to correspond.¹

The scruple was proposed in writ to this effect: "His majesty may conceive, that the confession is so general in the clause of mutual defence, that it may not only contain a defence for religion, his majesty's person and authority, and the liberties and laws of the kingdom, but also a combination for defending of delinquents against authority and law, even in other cases than those above-named." The deputies for the covenanters took that matter to advisement; and having communicated the same to their constituents, it was at each of the Tables reasoned upon, whether it were necessary to draw up a humble remonstrance to explain their dutiful intention in the clause controverted. The nobles and gentry had a long dispute concerning it, many having been of opinion, that such remonstrances were dangerous, likely to occasion delays, and lead into snares; yet at length it was yielded, that that clause should be sufficiently cleared in a new supplication, providing they were not farther incumbered with new interrogatories, and so all did agree in a new supplication to the lord commissioner, which was presented to him upon the 25th of June.² In it they remonstrated to his grace, and declared before God and men, that they were heartily grieved and sorry that any good man, and most of all that their sovereign should so conceive of their doings; that they were so far from any thought of withdrawing themselves from their dutiful subjection and obedience to his majesty's government, that they had no intention or desire to attempt anything that might tend to the dishonour of God, or to the diminution of the king's greatness and authority; but, on the contrary, they acknowledge their quietness, stability, and happiness depended upon the safety of the king's majesty, as upon God's vice-

¹ Baillie, p. 362.

² *Ibid.* p. 305, 363.

gerent set over them for maintenance of religion and administration of justice; that they had solemnly engaged not only their mutual concurrence and assistance for the cause of religion, but also to the utmost of their power, with their means and lives, to stand to the defence of their dread sovereign's person and authority, as well as the preservation and defence of true religion, laws, and liberties of the kingdom; and therefore they did most humbly beseech his grace to esteem their Confession of Faith and Covenant to have been intended, and to be the largest testimony they could give of their fidelity to God and loyalty to their king; and that hindrance being removed, they do again supplicate for a free assembly and parliament to redress all their grievances, settle the peace of the church and kingdom, and procure that cheerful obedience which ought to be rendered to his majesty, carrying with it the offer of their fortunes, and best endeavours for his majesty's honour and happiness, and a real testimony of their thankfulness; and conclude with their hearty prayers to God, that his majesty might long and prosperously reign over them.

Against this supplication the lord commissioner said little, only he told them, that as whatsoever he had in his instructions could not satisfy them, so neither could all that they had said content his royal master; yet, that he might not leave the matter desperate, he informed them of his resolution to ride post to court, to see if, by himself, he might give better information in person, than he had done by his missives, and trusted he should return shortly with more full instructions.³ With this overture all were well-pleased, (for as yet they suspected not that his only design was to save time till his majesty's preparations were in readiness,) and they intreated his grace earnestly to agent their cause with the king upon the subject of the following articles:

"1. To insist for a free general assembly

³ Baillie, p. 363.

and parliament, as the only lawful means to redress the present great evils, prevent the like, and settle the peace of this church and state. 2. To assign a short time for the commissioner's return; and if he kept it not, that they might be excused to take it for a denial of their desires. 3. That no alteration be made here, nor the cause in any sort hurt by proclamation, or otherwise, till the commissioner's return. 4. That, in the meantime, no strengths be fortified, castles munitioned, ships stopped, nor necessary commodities intercepted. 5. That none of the bishops repair to court; and if any of them be called for, that they return precisely against the commissioner's down-coming. 6. That the service-book, and practice of all other innovations shall be left off in the meantime."

While the covenanters were in expectation of the lord commissioner's departure, behold new and unexpected stirrs arose. Upon the last day of June his grace came up to the cross of Edinburgh, and being prepared for a proclamation, the covenanters assembled in great haste to protest, if need so required;¹ but beside all men's expectation, it proved only a restitution of the court of session to Edinburgh, during the king's pleasure. This favour not having been sought, nor looked for at that time, was received with small acknowledgments of gratitude; and so much the less, as the only reason assigned for it was the want of accommodation in all the other places where it had been ordered to sit.

Next day, being Sabbath, his grace set out on his journey, and at Tranent heard sermon; yet, the day following, as if new instructions had been brought to him from court, he returned to Holyrood-house, and on Wednesday the 4th of July, he caused publish a declaration in his majesty's name, bearing date at Greenwich the 28th of June 1638.² This declaration is recorded at length in his majesty's book, intitled, "A large Declaration," and by most of the historians of that time; what follows is the most material part of the same, and shews

wherein consisted the king's condescension:

"And for farther clearing of scruples, we do hereby assure all men, That we will neither now, nor hereafter, press the practice of the service-book, or the foresaid canons, nor any thing of that nature, but in such a fair and legal way as shall satisfy all our loving subjects, that we neither intend innovations in religion or laws, and to this effect have given order to discharge all acts of council made thereanent; and for the high commission, we shall so rectify it, with the help of our privy council, that it shall never impugn the laws, nor be a just grievance to our loyal subjects; and what is farther fitting to be agitated in general assemblies and parliament, for the good and peace of the kirk, and peaceable government of the same, in establishing of the religion at present professed, shall likewise be taken into our royal consideration in a free assembly and parliament, which shall be indicted and called with our first conveniency."³

This declaration, supposed to have been drawn up here, notwithstanding of its bearing date elsewhere, and intended, as was thought, for a stolen march upon the covenanters, who, upon the lord commissioner's departure, rested secure, and were partly gone home till his grace should return, was different from that which the commissioner brought with him at his first coming; for all the concessions in the former proceeded, as the reader may see from the copy of it in Dr. Burnet's Memoirs of James and William, dukes of Hamilton, upon the supposition of their surrendering the national confession or covenant; but now, the marquis, being persuaded that this surrender was not to be expected, he supposed he could amuse them with the above declaration; but though it was indeed less exceptionable than the other, yet it contained so many restrictions and ambiguous expressions, that so soon as it was proclaimed at the market-cross of Edinburgh, the Tables caused an answer,

¹ Baillie, p. 368.

² Ibid. p. 369.

³ Baillie, p. 307.

in form of a protestation, to be publicly read in the same place by Mr. Archibald Johnston, advocate; and thereupon, John earl of Cassilis, in name of the noblemen; Mr. Alexander Gibson, the younger of Durie, advocate, in name of the barons; James Fletcher, provost of Dundee, in name of the burgesses; Mr. John Ker, minister at Prestonpans, in name of the ministers; and the said Mr. Archibald Johnston, in name of all others who adhered to the covenant, took instruments in the hands of three notaries, present at the said market-cross, being accompanied with great numbers of noblemen, barons, gentlemen, ministers, burgesses, and commons, before many hundreds of witnesses; and in token of their dutiful respect to his majesty, confidence of the equity of their cause, and innocence of their carriage, and hope of his majesty's gracious acceptance, they, in all humility, offered a copy of the same to the herald.

This protestation being a long paper, it having also been printed by itself, and in the Large Declaration, p. 98; Rushworth's Collections, vol. ii. p. 756, &c.; and the substance thereof being exhausted in the reasons against ratifying the same in council, which will fall to be inserted presently, we shall not swell this narrative with the copy of it.

For the same day, the covenanters hearing that the privy council were solicited to approve that proclamation, they served each of the lords with a copy of the following paper.¹

"Some few of the many REASONS for which the proclamation, published the 4th of July, should not be ratified in council.

"1. It does neither disallow nor discharge the service-book and book of canons, nor any other of the innovations and evils complained of, but, on the contrary, confirms the proclamation the 19th of February, which importeth, that the service-book is a ready mean to maintain the true religion already possessed, and to beat out all superstition, &c. and directly beareth in itself, that the said books may be pressed in a fair and legal way; so that the prelates and their

¹ Baillic, p. 311.

followers may practise the same, and they may be used as the only form of God's worship in this kingdom. 2. It doth not abolish, as we hoped, the court of the high-commission, but rather, by promising to rectify it with the advice of the council, doth establish the same, contrary to the laws of this kingdom, against which, as well other judicatories as laws may be established, with the like reason, without authority of parliament. 3. It grants not one of all our desires, nor doth so much as make mention of our humble supplications, but, on the contrary, doth condemn all our lawful proceedings as great disorders, justly deserving some severe execution from his majesty's power, and as running headlong to our own ruin, notwithstanding that we have cleared ourselves before to the council, and of late, by our supplication to his majesty's commissioner, of all unreasonable combination and disorders; thus it exaggerates faults where none were committed, and threatens ruin where no punishment was deserved. 4. No hope is given us to be free of the practice of Perth articles, but rather we shall be put under that bondage, although they have been a main cause of the division of this kirk, and of the many miserable consequences following thereupon. 5. Although the prelates have wrought us all this woe, and our complaints from the beginning have been principally intended against them, as wicked instruments, labouring to divide betwixt God and his people, and the king's majesty and his subjects, yet have we no hope of justice against them by the proclamation, which does pass their guiltiness altogether with silence, as if we had never complained against them, or petitioned to have them put to trial. 6. Although, according to our frequent supplications, the necessity of the kirk doth require a present indiction of a general assembly, and we were ever in hope of such a free assembly as might promise us comfortable success, yet, by this proclamation, we neither have certainty of a general assembly, nor hope of lawful liberty to be used therein, for establishing the reformed religion, and removing corruptions out of the service and kirk of God, but rather have reason to fear, that the book of canons and service-book, which contains the articles of Perth, and many other corruptions, shall, by that door, find a fair and legal way to be

established. 7. That the innovations in the religion and worship of God, complained upon by us, are not by this, and former proclamations, acknowledged to be innovations at all, or to contain any popish superstition, but, on the contrary, that they may not only consist with religion presently professed, but also are means to confirm the same, and beat out all contrary superstition."

But before the councillours could be furnished with these reasons, they all, except the lords Lorn and Southesk, had in their own lodgings, not at the council table, set their hands to an act of council approving the said declaration as satisfactory to themselves, full of grace and goodness, and wherewith they wish all his majesty's subjects might, as they ought, rest satisfied.¹

With these reasons, Rothes, Montrose, and Loudon, waited upon the lord commissioner also; at which time his grace having given them some high words, the lord Loudon told him as roundly, that they knew no other bonds betwixt a king and his subjects, but those of religion and liberty; if these were violated, their lives were not dear to them; and that such fears as his grace presented to their view were over with them.²

Nor did this disappointment make them despond or remiss in their endeavours; but, knowing in whose hand the hearts of all men are, they first had recourse to him by humble supplication; and then, as if inspired with new courage, they gave in to the lord commissioner a paper, bearing the title of The Complaint and Supplication of his majesty's subjects heavily grieved;³ wherein, after reminding his grace of the importance and equity of their cause, his majesty's just disposition, their patience, and peaceable, orderly, and successful proceedings, they condescend on the late proclamation, and extraordinary approbation of the same, as a great addition to their grievances, and endeavour to support their opinion, first, with resum- ing the substance of their reasons above copied. But, secondly, "That which

grieveth us much more," say they, "and giveth us just cause of most bitter complaint, is, that the lords of council, who are the most proper judges of disorders, &c. should not only profess their own obedience thereto, and thankfulness for that which is granted by his majesty's proclamation, but that also, by their act of council, July 4, they have judiciously declared, that all his majesty's subjects ought to rest satisfied therewith: By which decree, 1. They have, *indicta causa*, condemned us, in all our proceedings, according to the tenor of the proclamation, of great faults and disorders, blind obedience, running headlong to our own ruin, and of deserving censure by his majesty's power. 2. They have, according to the tenor of the proclamation, February 19, confirmed by them at this time, condemned our meetings of treason, and our proceedings since that time to be an increase of disorders; and thus they have not obscurely given out their sentence of deserved punishment. 3. They have hereby confirmed all our adversaries' misinformations and calumnies, for which they were to be pursued criminally, and have justified before all men the notable injuries that we have sustained in time past. 4. They have stopped the course of his majesty's grace and favour, which might have been expected by new information, unto which, by passing their sentence against us and our proceedings, they have left no place. 5. They have provoked his majesty to use his power against us as a disobedient people, that we may be brought to ruin and perdition. And, 6. They have, before the time, made known to the world their judgment, and what will be their part, if the king, as God forbid, shall proceed to the execution of his threatenings against us, since they know that we have protested, and cannot rest satisfied with his majesty's declaration; we perceive here a world of evils, and many terrible consequences of this approbation, which, quite contrary to our hopes, put us in a far worse case than when your grace came hither." And, for these reasons, they earnestly

¹ Baillie, p. 311, 370.

² Ibid. p. 370.

³ Ibid. p. 337.

besought the rescinding of the aforesaid act; and that his grace would intercede with his majesty, for the speedy indication of a free general assembly and parliament.

By this time the medicine used began to operate; and the lords of the council were now become so sick of it, and sorry for their subscription, that they never rested till they got back the act, and had torn it in pieces.¹

And, lest the covenanters had been driven to some extremity, which should prove hurtful to all, the lord commissioner did next day offer to them a more favourable proclamation, inhibiting the practice of the service-book, and book of canons; rescinding all acts of council passed in favour thereof; and discharging the exercise of the high commission till it were regulated.² But that not giving the satisfaction expected, it was not published. Yet all promised to live peaceably till the commissioner's return, who appointed the 12th of August for his last day; and then set out post for London.

About this time the kingdom was put in great terror with the news from England, that four commissioners were named to provide for war by sea and land; that admiral Pennington was to be sent down to the Scottish coasts with a squadron; that orders were given for making many flat-bottomed boats, for transporting the Irish to Kirkcudbright, Lochryan, and the western coasts, and for landing forces in Fife or Lothian, and carriages for eighty field-pieces, as also to provide twenty-five thousand swords, with a proportionable number of pikes and muskets, great saddles, and other warlike accoutrements; that lord Antrim had freighted a ship, and loaded her with arms and ammunition for Ireland; and Wemyss the cannoneer, another to transport cannon and ammunition to Dumbarton Castle; that lord Arundel had orders to fortify Berwick, Carlisle, and some other fortifications; and letters were directed to all the western counties, to have the militia trained and

in readiness. The lord Lorn was also informed, that lord Antrim intended an invasion with his Irish papists, upon the county of Argyle; and our conservator at Campvere caused arrest several of our merchant-ships trading with the Dutch, on pretence they carried arms to the covenanters.³

These prognostics seeming pregnant with woe, the covenanters were afraid that this whole isle would be terribly shaken, if not made desolate, before that storm calmed. But their trust was in God; and for imploring his aid, they appointed the 22d and 29th days of July to be observed in fasting, over all the land.⁴

Yet after all, this storm did not break so soon as was expected. The preparations in England proceeded but slowly. It was for that reason thought proper to humour the efforts for a treaty; and the court-faction wishing to lull all in security, took occasion from the said delay, to persuade the covenanters, that the preparations said to be made in England were only imaginary. But time and experience discovers many secrets; and their own writers have since afforded as ample evidence as any covenanters did ever allege, that their pious king, in submitting to a treaty, was only playing the hypocrite with the covenanters, for want of a capacity to act the tyrant upon them.

Now, this construction does by no means proceed upon obscure hints and strained inferences, but upon the plainest expressions which king Charles was capable of. "Thus," says he in his letter to his commissioner, dated June 11, while the treaty was scarcely begun, far less broken off, "I assure you that I have not been idle; so that I hope, by the next week, I shall send you some good assurance of the advancing of our preparations. As for the dividing of my declaration, I find it most fit, (in that way you have resolved it); to which I shall add, that I am content to forbear the latter part thereof, until you hear that my fleet hath set sail for Scotland.

¹ Baillie, p. 370.

² Ibid. p. 336, 371.

³ Baillie, p. 341, 371.

⁴ Ibid. p. 372.

In the meantime, your care must be how to dissolve the multitude, and to possess yourself of my castles of Edinburgh and Stirling. And to this end, I give you leave to flatter them with what hopes you please, so you engage not me against my grounds; your chief end being now to win time, until I be ready to suppress them.¹ And what the latter part of that declaration was, which Hamilton had forborne to make, we may learn from the postscript to the same letter, which runs thus: "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, though your six weeks should be elapsed. In a word, gain time by all the honest means you can, without forsaking your grounds." Again, June 20—"What now I write is, first, to shew you in what estate I am, and then to have your advice in some things. My train of artillery, consisting of forty pieces of ordnance, is in good forwardness, and I hope will be ready within six weeks; for I am sure there wants neither money nor materials to do it with. I have taken as good order as I can, for securing Carlisle and Berwick. I have sent for arms to Holland, for 14,000 foot and 2000 horse. For my ships, they are ready; and I have given orders to send three for the coast of Ireland immediately, under pretence to defend our fishermen. Last of all, which is indeed most of all, I have consulted with the treasurer, and chancellor of the exchequer, for money, for this year's expedition, which I estimate at L.200,000 sterling, which they doubt not but to furnish me. More I have done, but these are the chief heads. Now, for your advice, I desire to know whether you think it fit that I should send 6000 landmen with the fleet that goes to the Frith or not. Thus you may see, that I intend not to yield to the demands of those traitors, the covenanters."² Hear once more

what he writes, June 25. "There be two things in your letter that require answer, to wit, the answer to their petition, and concerning the explanation of their damnable covenant. For the first, the telling you that I have not changed my mind in this particular, is answer sufficient; and for the other, I will only say, that so long as this covenant is in force, whether it be with or without explanation, I have no more power in Scotland than as a duke of Venice, which I will rather die than suffer; yet I commend the giving ear to the explanation, or any thing else to win time. Another, I know, is to shew the world clearly, that my taking of arms is to suppress rebellion, and not to impose novelties, but that they are the seekers of them. Lastly, my resolution is to come myself in person, accompanied like myself," &c.³ Thus far I have thought fit to transcribe. Other particulars of the kind might be condescended on; but these are sufficient to shew both the royal disposition, and to whom our intestine commotions were owing.

On the 8th of July the marquis set out on his journey, and arrived at London the fifth day thereafter; where we shall leave him, till we bring forward the history of some intervening occurrences.

This year, as if God meant to reward the laudable endeavours of his people, they were blessed with favourable weather, and much increase of all kinds of grain; which was a great relief to the land, after so vast scarcity as prevailed during some preceding years.⁴

Another thing remarkable, as noticed by some of our authors, was the coincidence of concurrence of the Holy Spirit with the prayers of his people to defeat the counsel taken against the church:⁵ for there having then been very frequent fasts and humiliation-days kept through the kingdom, it afterwards appeared, that this happened especially upon such days as the king did consult with his

³ Burnet's Memoirs of the Dukes of Hamilton. p. 60.

⁴ Baillie, p. 373.

⁵ Crawford, book iii. p. 159. Hist. Mot. p. 70.

¹ Burnet's Memoirs of the Dukes of Hamilton, p. 55.

² Ibid. p. 59.

council on Scottish affairs; on which occasions much of the spirit of prayer was poured out, and great amendment of life did signally follow the same.

The Tables at Edinburgh being sorry, that the town and shire of Aberdeen, excited by their doctors' persuasions, and the marquis of Huntly's promises and threatenings, stood out and opposed the work of reformation; they sent the earls of Montrose and Kinghorn, and the lord Cupar, with Messrs. Alexander Henderson, David Dickson, and Andrew Cant, in commission once more, to see if they could reclaim that town and county.¹

The doctors, incensed with this attempt, fell again to exclaiming against the national covenant in their sermons: Dr. Ross did especially distinguish himself in this manner; and the town-council, by a plurality of voices, enacted, that none within the town should subscribe that covenant. On Friday, July 20th, the deputies arrived at Aberdeen; when, according to custom, the magistrates waited on them to salute, and offer them the courtesy of the town. But they refused their acts of friendship, till they should shew themselves friendly to the cause on which they came; and Montrose, in a bold and smart speech, did remonstrate unto them the danger of popish and prelatial innovations. But the provost answered, that they were protestants, and not papists; and that they thought the king's declaration satisfactory, and therefore would not join in a course contrary to his majesty's inclination.

The magistrates were scarcely gone out, when the deputies received a packet, containing fourteen ensnaring demands, subscribed by Messrs. John Forbes, Alexander Ross, Robert Baron, Alexander Scroggie, William Leslie, William Guild, and James Sibbald, all doctors of divinity in the old and new universities of Aberdeen, who promised to join with the covenanters, if they received a satisfactory answer. These demands, as afterwards appeared, had been much studied, yea printed and sent to

the court of England, before ever the covenanters saw them. Yet the brethren answered very speedily, and sent a copy of their answers to the doctors against the evening of the next day.

The same day the nobles sent to the magistrates, desiring, as their errand was of a public and common nature, that their ministers might be allowed to preach in their churches on the Sabbath following. To which they got the answer expected, viz. That their ministers were prepared to preach in their own pulpits, and that the ministers had the key of their vacant church. Wherefore the three ministers resolved to preach in the earl of Marischal's close or hall, according as the weather ruled. Accordingly, they all preached in that close, at hours when there was no public worship in the churches. In the morning, Mr. David Dickson preached to a great multitude; and, after sermon, answered briefly and popularly to all the doctors' demands. At noon, Mr. Cant preached, and Mr. Henderson at night, to no less an auditory than in the morning. And all of them produced arguments for subscribing the covenant, and taking part in the work of reformation. After public worship was over, about five hundred subscribed the covenant at a table there, of whom severals were persons of the best quality in the place.

While Mr. Henderson preached, the crowd being very great, there were many mockers; and amongst the rest John Logie, a student, did throw clods at the commissioners.² But it was remarked, that, within a few days, the same person killed Nichol Torrie a young boy, because the boy's father did beat him when stealing his pease; and though at that time Logie escaped justice, yet was he taken and executed in the year 1644. Such were the consequences of disturbing the worship and mocking the ambassadors of Christ.

On Monday the deputies went out to the country, where, with much labour, they persuaded many in the two shires

¹ Baillie, p. 433. Row, p. 332.

² Row, p. 333.

of Aberdeen and Banff. The marquis of Huntly, and the doctors, had preoccupied the minds of most with great prejudices; yet, through the blessing of God, the covenanters obtained the subscription and concurrence of about forty-four ministers, and many gentlemen. At their return to Aberdeen, on Saturday the 28th, they found that their friends there had procured the subscriptions of from 20 to 30 more to the covenant, and that the doctors had replies in readiness to their answers. Next day they preached at such stated times as they had done the former Sabbath; after which, the earl of Marischal's two brothers, with Mr. William Robertson, minister at Fultie, and a few tradesmen, subscribed. The day following the deputies made a hasty answer to the doctors' replies; and, having left a copy of the covenant with their friends there, for such as afterwards were pleased to subscribe, they set out for Edinburgh. To this last answer the doctors made a duply at their leisure, and triumphed as if the victory had been declared for them. They had no doubt many advantages of time, place, and books which the others wanted; yet, in the judgment of impartial readers, the answers did honour to the cause they maintained. Dr. Guild, and Mr. David Lindsay the constant moderator of the presbytery of Aberdeen, were gained by them before ever the ministers left that place. Anything new advanced in the doctors' last duply was afterwards answered by Mr. Samuel Rutherford, and printed with his book, entitled *Jus Divinum Regiminis*, against Erastus; and their opposition did gradually evanish into smoke.

These demands and answers, &c. deserve a place, but the same, having been already printed, are in the hands of many, and therefore we shall not interrupt the thread of our history with that long controversy.

The opposition made by the town and doctors of Aberdeen having been related to the king, with great applause, by the marquis of Huntly, his majesty wrote one letter to the provost, bailies, and

council, and another to the doctors, giving them hearty thanks for the present, and promising them largely for the future. The marquis of Hamilton did also send a letter of the same import to them, which contained some reflections against the covenanters, for having lessened him in their answers; and he remitted L.100 sterling to Dr. Baron to hold the press a-going for the king; whereupon all the opposers of the covenant and work of reformation did greatly exult over the covenanters, and by menacings and calumnies, as if the covenanters had been enemies to their town and country, and traitors to God and their king, did greatly perplex and affright them.

This being reported to the Tables at Edinburgh, they, considering that their brethren, being a small handful amongst many adversaries, might be in hazard of fainting, did write a large letter, vindicating themselves from the imputations contained in the marquis's letter, and exhorting the covenanters in Aberdeen to stedfastness, subscribed by about fourteen of the noblemen covenanters, which did greatly refresh their discouraged brethren.

We formerly took notice of the lord commissioner's journey to court, and now it is time to relate the progress of it. When his grace arrived there he gave the king a full and particular account of the state of affairs in Scotland, the contents of which were very little to his majesty's mind.¹

Because the suspicions of the king's disaffection to the protestant religion did greatly prevail at this time, the marquis proposed that his majesty would declare for the old Scotch Confession of Faith established at the reformation. To this the king consented, and sent back his grace to Scotland with instructions, dated the 27th of July, by which his majesty empowered the marquis to try by all means to get the council to sign the confession established by act of parliament, with the new bond subjoined thereto. If the council signed it, the marquis was to proceed to the indicting

¹ Burnet's Mem. p. 65.

a general assembly when and where he pleased; but then his grace was expressly required to labour that bishops might have votes in assemblies; that the moderator should be a bishop; that the five articles of Perth should be held indifferent; that ministers should be admitted as before the late commotions (nevertheless that no other oaths be imposed than were warranted by act of parliament;) and that he should give way to as few restrictions of the bishops power as he could, only that they should be accountable to the general assembly; and, if it might conduce to his majesty's service, the marquis was to publish the order made by the council, the 5th of July preceding, for discharging the use of the service-book and book of canons, and the practice of the high-commission.

With these public instructions his majesty ordered the marquis privately to see that the country were again settled before he indicted the assembly;¹ that the moderators named by bishops in presbyteries might be again reponed; and that, according to the act of assembly 1606, they might be held necessary members of the assembly; that all ministers who (according to their own information) had been turned out since the beginning of these commotions might be again restored, and that ministers admitted without bishops might desist from the exercise of their function; that all the people might keep their own churches; and that bishops and ministers who took not the covenant might be permitted to live quietly without disturbance, and have their stipends paid them.

At the same time the king signed a declaration approving the confession of faith ratified by the parliament 1567, and required the subscription of it, and of a bond in defence of that confession, and of his majesty's authority, &c. by all his loving subjects.

And with these several instructions the marquis returned to Scotland, accompanied by Dr. Balcanqual, a man of

¹ Burnet's Mem. p. 66.

subtle wit, whom he intended to make use of as his counsel in ecclesiastical affairs, and arrived at Holyrood-house the 10th of August.

At his return he kept himself more reserved than before; his mother he would not see, because the king had so far resented her affection to the covenanters, as to tear her son lord William's patent for the earldom of Dunbar;² nor would he now allow Mr. Eleazer Borthwick to have access to him, though by him he had, before he was commissioner, encouraged the covenanters to proceed in supplicating their sovereign. The reason of this reservedness was owing, it was thought, to some jealousies which his enemies, from some passages of his carriage, while last in Scotland, had endeavoured to prepossess his majesty's mind with.

While the covenanters were by these put in fears of the worst, the commissioner, upon the 17th of August, made eleven demands, and required a categorical answer to them as necessary preliminaries before he could indict an assembly.

Of these demands the reader will find a copy in the book, called *The Large Declaration*; and the scope and substance of them is exhausted in the following answers, which were next day given to the same.³

“ANSWERS to particulars proponed by his majesty's commissioner.

“Having seriously considered with ourselves, that nothing in this world is so precious, and ought to be so dear to us as our religion; that the diseases of this kirk, after long toleration, did threaten no less than her own ruin, and the expiring of the truth of religion at last, and that a free general assembly was the ordinary remedy appointed by divine authority, and blessed by divine providence in other kirks, and after a special manner in the kirk of Scotland, we have often and earnestly supplicated for the same, and have laboured to remove what was objected to, or what we could conceive to be any hinderance to the obtaining of our desire; likeas now, for the same good end, we

² Baillie, p. 436.

³ *Ibid.* p. 385.

have resolved to return this answer to the particulars required of us before an assembly be indicted.

“The particulars proponed are either matters ecclesiastic or civil: Ecclesiastic or kirk matters are, first, concerning ministers deposed or suspended by the presbyteries since the beginning of February last, without warrant of the ordinary, that they be reponed to their own places.

“The second demand is, That moderators of presbyteries deposed since the aforesaid day, be reponed, and that all moderators appointed by the presbytery, without warrant foresaid, do desist from executing the office of moderator.

“The third demand is, That ministers admitted since that time do desist from exercising the function of the ministry in that place to which they have been admitted.

“These three particulars do concern the power, duty, and particular facts or faults of presbyteries, wherein we have no power to determine whether they have proceeded lawfully or not, far less can we urge or command them to alter or recall what they have done in suspending, deposing, or admitting of ministers or moderators, they being properly subject to superior assemblies of the kirk; and in this case and condition of the kirk, the same ought to be referred to the general assembly, where, if the presbyteries shall not, after trial, justify their proceedings from the good warrants of scripture, reason, and acts and practice of the kirk, they ought to sustain their own deserved censure. And since, upon the one side, there be many complaints against the prelates for their usurpation over presbyteries in the like particulars; and, on the other side, there be such complaints of the doings and disorders of presbyteries, to the offence of the prelates, we trust, that his majesty's commissioner will not esteem this to be an hinderance of the indiction of the general assembly, but rather a powerful and principal motive with speed to convene the same, as the proper judicatory for determining such dangerous and universal differences of the kirk. Neither do we hear that any ministers are deposed, but some only suspended, till they be lawfully tried for their erroneous doctrine and flagitious life; so that it were offensive to God, disgraceful to religion, and scandalous to the people, to repone them

to their places till they be tried and censured. And concerning moderators, none of them (as we understand) are deposed, but they are only changed, which is very ordinary in this kirk.

“The fourth, concerning the resorting of parishioners to their own kirks, and that elders assist their ministers in the discipline of the kirk, ought to be cognosed and judged by the particular presbytery to which they are subject, since the cause may be in the ministers no less than in the parishioners and elders; and, in case they find no redress there, to ascend till they come to a general assembly, the want whereof maketh disorders to be multiplied both in presbyteries and particular parishes.

“To the sixth, That ministers wait upon their own churches, and that none of them come to the assembly, or place where the same is kept, but such as shall be chosen commissioners from presbyteries, we answer, That none are to come to the place of the assembly, but such as are either allowed by commission to have voice, or otherwise have such interest as they can justify to his majesty's commissioner and the assembly convened.

“To the seventh, concerning the appointing of moderators of presbyteries to be commissioners to the general assembly, only constant moderators, who have ceased long since, were found in the assembly 1606, which yet was never reputed by the church to be a lawful national assembly. And if both the moderators, who, if they be necessary members, need not to be chosen, and the chosen commissioners, repair to the assembly, the assembly itself can judge best of the members whereof it ought to consist.

“To the ninth, That no lay-person whatsoever meddle with the choosing of commissioners from the presbyteries, and no minister without his own presbytery, we say, That, according to the order of the discipline of our church, none but ministers and elders ought to have voice in choosing commissioners from presbyteries, and that no minister or elder should have voice in election but in his own presbytery.

“The rest of the particulars are concerning civil matters; as the fifth, concerning the paying of rents and stipends to ministers and bishops, concerning which we can say no farther, but that the laws are as patent for

them as for his majesty's other subjects, and that the general assembly ought not to be delayed upon any complaint of that kind.

"The eighth, requiring that bishops and ministers be secured in their persons, we think so reasonable, that we will promise every one of us, for our own parts, they shall suffer no violence from us, and that we shall hinder others so far as we may; and if any trouble them otherwise, or make them any kind of molestation in that attendance but by order of law, the parties are justly punishable according to the degree of their fault, as other subjects are.

"To the tenth, concerning the dissolving of all convocations and meetings, and the peaceableness of the country; these meetings, being kept for no other end but for consulting about lawful remedies against such pressing grievances as threaten the desolation of this church and state, cannot be dissolved till the evils be removed; and we trust that nothing in these our meetings hath escaped us, which carrieth in it the smallest appearance of undutifulness, or which may seem to tend to the breach of the common peace; but, although our adversaries have herein calumniated us, yet we have always so behaved ourselves as beseemed his majesty's most humble and loyal subjects, petitioning his majesty for a legal redress of our just grievances.

"To the last, concerning the covenant, the commissioner's grace having many times and most instantly pressed us with that point, we did, first, by invincible arguments, make manifest that we could not, without sinning against God and our own consciences, and without doing wrong to this national church and our posterity, rescind or alter the same; and thereafter did at large clear the same of all unlawful combination against authority, by our last supplication and declaration, which his majesty's commissioner accepted as the most ready and powerful of all other means which could come within the compass of our thought to give his majesty satisfaction. The subscription of this our confession of faith and covenant being an act so evidently tending to the glory of God, the king's honour, and happiness of the kingdom, and having already proved so comfortable to us in the inward of our hearts, it is our ardent and constant desire, and ready wish, that both his majesty and all his

good subjects may be partakers of the same comfort. Likeas we find ourselves bound by conscience, and by the covenant itself, to persuade all his majesty's good subjects to join with us, for the good of religion, his majesty's honour, and the quietness of the kingdom; which being modestly used by us, without pressing or threatening of the meanest, we hope shall never give his majesty the least cause of discontent.

"Seeing therefore, according to our power and interest, we are most willing to remove all hinderances, that things may be carried in a peaceable manner worthy our profession and covenant, and that we do aim at nothing but the good of the kingdom and preservation of the church, which, by consumption or combustion, is like to be desperately diseased, except a remedy be speedily provided; and we delight to use no other means but such as are legal, and have been ordinary in this church since the reformation; we are confident that, without farther delay, for preventing of greater evils and miseries than we can express, our just desires shall be granted; so shall we be encouraged, in the peace of our souls, still to pray for his majesty all increase of true honour and happiness."

Notwithstanding these answers shewed that the covenanters were not easily to be imposed upon, so eager was the marquis in prosecuting his commission, and anxious for pleasing his royal master, that, under colour of complying with them, he reduced his eleven demands to these two.¹

"1. That no laymen should have voice in chusing the ministers to be sent from the several presbyteries to the general assembly, nor any but the ministers of the same presbytery. 2. That the assembly should not go about to determine things established by act of parliament, otherwise than by remonstrance or petition to the parliament."

These two demands did evidently contain the substance of the eleven, and tended to the same end, yet were they taken to advisement by the several Tables; at which time the ministers were near discording among themselves. The committee appointed to form an answer brought in their opinion, that ministers and elders only should elect commission-

¹ Rapin, p. 305.

ers from presbyteries to the general assembly.¹ At the reading of this, some more ignorant of presbyterial principles than the rest were startled, and took it for an innovation. To please these the answer was changed into more general words, giving the choice of commissioners to those, who, by law and custom, had it in time bygone, without determining whether law and custom gave the elders a share in that election or not; but that correction was infinitely displeasing to the other three Tables; and, upon their motion, the ministers yielded to dilate the same, though sore against some of their stomachs, and not without reflections that the gentry were usurping over them; and so in end the Tables did reject these two demands as snares laid to entrap them.

And that all might see that they did this warrantably, they did in a treatise clear up the office of ruling elders, as authorised by the laws of the land, particularly by act of the parliament 1592, and by the constitutions, acts, and practice of this church from the reformation downwards, till within a few years before the year 1638, which fall naturally to be related afterward; and by another treatise the Tables gave reasons against the prelimitation of a free general assembly, as contrary to God's word, the laws and practice of the kingdom, the discipline of the church, their late supplications and protestations, and against the very purpose of the work itself, that Christ's ministers, in a free assembly, should bind up themselves from speaking freely of whatever respected doctrine, discipline, and manners, in the person of any whomsoever: And, add they, though we would be yielding in these particulars, the commissioners to be chosen for the assembly not having their power from us, the Tables, but from the several presbyteries, &c. would not be accountable to us, nor obliged to stand to what we had thus unlawfully given up, as the reader will find at more length in a large protest taken in September following, which, because it contains the reasons

presently referred to among others, will, we doubt not, be acceptable at its full length.

And being now weary of delays, and made in a manner desperate by the many new obstructions thrown up in their way, they avowed their purpose, if the royal mandate were farther delayed, to call an assembly at their hazard, and gave out the reasons underwritten for their doing so, which we the rather insert, because that bold step hath been loudly complained of by the friends of prelacy.

“God, by the light of nature, informing all persons and societies to study their own preservation, teacheth also the particular kirks of a nation, as the members of one body, to draw together into a consociation, or representative meeting, for the preservation of the whole, which cannot be sufficiently procured by the particular care of sessions, presbyteries, and synods, they being but parts thereof, and no more independent and absolute in themselves, than particular civil corporations are in respect of the whole kingdom, so that, by the light of nature, the parliament is not more necessary for the estates of a kingdom, than is a national assembly for the particular kirks therein.

“The Son of God, the king and head of his kirk, hath graciously promised, ‘where two or three are gathered together in his name, there he will be in the midst of them;’ which doth as well prove the divine original of national assemblies to be kept in case of urgent necessity, as of other inferior meetings of the kirk; and therefore the councils of old used this for their warrant; and the fathers, being convened in councils, used to pray for the presence and assistance of Christ, upon the footing of this gracious promise.

“The Holy Ghost filling the hearts of the apostles, moved them to convene in a council at Jerusalem, Acts xv. whither also did resort the apostle Paul, by revelation, at the same time, Gal. ii. 1, for keeping of that assembly, as both ancient and modern divines observe upon that place; for which cause, and for the assistance of the Spirit which brought them together, they were confident to give out their determination in this manner,—‘It seemed good to the Holy Ghost and to us.’

¹ Baillie, p. 437.

“The Christian kirk, directed by the light of nature, confident of the promise of Christ, and warranted by the divine practice of the apostles, hath in all ages, even when she was persecuted by the powers of the world, used this as the ordinary and necessary mean for uniform establishing of religion and piety; for censuring of heresy; and for removing of scandals, and such other evils as by divine providence and prediction must be; and would certainly bring division and desolation upon the kirk, if by this powerful remedy they were not cured and prevented. Both popish and reformed divines agree in this truth, that although God, by his omnipotence, or by way of miracle, may preserve his kirk on earth without assemblies, yet, in the ordinary providence of God, assemblies are necessary for the right governing and well-being of the kirk.

“According to this divine right, the kirk of Scotland kept her general assemblies with great evidence of the presence and blessing of God from heaven; for, while they continued in their strength, (far contrary to that which we have seen of late) the doctrine was by them preserved against error and heresy; the worship was kept pure against superstition and idolatry; the discipline was held in integrity, without confusion and tyranny; unity and peace were entertained against schism and division; piety and learning were advanced against profanity and idleness; every man had his gift stirred up and increased; every gift was made use of as it might serve for the good of the kirk; and all went from these assemblies with fresh resolutions and fervent zeal for the work of God in their particular places.

“3. The liberty of this kirk for holding assemblies was also acknowledged and ratified by acts of parliament, as is manifest by the letter sent from the assembly in March 1573, to the earl of Morton then regent; and by the act of parliament in the year 1592, for such necessary causes as are expressed in these acts, which, being neglected, religion could not be preserved. King James, as at divers other times, so by his commissioners at Linlithgow in the year 1606, did acknowledge, that the keeping of general assemblies was the most necessary mean for preservation of piety and union, and for extermination of heresy and schism, and therefore will- ed that the act of parliament for convening

the general assembly once in the year should stand in force. The prelates themselves, in their assembly at Glasgow 1610, expressly acknowledged that the necessity of the kirk did require yearly general assemblies, and the act of that assembly did suppose and import the same; for by the act they were made liable to the censure of the general assembly in their life, office, and benefice in general, and in some particulars specified therein, as that of the process of excommunication.

“4. The causes noted by divines for the utility and necessity of councils are many; as, 1st. For suppressing heresy and controversies about points of doctrine. 2d. For redressing abuses and enormities. 3d. For appointing, restoring, or preserving the discipline of the kirk. 5th. For the mutual comfort and benefit which the godly may find in their meeting, by stirring up, and acquainting one another with the state of their particular kirks. 6th. For the confirmation of doubting minds in the truth. 7th. For keeping faithful pastors in their places, who were thrust out by their adversaries, disturbers of the kirk. 8th. For punishing of heretics, or such as introduce novations in the kirk. Any one of these may be a sufficient cause of convening a general assembly; but at this time not one or two, but all of them in a concourse may be heard crying for so necessary a remedy. For, (1.) The doctrine is corrupted by arminian and popish errors. (2.) Abuses and enormities, through the government of prelates, are multiplied. (3.) The discipline of the kirk, established by acts of assemblies and by solemn oath, is not only perverted, but overturned. (4.) Peace and unity in the kirk is turned into schism and division by the adversaries, who have minded nothing but their worldly peace and increase of their dignities. (5.) Brethren of the ministry are become strangers one to another, their minds filled with suspicions, and none of them bettered by another, more than they were ministers in sundry kingdoms. (6.) Many of the people have for a long time doubted of their religion, not knowing what hand to turn to, when they found such diversity of opinions amongst pastors. (7.) Faithful pastors have been thrust out of their ministry through usurpation of the prelates and their adherents, who take the greater liberty and boldness to smite their fellow-servants that there be no general

assembly to control or censure them. (8.) Arminian and popish teachers, both in kirks and schools, are rather rewarded and preferred, than censured and controlled: And therefore, except we will suffer religion to expire, and the kirk of Christ to perish by consumption or by combustion, we must resolve upon the necessity of general assemblies."

OBJECTIONS ANSWERED.

"*Obj.* 1. The name of the kirk belongs to the prelates, and the meeting of our prelates for matters of religion is the representative kirk of this kingdom. *Ans.* The prelates cannot be our representative kirk: 1. Because they are not office-bearers of this kirk, which, since the time that the office of bishops was abolished, hath never to this day acknowledged any such office as is now exercised by them. 2. Although the office of our prelates had been received by this kirk, yet can they not be esteemed the kirk representative, since both in the apostolic council, Acts xv. and in many other councils afterward, presbyters had their voices, and the spirits of the prophets must be subject to all such as by gifts and calling are prophets. 3. Because they have no more warrant, by the laws of the country and acts of the kirk, to represent the kirk, than some few citizens, turning robbers, have to represent the corporation of the city; or some small faction, rising in a kingdom against the fundamental laws, to represent the whole kingdom; or an imposthume growing on the body, and making it diseased and monstrous, to represent the body. 4. It is manifest, by the acts of parliament and assemblies, that this kirk and kingdom never acknowledged any other kirk representative, since the Reformation, but the general assembly, orderly constitute of commissioners chosen and delegated for that effect. 5. The service-book and new canons represent to all men what conclusions we may look for from the prelates, if they were acknowledged to be the kirk representative; and we may safely say of them, if they were the kirk representative, what is by all our divines affirmed of the Roman representative kirk, made up of the members of the Roman hierarchy, that it cannot be the true kirk.

"*Obj.* 2. Where the christian kirk liveth under an unchristian magistrate, assemblies of the kirk may be kept, (according to the

custom of the kirk for many years) without the consent of the magistrate; but where the kirk liveth under a christian magistrate, so that the kirk and commonwealth make but one corporation, the assemblies of the kirk must depend upon the indiction of the prince or magistrate, who is the head of the republic, and the principal member of the kirk. *Ans.* We humbly acknowledge that the supreme magistrate hath power to indict the assemblies of the kirk, and when, in his wisdom, he thinketh it convenient, he may by his authority convene assemblies of all sorts, whether general, provincial, presbyteries, or kirk-sessions; but the question is, whether he may prohibit or impede them when the necessity of the kirk evidently calls for them. 2. No man will think that a republic, becoming a christian kirk, should lose any of her civil liberties; why then shall a kirk, being in herself a perfect republic, although of another kind, because she now lives under a christian magistrate, lose her privileges, or suffer diminution in her christian liberty, whereof the holding of assemblies is a necessary part? 3. When the christian magistrate either forbiddeth, or, in the urgent necessity of the kirk, forbearth to convene assemblies, in this point the kirk is left to her own liberty, and must provide for her own safety. 4. The great wisdom of Jesus Christ, the king of the kirk, hath provided sufficient supplies for all her necessities, and fitting remedies for all her evils, of which there be many that cannot be helped without general assemblies; and therefore, not only the christian prince, but the pastors of the kirk, especially when the indiction cannot be obtained of the prince, are bound, as they will answer to Christ, to provide that the ecclesiastic republic receive no detriment, and to esteem the safety of the kirk to be the supreme law.

"*Obj.* 3. Although the liberty of the kirk for holding assemblies once in the year at least, and oftener *pro re nata*, be ratified in the parliament 1592, yet the act of parliament 1612, acknowledged the indiction of the general assemblies to pertain to his majesty, by the prerogative of his royal crown, and therefore abrogates the former act. *Ans.* God forbid that any man should be so impious as to think that his majesty's royal prerogative doth contain or import anything contrary to the royal prerogative of Christ,

by whom kings reign, or to the liberties granted to the christian kirk, whose nurse-fathers kings on earth must be; the matter therefore may be easily solved without wrong to the king's majesty, or to Christ the King of kings, and to his kirk, by this threefold distinction. The first, which is used in the point of calling assemblies, both by popish and reformed divines, putteth a difference between a solemn and public indiction *via citationis ac publicæ authorizationis*, by way of citation or compulsion by authority; and between a voluntary meeting, *per viam admonitionis ac requisitionis*, by way of christian admonition or advertisement; the former is so proper to the king by his prerogative, that it can neither be given to the pope, nor to any foreign power, nor, without usurpation, can be claimed by any of his majesty's subjects: Moses only may blow the trumpet; the other is proper to the kirk and her office-bearers, which neither is, nor can be taken from her by any act of parliament. Secondly, We are to distinguish between a cumulative, or rather a positive, power of calling assemblies, and between a private or destructive power; the former is acknowledged by the act of parliament to belong to the king, who, being *custos utriusque tabulæ*, may, and ought, *pro re nata*, to call the assemblies of the kirk; but the other cannot be meant in the act of parliament 1612. 1. Because it doth not confer any new power, but only declareth *quo jure* his former power of indicting (which is only set down in the act 1592,) doth appertain to him. 2. Because, in the act 1592, it was found that the king's power of indicting general assemblies, and that by virtue of his prerogative royal, might consist with this native liberty of the church, to appoint the time and place of her necessary assemblies, in case of the king's not using his prerogative by appointing them: And the act of the king's prerogative was declared to contain no derogation to the liberties and privileges granted by God to his church, whereof the liberty of general assemblies is there acknowledged to be one. 3. Because although *cujus est nolle, ejus est velle*, it is not always reciprocal, *cujus est velle, ejus est nolle*. And, 4. Because the act of Glasgow assembly, whereof the act of parliament is ratificatory, acknowledgeth the necessity of yearly general assemblies. And, Thirdly, We must observe the difference be-

twixt the indiction or calling of assemblies considered absolutely, and in respect of the circumstances of time and place, *indictio simpliciter*, and *secundum quid*. The act of parliament intendeth no farther but touching the circumstances of the place, as in what town the assembly shall convene, and of the time, in what month of the year, and what day of the month, as is evident by the act 1592, which giveth this liberty of time and place to the assembly, when the king's majesty or his commissioner doth not appoint them."

When the lord commissioner found the covenanters so resolute on their purpose he was at a nonplus what to do: To call an assembly himself, inconsistent with his instructions, he durst not; and to give way to their calling one themselves was as contrary to his inclination, fearing lest, if once they ventured on such an important step, without the king's authority, this might derogate from that veneration which they owed to their sovereign, and make them less sensible of their dependence upon him; and therefore he condescended to entreat a delay of their resolution, till once more he should ride post to his royal master, and solicit his concurrence in person.¹

Against this new delay the chief of the ministers and the generality of the gentry and burgesses were much set, yet the motion was so well proponed to them in a public meeting, by the lord Lorn, and seconded by Rothes, that the most judged it reasonable to comply with a delay till the 20th of September, on condition the marquis would manage the following articles with the king,² viz. 1. To obtain from his majesty an assembly, free both as to the members of which it should consist, and as to the matters which should be handled therein. 2. That the time of the sitting of such assembly might be fixed to a short day. 3. That the place of meeting might be the most commodious for all concerned. And, 4. That the interrupting of their letters in England might be discharged.

¹ Baillie, p. 439.

² *Ibid.* p. 440.

These articles the marquis engaged to manage to the best of his power, and set out on Saturday the 25th of August, in hopes of seeing the king against the Thursday following.

In the mean time the deputies, who were pretty fully convened on that occasion, having had full experience of king Charles's aversion to the granting their desires, and knowing that his majesty was still under the unhappy influence of archbishop Laud, they had small confidence in the marquis's negotiation;¹ they laid their account with being left to the necessity of calling an assembly themselves; and knowing that, by the length of time which had intervened since there was a free general assembly in the nation, the forms requisite on that occasion were become unknown to the most of that generation, especially as the far greatest part of the ministry had been admitted under the bishops, and had never been in an assembly; for these reasons the Tables judged it their duty, while they were together, to draw up the following instructions, to be put in execution by the several presbyteries after the 20th September, in case the lord commissioner did not, against that time return with full instructions to call the assembly desired, viz.

“1. That every presbytery have a copy of the act made at Dundee the 7th of March 1597, concerning the number of commissioners; the tenor whereof follows: ‘Because there hath been no order hitherto concerning the number of commissioners to be directed from every presbytery to the general assembly, therefore it is ordained, that, in all time coming, three of the wisest and gravest of the brethren shall be directed from every presbytery at the most, as commissioners to every assembly, and that none presume to come without commission; and likewise that one be directed from every presbytery in name of the barons, and one out of every borough except Edinburgh, which shall have power to direct two commissioners to the general assembly.’

¹ Baillie, p. 442.

“2. That every presbytery have a copy of the commission to be given to their commissioners; whereof the tenor follows: ‘At — the — day of — 1638 years. The which day, after calling upon the name of God, we the members of the presbytery of — having diligently considered the manifold corruptions, innovations, and disorders disturbing our peace, and tending to the overthrow of our religion and liberties of the reformed church within this realm, which hath come to pass especially through the want of the necessary remedy of general assemblies, as well ordinary as *pro re nata*, enjoyed by this church for many years, and ratified by act of parliament; and now expecting shortly, by the mercy of God, the benefit of a free general assembly, do, by these presents, nominate and appoint — — — — —, minister of — — — — —, as also — — — — — in name of the barons, conjunctly and severally, our lawful commissioners, giving and granting^o to them our full power, commission and express charge to repair to the said assembly, at the day and place when and where it shall happen to sit in any safe and commodious place within this kingdom; and there, with the rest who shall be authorised with lawful commission, in our name to propone, treat, reason, vote, and conclude, according to the word of God, and confession of faith approved by sundry general assemblies, and received throughout the whole kingdom, in all ecclesiastical matters competent to a free general assembly and tending to the advancement of the kingdom of Christ, and the good of religion, as they will answer to God and his church thereupon; and to report to us their diligence therein. In testification of this our commission and charge, we have subscribed these presents with our hands.’

“3. That every kirk-session send one of the most qualified elders unto the presbyteries the day of choosing commissioners to the general assembly, that, by common consent of the ministers and elders present in the presbytery, there may be chosen both the commissioners

for the ministers, and also some well-affected and qualified nobleman, or special gentleman, being an elder in some particular kirk-session within that presbytery, in name of the barons; for this is the constitution of the presbyteries, (otherwise called elderships) appointed by the church in the books of discipline and acts of the general assembly, practised for many years after the Reformation, and ratified parl. 12. king James VI. and never since altered nor rescinded, neither can be with reason altered, seeing the same is the constitution of the supreme and general assemblies, and of the inferior and kirk-sessions, as is at more length cleared by reasons apart.

“4. That all such as are erroneous in doctrine or scandalous in life, be presently processed, that they be not chosen commissioners, and, if they shall happen to be chosen by the greater part, that all the best affected, both ministers and elders, protest and come to the assembly to testify the same.

“5. That the boroughs follow their accustomed order in choosing commissioners.

“6. That moderators, by virtue of their office, be not commissioners to the assembly, except they be chosen.

“7. That presbyteries, in one of the ordinary meetings, do convene solemnly after the 20th of September, either upon the 21st, 22d, 23d, 24th, or 25th days, for choosing of their commissioners to the assembly, and send them hither to Edinburgh before the first of October, or so soon as they can, that, with common consent, they may receive the king's last answer, and advise upon the next lawful remedy in this extreme necessity of the church and state.

“8. That, in the fast to be observed on the 16th of September, the Sunday preceding their election, they may crave God's direction therein.”

And because several of the presbyteries had not as yet received the lay-elder, an office which had been extruded by the prelates, and whereof those ministers who entered in the time of episcopacy were generally ignorant, the

Tables did clear up that office in a paper referred to in the former, which they likewise sent abroad under the title of

The power of Ruling-elders proved from the Constitutions and Acts of our Church, and the consent both of her friends and enemies.

“In the First Book of Discipline, compiled anno 1569, the power of elders is described in these words: ‘If he that is the minister be worthy of admonition, they that are the elders must admonish him, or correction, they must correct him; and if he be worthy of deposition, they, with consent of the kirk and superintendent, may depose him.’ And if they might do so with the superintendent, they may do as much with ministers in a presbytery, which is come in the room of superintendents.

“By the assembly holden in December 1562, it was ordained, ‘That the superintendent give sufficient advertisement to the particular kirks of the time and place appointed for the synodical convention, that the minister with an elder may repair to the same.’ And in that assembly, power was granted to the superintendents, in their synodical conventions, to translate ministers from one kirk to another, with consent of the most part of the elders and ministers.

“Before presbyteries could be erected, by reason of the scarcity of ministers, it was ordained by the general assembly holden in June 1563, that every superintendent warn the shires, towns, and parish kirks within his jurisdiction, to send their commissioners to the general assembly. And, by the general assembly which sat at Edinburgh in July 1563, it was ordained that ministers, and commissioners of shires to be sent to the general assembly, shall be chosen at the synodical convention of the diocese, with consent of the rest of the ministers and gentlemen who shall convene at the said synodical convention.

“In the register of the general assembly holden in February —, we find recorded, that the superintendent of Angus and Mearns, commissioner at the time

for the sheriffdoms of Aberdeen and Banff, had deprived the principal and some regents in Aberdeen, with the advice and consent of the ministers, elders, and commissioners present.

“After the Book of Policy, or Second Book of Discipline, was agreed upon, anno 1578, we have these conclusions, viz. chap. vi., Of Elders and their Office. ‘Their principal office is to hold assemblies with the pastors and doctors, who are also of their number, for establishing of good order, and execution of discipline.’ Again, chap. vii. sect. 1, we have these words, ‘Elderships and assemblies are commonly constituted of pastors and doctors, and such as we commonly call elders, that labour not in the word and doctrine.’ In the same chapter, it is concluded, that elders of particular congregations be members of the common eldership or presbytery, thus, ‘It is meet that some of the elders be chosen out of every particular congregation, to concur with the rest of their brethren in the common assembly, that is, the presbytery, and to take up the dilations of offences within their own kirks, and bring them to the assembly. This we gather out of the practice of the primitive kirk, where elders or seniors were constituted in cities and famous places.’ Again, it is there said, ‘That the power of election of those who bear ecclesiastical charge, pertains to this kind of assembly, within their own bounds, being well erected and constituted of many pastors and elders of sufficient ability. By the like reason, deposition also pertaineth to this kind of assembly, as of them that teach erroneous and corrupt doctrine, that be scandalous in life, and after admonition desist not, be given to schism or rebellion against the kirk, manifest blasphemy, simony,’ &c. Again, treating of synodal assemblies, they say, ‘Provincial assemblies we call lawful conventions of the pastors, doctors, and other elders of a province gathered for the common affairs of the kirks thereof. And the national assembly, which is general to us, is a lawful convention of the whole kirks of the

realm, where it is used or gathered for the common affairs of the kirk, and may be called the general eldership of the whole kirks within the realm.’

“From these excerpts it is evident, that ruling elders, such as labour not in word and doctrine, ought to be members of the session of particular kirks, presbyteries, and synods. The rule of proportion requires, that, if elders have place in the session of particular kirks, they should also have a place in the presbyteries, and provincial and national assemblies; and reason requireth, that, seeing the national council represents the whole church, some of all sorts and callings of men ought to be present, and to give sentence, and the rather, because the matter of faith and religion is a common cause, and ecclesiastical persons should not lay yokes upon christians against their will, saith Willet in his *Synopsis papismi*.

“When presbyteries were to be erected, the king, for furtherance of the work, sent to the general assembly holden in April 1581, the copy of the letter which he was to send to the noblemen and gentlemen within the bounds of every presbytery, that it might be considered what the assembly would have added or omitted. In that letter we have a clear acknowledgment of the necessity of presbyteries, and that they were ordained to consist of ministers and ruling-elders; and it was thought impossible to attain to any formal order likely to continue to posterity over the whole realm, until the ancient bounds of the dioceses were dissolved, where the parishes which were thick together and small were united, and those which were over-great, and of larger bounds, divided; and thereafter presbyteries or elderships constituted for a dozen of parishes, or thereby, some more, some fewer, as the commodity of the country lieth, where the ministry and elders in these bounds may commodiously exercise discipline, and take order with the affairs of the kirk, so far as shall be appointed, before the cognition be brought to the synodal assembly.

"The right of ruling-elders in presbyteries was put in practice from the very first erection of these courts; for the presbytery or eldership of Edinburgh, having been erected upon the last day of May 1581, it consisted of 15 or 16 ministers of the kirks adjacent, and some barons and gentlemen elders out of every kirk for that effect. Soon after that other presbyteries were erected, and account was taken in the general assembly of those who were appointed to take care of that matter. Accordingly the brethren, to whom that care was committed, in the year 1581, reported to the assembly 1582 that they had erected a presbytery of ministers, but not as yet of gentlemen or elders. From whence it is clear, that, in the intention of the assembly, elders were to be members of the presbytery.

"In the answers to certain doubts proposed to that assembly concerning presbyteries, we have their judgment and determination, that the resort to the presbytery of such elders as were not versant in the word, should be no farther strictly urged than the weightiness and occasion, upon intimation made by the pastors and doctors, shall require, at which time they shall give their concurrence; yet such as may commodiously resort are to be exhorted to be present at all times.

"It is likewise clear that gentlemen elders were members of the presbyteries, by Mr. P. Adamson, pretended bishop of St. Andrews's forged declaration of the king's meaning and intention concerning the acts of parliament made in the year 1584, which declaration is insert in the end of Holinshed's chronicle.

"In the assembly holden in May 1586, we have these conclusions. 1. It is found, that all such as the scripture appointeth governors of the kirk, to wit, pastors, doctors, and elders, may convene to the general assembly, and vote in ecclesiastical matters; and all others, that have any suit or other things to propose to the assembly, may be there present, to give in their suits, propone things profitable for the kirk, and hear

reasoning, but shall not vote. 2. There are four ordinary office-bearers set down to us by the scriptures, to wit, pastors, doctors, elders, and deacons.

"In the assembly holden in August 1590, it was ordained, that all who did then bear, or were hereafter to bear office in the ministry, subscribe the heads of discipline set down in the book of policy, under the pain of excommunication, especially to the heads controverted and opposed by the adversaries to our discipline, and consequently to the constitution of presbyteries consisting of ministers and ruling-elders.

"Likeas, in the year of God 1592, parl. 1. king James VI. the three estates ratifies and approves the presbytery and particular sessions, general and provincial assemblies, as they were appointed by the kirk, with the whole jurisdiction and discipline thereof, as it was used and exercised within this realm; affirmeth general and provincial assemblies to have the whole power of particular elderships, and extracted *verbatim* the matters to be treated in presbyteries, whom it styles the elderships, out of the 7th chapter of the book of discipline; and declareth that the king's prerogative can nowise derogate any thing to the privileges that God has given to the spiritual office-bearers in the kirk, whereof elders are acknowledged to be the fourth sort of spiritual office-bearers in the book of discipline."

And to all these they add, "That the most ancient of the present ministers do remember of those gentlemen elders keeping the presbyteries; and though they have not sitten in presbyteries for many years, this was not owing to the law annulling or abrogating the former constitutions, but partly through their own negligence, and partly through the pride or ill conscience of some ministers: so that it fared with us as with the kirk of old, of which Ambrose complaineth, writing on 1 Tim. v. 'Unde et synagoge, et postea ecclesia seniores, habuit quorum sine consilio nihil in ecclesia agebatur, quod qua negligentia obsoleverit, nescio, nisi fortè doctorum desidia,

aut magis superbia, dum soli volunt aliquid videri.”¹

With these several papers, which are insert at length, because they were then the subject of much altercation betwixt the court and the covenanters, the deputies at Edinburgh wrote to the several presbyteries, exhorting and requesting them to consider the lawfulness and necessity of an assembly, according to the printed reasons.² “And,” add they, “for the better preparation of the commissioners, that they may be in readiness upon the shorter advertisement to be given when time and place shall be appointed, that ye would now, in this great exigence, go about preparation for the assembly, and, after the 20th day of September, the time appointed for the return of his majesty’s commissioner, choose your commissioners according to the directions to be herewith delivered unto you, so that ye may repair to Edinburgh against the first of October, to convene with the rest of the commissioners, and receive his majesty’s last answer with the lord commissioner, from whom we expect the present indication of a free general assembly, and that to as short a time as the urgent necessity of this kirk requireth; or upon refusal hereof, which God forbid, to advise and resolve upon such lawful means as may cure our present evils, and prevent the extreme misery of the kirk and state threatened thereby, which we are persuaded will be sufficient motives to induce you to use all lawful means, and to spare no pains that may conduce for so good ends.”

At the same time, the deputies knowing that they had to do with a mixed multitude, and that many of the ministers, being infected with those very corruptions whereof they complained, might endanger the wished-for reformation in the expected assembly, they sent private instructions to certain of the ministers, in whom they did most trust, of the following tenor: viz.³

“1. That if any man offer to enter in

¹ Baillie p. 397, 517. ² Ibid. p. 392.

³ Ibid. p. 442.

process with ministers erroneous in doctrine, or scandalous in life, that they be not chosen commissioner; and, if the presbytery refuse them process, that they protest against that refusal, and thereafter against the election of those ministers, and thereupon take instruments, and extract the same.

“2. To have a special care that informations be timeously made against every bishop, with the sure evidences thereof, concerning their miscarriages in presbyteries, synods, and the high commission, urging intrants to subscribe unwarranted articles, receiving of bribes from intrants, staying censure against papists, giving license to marry without proclamation of banns, and the profanity of their own lives, by drinking, whoring, carding, dicing, swearing, sabbath-breaking, purchase of their bishoprics by bribes, their dishonest dealing in civil bargains, and abusing of their vassals. These and such like articles common to all, or peculiar to some, ought to be gathered and put in order by some in every presbytery, to be trusted to that effect, and their diligence to be reported against the 20th of September, lest the noise of our complaints against the prelates vanish at the assembly.

“3. To remind the ministers to be ready for disputation on such heads as are likely to be agitated in the assembly; as, De episcopatu, de senioribus, de diaconatu, de potestate magistratus in ecclesiasticis, præsertim in convocandis conciliis, de civili jurisdictione ecclesiasticorum eorumque officiis in civilibus, de rebus, adiaphoris et potestate magistratus in illis, de liturgia præscripta, de ritibus ecclesiæ seu liturgia Anglicana, de liturgia Scoticana et libro canonum, de quinque articulis Perthensibus, &c.

“4. To choose three commissioners in every presbytery where they can be had well affected, and to use all means how fewer may be chosen in evil disposed presbyteries.

“5. Consultation would be had among the best affected, before the election, that in choosing their voices be not divided, but they may agree on the same persons.

"6. To use all means to eschew the election, as far as may be, of chaptermen who have chosen bishops, of such as have sat in the high commission, of chapelmen who have countenanced the chapel ceremonies and novations, of all who offered to read and practise the service-book and book of canons, and of ministers who are justices of peace, although they have subscribed the covenant, unless they have desisted and acknowledged the unlawfulness of their former course, because they will be ready to approve these corruptions in the assembly.

"7. That where a prime nobleman or well qualified gentleman may be chosen in diverse presbyteries, that he be chosen in that presbytery where there is greatest scarcity of able ministers."

The foregoing instructions and precautions are reckoned by some, as the author of the Large Declaration, to pre-occupy the minds of members, and to prelimit them in their free choice. However, if it is adverted to, that the deputies did only offer these by way of advice, that the most of those to whom they wrote were great strangers to the pure exercise of the presbyterial church government, and that the instructions offered carry their own evidence and excuse amongst with them, they will stand in no need of an apology from my pen.

In consequence of this diligence a very solemn fast was everywhere kept upon the 16th of September, for a blessing on their lawful endeavours, and thereafter sessions did choose each their elder to go to the presbytery, after the 20th of that month, there to vote in the election of three ministers and one elder to the assembly expected.¹

During the heat of these actions the covenanters were much encouraged with the conversion from popery of Mr. Thomas Abernethy a jesuit.² This man hearing at Rome of God's wonderful work in Scotland, his conscience awakened on him, and he came home to Scotland, where he had not been long, till he was persuaded of the truth of the re-

port, and earnestly sought to be admitted a member of the reformed church, which was granted. After a sermon made for the purpose, in the Greyfriars church of Edinburgh, by Mr. Andrew Ramsay, from Rev. xviii. 4, which is in print, Mr. Abernethy did make a very sweet discourse, which is also printed, of his errors, and reclaiming by the grace of God, with which, and the very penitent frame he was in at the time, the most of his hearers were affected even to tears; thereafter he subscribed the covenant, and did speak much to the commendation of it; and, adds Mr. Baillie, "after all our diligence to try, we can find no appearance of hypocrisy in the man. He informs us of many things, and, among the rest, that there are eighteen priests at least, always in Scotland, and condescends on their names and places of abode; that at London there are above 300 masses sung every Sabbath; and that, about six years before, a conclusion passed in the congregation *de propagandu fide*, to use means to draw the church of England to that of Rome, but to meddle no farther with our church, than as an association with England, in hopes by this conformity to gain us fully. There went abroad in his name reports of Canterbury's intercourse with the pope, and of the contriving of our liturgy at Rome, but, when I posed him on these, he denied his knowledge of any such matters," &c. But now to return to the lord commissioner.

When his grace reached the court, he informed the king that he durst not venture upon the divulging of his last instructions, lest he should thereby have exposed the royal authority to contempt; and told his majesty, that nothing seemed so likely a course for removing jealousies, and settling matters, as the renovation of the covenant, which, upon king James's command, was drawn up anno 1580, containing the renunciation of all the articles of popery, the fears of which was the occasion of the present covenant.³

³ Burnet's Mem. of Dukes of Hamilton, p. 72.

¹ Baillie, p. 443. ² Ibid, p. 441.

This proposal did exceedingly displease the king, but he was not yet prepared for an open rupture with the covenanters; therefore he was persuaded to try what yielding would do, and dispatched the marquis with his majesty's declaration and instructions, which, if sent a few months sooner, would probably have satisfied all concerned. This declaration and instructions are already on record, and therefore we only observe here, that they gave liberty to discharge the service-book and book of canons, and the high commission, simply; the practice of Perth articles was also discharged, ministers' entry was made as free as any could wish, bishops were subjected to the assembly, and liberty granted immediately to indict an assembly and parliament;¹ only one thing troubled the covenanters, viz. the subscription of the covenant and bond imposed by king James, which we have already subjoined to the Introduction, as threatening a division among them.

The marquis, thus instructed, set out for Scotland, September 10, and, in his way, had an interview with the bishops, who were much grieved at his news, and did speak against his majesty's condescension with great vehemency. There also he compounded with the archbishop of St. Andrews to demit the office of lord chancellor for L.2500 sterling.²

At his return he found the covenanters resolved, in case the king refused to indict an assembly, to have one called by themselves, and therefore he looked on himself as shut up to indict one.³ And now the place of meeting was of importance. The archbishop of St. Andrews, and others, had advised to hold it at Aberdeen: But though, had that been the case, old men, on whom especially the strength of the covenanters, humanly speaking, did depend, could not have travelled so far at that time of the year; and though two universities being there, that was the place where the greatest opposition could have been made to the reformation sought; and that in and

about that town, several thousands of fighting men could have been raised to suppress them, all which might have had weight with the lord commissioner to convene the assembly there rather than any place else; yet the Lord overruled this matter otherwise, and had determined favourably indeed for the covenanters, that Glasgow should be the place of their meeting.

On September 15th the commissioner reached Dalkeith, and came to Holyroodhouse the 17th. Upon the 20th the deputies for the covenanters sent to his grace to know when they might be informed of his majesty's pleasure, and being referred to the next day, they waited on him in the morning, when he assured them, to their great joy, that the king had granted all that they desired, but the particulars he would not divulge to them till he made them known to the council, which was to sit the same day.⁴

Accordingly the council met that afternoon, and, after they were set, the marquis laid out his majesty's, or rather his own, pleasure, that king James's covenant should be renewed, with all the art he was capable of. Next, a letter from the king to the council, of the same strain with the instructions, was read; after which the marquis, being unwilling that any whose affection he suspected should begin the discourse, called up Traquair, and after him ten or twelve others of whom he was most sure, who expressed their satisfaction to the full.⁵ Then he pressed that it might be presently put to vote; but several desired that, since it was a Confession of Faith that they were to sign, they might proceed more maturely, and consumed the time, arguing on their difficulties, till it was full time to dismiss.

Next morning, by six o'clock, many of the covenanting lords desired access, which the marquis granted, having, in the meantime, sent for such of the court lords as he knew were of one mind with himself. These lords being convened,

¹ Large Decl. Mem. Dukes of Hamilton.

² Ibid. p. 78.

³ Baillie, p. 443, 444.

⁴ Mem. Dukes of Hamilton, p. 79.

⁵ Baillie, p. 444.

the lord Rothes, in name of his brethren, informed the lord commissioner of what was talked without doors; and, being now certified of the truth thereof, desired that the swearing of the old confession might be put off till Monday, when he undertook to give in reasons why the same ought not to be done; and a debate ensued which lasted about four hours.¹ This the marquis suspected to have been done on purpose to divide the council, and therefore he flatly refused to grant any delay, and immediately went to the council, and urged them to put the matter to a vote; but, though he had spent most part of the last night labouring with those who had scruples, the lord Lorn, with the earl of Wigton, and the lord advocate, did still remain unresolved, till a clause was, at their desire, put in, expressing that they subscribed the same according to the meaning put thereon when it was first sworn, and as then the religion was professed;² by which they were satisfied, and judged that by this clause they had avoided any approbation of bishops, and other innovations brought into our church since that time, which seems to have been the very thing which the court aimed at, or at least to hold all off from any thing which looked like a condemning these; and so the said old covenant and bond were subscribed at Holyroodhouse the 22d day of September 1638, by Hamilton the commissioner, and by the councillors underwritten, viz. Traquair, Roxburgh, Marischal, Mar, Moray, Linlithgow, Perth, Wigton, Kinghorn, Tullibardine, Haddington, Annandale, Lauderdale, Kinnoul, Dumfries, Southesk, Belhaven, Angus, Lorn, Elphinston, Napier, Dalziel, Almont, Sir John Hay, Sir Thomas Hope, Sir William Elphinston, Sir James Carmichael, Sir John Hamilton, and Blackhall.

The same day a number of acts, all of great moment, were passed in council, and thereafter printed, such as,

An act declaring their full satisfaction with his majesty's declaration, and that the same was so satisfactory as all the

¹ Baillic, p. 445.

² Ibid. p. 475.

subjects ought to rest satisfied therewith:

An act declaring that they did swear and subscribe the Confession of Faith, dated the 2d of March 1580, according as it was then professed within this kingdom, together with the general bond, dated anno 1589:

A letter to his majesty, rendering their thanks for his so great acts of clemency, and offering, in testimony of their full satisfaction, to sacrifice their lives and fortunes in seconding his majesty's commandments, and repressing all who should disturb the peace of the church or kingdom:

An act resuming his majesty's appointment and order, that a free general assembly be indicted, kept and holden, at the city of Glasgow, the 21st of November then next, and ordaining open proclamation to be made thereof at the market-cross of Edinburgh, and at the other head boroughs of the kingdom, warning all and sundry archbishops, bishops, commissioners of kirks, and others having place and vote in the assembly, to repair to the said city the 21st day of November, and to attend the said assembly during the sitting thereof, and to do and perform all that to their charges did appertain, as they should answer to the contrary at their highest peril:

An act resuming his majesty's appointment and order, that the high court of parliament should be holden at Edinburgh the 15th day of May then next to come, and ordaining public proclamation to be made thereof at the market-cross of Edinburgh, and other places needful, warning all and sundry noblemen, prelates, and commissioners for the barons and boroughs, and all others having voice and place in parliament, to attend and wait thereat during the time thereof, and to discharge the duty incumbent on them, as they should answer on the contrary at their peril.

The second day after this, the council having gathered courage from their own harmony, proceeded to make other two acts, viz. An act ordaining all his majesty's subjects, of whatsoever degree, estate, or quality, ecclesiastical or civil,

to swear and subscribe the Confession, dated the 2d of March 1580, and that according to the said date and tenor thereof, and as it was then professed within this kingdom, together with the general bond dated anno 1589, as they will answer the contrary upon their obedience; and ordaining publication to be made thereof at the market-cross of Edinburgh, and other places needful:

An act empowering one or more commissioners for every shire to exhibit the said confession and bond, and to require all his majesty's lieges to subscribe the same, as they will be answerable to his majesty and the said lords, upon their duty and obedience, and to report their diligence betwixt and the 13th day of November.

In this last act it is observable, that many of the covenanters were joined in commission with others, which was censured by many; but the marquis excused the matter, by pretending that the engrossing their names in the proclamation, gave them an opportunity to retreat; that it tended to persuade the world that the king's condescension and indemnity were intended to be real; and that it might raise some jealousy in the other covenanters, as if those named had given some engagements underhand.

The council having agreed so harmoniously in all their measures, they did the same day cause his majesty's declaration, dated the 9th of that month, to be proclaimed at the market-cross of Edinburgh. This the reader may see in Rushworth, vol. ii. page 770; yet, in regard it was a fundamental deed on the king's part, we shall subjoin the following copy of it.¹

“CHARLES, &c. Forasmuch as the cause of all the distractions which have happened of late, both in church and commonwealth, have proceeded from the conceived fears of innovation of religion and laws; to free all our good subjects of the least suspicion of such intention in us, and to satisfy not only their desires, but even their doubts, we, by these presents, do discharge the service-book, book of canons, and high commission,

and the practice of them; and, by these presents, rescind all acts of council, proclamations, and other acts and deeds that have been made or published for establishing any of them, and declare the same to have no force in time coming. And, being informed that the urging of the five articles of Perth assembly hath bred great distraction in church and state, we have been graciously pleased to take the same to our consideration; and for the quiet and peace of the church and state, do not only dispense with the practice of the said articles, but also discharge all persons from urging the practice thereof upon either laic or ecclesiastical persons; and we do hereby free all our subjects from censure and pain, ecclesiastical or secular, for not urging, practising, or obeying the same. And because it hath, to the disgrace of government, been surmised, that some of our subjects have exercised unwarranted power, and held themselves exempted from censure and punishment, to which others are liable, we declare, that if any of our subjects have, or shall at any time presume to do any such act, or assume to themselves any such exemption or power, that they shall be liable to the trial and censure of any judicatory competent, according to the nature and quality of the offence. For the free entry of ministers it is our will, that no other oath be administrate to them than that which is contained in the act of parliament. And, to give our subjects full assurance that we never intend to admit of any change in the true religion already established and professed in this our kingdom, and that all our good people may be fully satisfied of our intention towards the maintenance of the said religion, we, by these presents, command all the lords of our privy council, senators of the college of justice, judges, and magistrates in borough and land, and all our other subjects whatsoever, to subscribe and renew the confession of faith subscribed at first by our dear father and his household in the year of God 1580, thereafter by persons of all ranks in the year 1591, by ordinance of the lords of secret council, and acts of the general assembly; subscribed again by all sorts of persons in the year 1590, by a new ordinance of council, at the desire of the general assembly, with a general bond for maintenance of the true religion and the

¹ Baillie, p. 415.

king's person. And for that effect we do require the lords of council to take such course concerning the foresaid confession and general bond, that it may be subscribed and renewed through the whole kingdom with all possible diligence. And, because we will not leave in our subjects' minds the least doubt of our real resolutions, we have given warrant to our commissioner to indict a free general assembly, to be holden at Glasgow the 21st day of November in this present year 1638, and thereafter a parliament, to be holden at Edinburgh the 15th day of May 1639, for settling a perfect peace in the church and kingdom. And because it is likely that the distractions that happened of late have been occasioned through the conceived fears of innovation of religion and laws, and not out of any disloyalty or disaffection to sovereignty, we are graciously pleased absolutely to forget and forgive all bygones to all such as shall acquiesce in this our gracious pleasure, and carry themselves peaceably, and shall ratify the same in our ensuing parliament. And, that this assembly may have the better success and more happy conclusion, our will is, that there be a solemn fast proclaimed and kept, by all our good subjects of this kingdom, fourteen days before the said assembly, for begging a blessing upon that assembly, and a peaceable end to the distractions of this church and kingdom, with the aversion of God's heavy judgment from both."

This proclamation seems, at first view, so full of grace and goodness, that many, and even some presbyterians, thought it left no real occasion of complaint to the covenanters; and to be sure it brought the difference to so narrow a point, that such as had not the same tenderness of conscience that they had would have been under little difficulty to comply with it; and hence they have been exclaimed against, especially by men of prelatial sentiments, as needless sticklers, who wanted not a reconciliation with the king at any rate; but they were too clear-sighted not, to discern the deceit which lurked in the swearing of that covenant as urged by the court; and, considering that they have suffered in the manner already hinted, the full hearing of their defence, as it is contained in a pro-

testation made against the foresaid proclamation, at the time it was published over the market-cross of Edinburgh, is a piece of justice due to them, and will no doubt be acceptable to the reader in this place,¹ as the deferring it to the Appendix would not so effectually remove prejudices which otherwise an unwary reader might take up.

"Whereas our continual supplications, &c. presented from time to time, first to the lords of his majesty's privy council, next to his sacred majesty, and last to his majesty's commissioner; our long attendance and great patience these twelve months bygone, waiting for satisfaction of our most just desires; our zeal to remove all rubs out of the way, which were either mentioned unto us, or could be conceived by us as hindrances of our pious intentions, aiming at nothing but the good of the kingdom and preservation of the kirk, which, by consumption or combustion, is like to expire, delighting to use no other means but such as are legal, and have been ordinary in this kirk since the Reformation, and labouring, according to our power and interest, that all things might be carried in a peaceable manner, worthy of our profession and covenant, our protestation containing a hearty thanksgiving for what his majesty, in his proclamation, from his justice, had granted of our just desires, and our protests and hopes for so much as was not yet granted. All these made us confidently to expect, from his majesty's compassionate disposition towards this his native kingdom, that a free general assembly and parliament should have been indicted, as the most proper remedy for our grievances, and did constrain us to renew our petition, earnestly entreating that his majesty's commissioner would be pleased to represent unto his majesty the condition of this kirk and kingdom, crying in extreme exigence for present help, with the lawfulness of the remedies prescribed by his majesty's laws required by us, and presented to him in some particular articles, which his grace promised to recommend to his majesty, and to do his best endeavours for obtaining the same, especially the first article, that there might be indicted a full and free general assembly without prelimitation, either in the constitution and members, the order and manner of proceeding, or the mat-

¹ Baillie, p. 460.

ters to be treated : And if there should be any question or doubt about these, or such like particulars, that the determination thereof might be remitted to the assembly itself, as the only proper and competent judge. And now, after many supplications, complaints, articles, and informations, necessary protestation, long expectation, and much dealing, having with open ears and attentive minds heard his majesty's proclamation, it is our desire so to proceed, that we may, upon the one part, still be thankful to God and the king for the least blink of his majesty's countenance, and the smallest crumbs of oomfort that falleth unto us from his majesty's royal hands, beseeching the Lord yet farther to enlarge his heart, for our full satisfaction and rejoicing, to the honour of God, the good of this kirk and kingdom, and his majesty's never-dying fame and glory, that his wise government and zeal to the service of God may be a measure and pattern to following generations, when they shall wish for a religious and righteous king. And, on the other part, that Christ our Lord, the King of kings, may not, through our neglect or lukewarmness, want any part of his sovereignty and dominion, and that in our religion, which is more dear unto us than our lives, we deceive not ourselves with that which cannot satisfy nor make up the breach of this kirk and kingdom, or remove our fears, doubts, and suspicions of the innovations of religion,—this hath made us to observe, That his majesty's proclamation doth ascribe all the late distractions of this kirk and commonwealth to our conceived fears of the innovation of religion and laws, as the cause thereof, and not to the innovations themselves, with which we have been for a long time, and especially of late, heavily pressed and grieved, as if the cause were rather in apprehension and fancy than in reality : That the service-book and book of canons are not so far discharged by this proclamation, as they have been urged by preceding ones ; for this proclamation doth only discharge the practice of them, and rescinds the acts made for establishing their practice, but doth not rescind the former proclamations of the 19th of February and 4th of July, which give a high approbation to these books, as fit means to maintain religion, and beat down all superstition, and withal declares his majesty's purpose to bring them into this kirk in a fair and legal way ;

and thus both our fears that they may be introduced hereafter must still remain, and the liberty of the general assembly, by such a declaration of his majesty's judgment, is not a little prejudged in the minds of so many as wisely consider and compare the preceding proclamations with this which we now hear, although others, looking upon one step, and not upon the whole progress, run on rashly, and, neither considering what they are doing, nor with whom they are dealing, may be easily deceived ; *qui pauca videt cito judicat*, a short sight maketh a sudden judgment : That it is declared in this proclamation, that his majesty neither intendeth to innovate anything in religion or laws, or to admit of any change or alteration in the true religion already established and professed in this kingdom ; and withal this is interposed, that the articles of Perth are established by the acts of parliament and general assembly, and dispensation of the practice only granted, and discharge given that no person be urged with the practice thereof ; and consequently his majesty's intention, for the standing of the acts of assembly and parliament appointing the articles of Perth, is manifest, which is no small prejudice to the freedom of the general assembly : That, while the proclamation ordaineth all his majesty's subjects to be liable to the trial and censure of the judicatories competent, and that none of them shall use any unlimited and unwarranted power ; likewise that no other oath be administered to ministers at their entry, than that which is contained in the acts of parliament ; in both these articles the bishops are meant, who are thereby only curbed for the present against their exorbitant enormities in exercising their office ; but the office of bishops is thereby not only presupposed as unquestionable, but also so strongly established, that his majesty declareth for the present his intention to admit no innovation therein, which is more evident by the indiction of the parliament, warning all prelates to be present, as having voice and place in parliament ; and by the indiction of the assembly, warning all archbishops and bishops to be present, as having voice and place in the assembly, contrary to the caveats, acts of the kirk, and our declinature ; and thus a third and great limitation is put upon the general assembly. The proclamation, by reason of these many real limitations and

prejudices of the liberty of the assembly in the very points which have wrought so much disturbance in this kirk and kingdom, and wherein the liberty of the assembly is most useful and necessary at this time, can neither satisfy our grievances and complaints, nor remove our fears and doubts, nor can without protestation be admitted by us, for the reasons following :

“ 1. To keep silence in any thing that may serve for the good of the kirk, whether it be in preaching, prayer, or in proposing and voicing in a lawful assembly of the kirk, is against the word of God, Isaiah lxii. 6. ‘Ye that are the Lord’s remembrancers, keep not silence, and give him no rest till he establish, and till he make Jerusalem a praise in the earth.’ We must not be like the halters betwixt two opinions, recorded 1 Kings xviii. 21, who answered not a word when the Lord called them to give a testimony, but ought to believe so as we may say with the apostle, Acts xx. 20, ‘I have kept back nothing that was profitable unto you.’ To the same purpose see also 1 Cor. xii. 7. Matth. xiv. 18. Rom. i. 18. Rev. ii. 14, 20; and iii. 15; and therefore to keep silence, or not to meddle with corruptions, whether in doctrine, sacraments, worship, or discipline, in a general assembly of the kirk convened for that end, were the ready way to move the Lord to deny his Spirit unto us, and to provoke him to wrath against our proceedings, and might be imputed unto us for prejudice, collusion, and betraying ourselves and the posterity.

“ 2. This predetermination is against our supplications and protestations, wherein we have shewn ourselves so earnest for a free general assembly, contrary to every limitation of this kind, so far prejudging the liberty thereof; is against the Confession of Faith, registrated in the parliament 1567, declaring, that one cause of the councils of the kirk is for good policy and order to be observed in the kirk, and to change such things as men have devised, when they rather foster superstition than edify the kirk using the same; and is against our late Confession, wherein we have promised to forbear all novations till they be tried, which obligeth us to forbear now, and to try them in an assembly, and by all lawful means to labour to recover the former purity and liberty of the gospel, to which this limitation is directly

repugnant, our liberty in a general assembly being the chief of all lawful means serving to that end.

“ 3. This were directly contrary to the nature and ends of a general assembly, which having authority from God, being convened according to the laws of the kingdom, and receiving power from the whole collective body of the kirk, for the good of religion and safety of the kirk, whatsoever may conduce for these good ends in wisdom and modesty should be proponed, examined, and determined without prelimitation, either of the matters to be treated, or of the liberty of the members thereof, it being manifest, that, as far as the assembly is limited in the matters to be treated, and in the members to be used, the necessary ends of the assembly, and the supreme law, which is the safety of the kirk, are as far hindered and prejudged.

“ 4. This limitation is against the discipline of the kirk, which, book ii. chap. 7. declareth this to be one of her liberties, ‘That the assembly hath power to abrogate and abolish all statutes and ordinances concerning ecclesiastical matters that are found noisome and unprofitable, and agree not with the time, or are abused by the people, and strike against the acts of the general assembly.’ Likeas the pretended assembly 1610, declareth for the common affairs of the kirk, (without exception or limitation) that it is necessary that there be yearly general assemblies; and what order can be hoped for hereafter, if this assembly, indicted after so long intermission, and so many gross corruptions, be limited, and that more than ever any lawful assembly of the kirk was when it was yearly observed.

“ 5. It is ordained, parl. 11, act 40, king James VI. anent the necessary and lawful form of all parliaments, that nothing shall be done, or commanded to be done, which may directly or indirectly prejudice the liberty of free voicing or reasoning of the estates, or any of them, in time coming. It is also appointed, act 92, parl. 6, king James VI. that the lords of session proceed in all civil causes intended before them, or to be intended, to cause execute their decrees, notwithstanding any private writing, charge, or command in the contrary; and generally the acts of parliament appoint every matter for its own judicatory, and to all judicatories their own freedom; and therefore much

more doth this liberty belong to the supreme ecclesiastic judicatory in matters which concern God's honour and worship immediately, the salvation of the people's souls, and right constitution of the kirk, whose liberties and privileges are confirmed, parl. 12, king James VI., and parl. 1, king Charles; for if it be carefully provided by divers acts of parliament, especially parl. 12, act 148, king James VI. that there be no forestalling or regrating, which tendeth to the famishing or poisoning of the souls of the people, both now and in the succeeding generations.

"It were contrary to our protestations, proceedings, and complaints against the late innovations, and it might be accounted an innovation and usurpation as gross and dangerous to us and the posterity, and as prejudicial to religion, as any complained upon by us, to admit limitations, and secret or open determinations, which belongeth to no person or judicatory, but to an assembly; or to consent to, and approve, by our silence, the same predeterminations. It were to be guilty of that ourselves which we condemn in others. We may easily judge how the apostles before the council of Jerusalem, the fathers before the Nicene council, and our predecessors before the assembly holden at the Reformation, and afterwards, would have taken such dealing.

"That this proclamation commandeth all his majesty's subjects, for maintenance of the religion already established, to subscribe and renew the Confession of Faith subscribed before in the year 1580, and afterward, and requireth the lords of privy council to take such course aient the same, and the general band of maintenance of the true religion, and the king's person, that it may be subscribed and renewed throughout the whole kingdom with all possible diligence, which cannot now be performed by us; for although of late we would have been glad that ourselves, and others his majesty's subjects, had been commanded by authority to swear and subscribe the general Confession of Faith, against popish errors and superstitions, and now would be glad that all others should join with us in our late covenant and confession, descending more especially to the novations and errors of the time, and obliging us to the defence of religion, and of the king's majesty's person and authority, and for these ends to the mutual defence every one

of another, yet can we not now, after so necessary and solemn a specification, return to the general for the reasons following:

"1. No means have been left unessayed against our late Confession of Faith and Covenant, solemnly sworn and subscribed: For, (1.) We were prest with the rendering and rescinding of our covenant. (2.) An alteration in some substantial points was urged. (3.) A declaration was moved, which tended to the enervation thereof, and now we find, in the same strain, that we are put to a new trial, and the last mean is used more subtly than the former, that by this new subscription our late covenant and confession may be quite absorbed and buried in oblivion; that whereas it was intended and sworn to be an everlasting covenant, never to be forgotten, it shall be never more remembered,—the one shall be cried up, and the other drowned in the noise thereof. And thus the new subscription now urged, although in a different way, shall prove equivalent to the rendering of the covenant, or what of that kind hath before been essayed. Likeas, the reasons against the rendering of the covenant do militate directly against this new motion.

"2. If we should now enter upon this new subscription, we would think ourselves guilty of mocking God, and taking his name in vain; for the tears that began to be poured forth at the solemnizing of the covenant are not yet dried up and wiped away, and the joyful noise which then began to sound hath not yet ceased:¹ And there can be no new necessity upon our part pretended for a ground of urging this new subscription, at first intended to be an abjuration of popery, upon us who are known to hate popery with an unfeigned hatred, and have all this year bygone given large testimony of our zeal against it. As we are not to multiply miracles upon God's part, so ought we not to multiply solemn oaths and covenants upon our part, and thus to play with oaths as children do with their toys, without necessity.

"3. Neither would we, in giving way to this new subscription, think ourselves free of perjury; for, as we were driven by an undclinable necessity to enter into a mutual covenant, so are we bound, not only by the law of God and nature, but by our solemn oath and subscription against all divisive

¹ See page 228 of this History.

motions, to promote and observe the same without violation; and it is most manifest, that, having already refused to render, alter, or destroy our covenant, nothing can be more contrary to our pious intentions and sincere resolutions, than to consent to such a subscription and oath, as both in the intention of the urgers, and in the nature and condition of the matter urged, is the ready way to extinguish and drown in oblivion the band of our union and conjunction, that they be no more remembered. In this case we are called to lay seriously to heart, 1. That we have sworn that we shall neither directly nor indirectly suffer ourselves to be divided and withdrawn from this blessed and loyal conjunction, which consisteth not only in the general confession, but also in our explanation and application thereof, but on the contrary shall, by all lawful means, labour to further and promote the same. 2. That our union and conjunction may be observed without violation, and so without mutilation of our application, we call the living Lord to witness, as we shall answer to Christ in the great day, &c.

“4. This new subscription, instead of performing our vows, would be a real testimony and confession before the world, that we have been transgressors in making rash vows, that we repent ourselves of former zeal and forwardness against the particulars expressed; first, in our supplications, complaints, and protestations, and next abjured in our covenant; that we in our judgment prefer the general confession unto this, which necessarily was now made more special, and that we are now under the fair pretext and honest cover of a new oath recanting and undoing that which upon so mature deliberation we have been doing before. This, beside all other evils, were to make way and open a door to the re-entry of the particulars abjured, and to repent ourselves of our chiefest consolations, and to lie both against God and our own souls.

“5. It hath been often objected, that our Confession of Faith and Covenant was unlawful, because it wanted the warrants of public authority; and it hath been answered by us, that we were not destitute of the warrants civil and ecclesiastic, which authorized the former covenant. And although we could have wished that his majesty had added both his subscription and authority

unto it, yet the less constraint from authority, and the more liberty, the less hypocrisy, and more sincerity hath appeared: But by this new subscription, urged by authority, we both condemn our former subscriptions as unlawful, because alleged to be done without authority, and pre-condemn also the like laudable course, in the like necessity to be taken by our posterity.

“6. What is the use of march-stones upon borders of land: the like use hath Confessions of Faith in the kirk, to determine and divide betwixt truth and error; and the renewing and applying of confessions of faith to the present errors and corruptions are not unlike riding of marches; and therefore, to content ourselves with the general, and to return to it from the particular application of the confession, necessarily made upon the invasion or creeping in of errors within the borders of the kirk, if it be not a removing of the march-stone from its own place, it is at least the hiding of the march in the ground that it be not seen, which at this time were very unseasonable, for two causes: One is, because popery is so pregnant and powerful in this land, as we have learned of late; the other, because the papists, who upon the urging of the service-book and canons, have presumed of our return to Rome, will, upon this our subscription, arise from their despairing of us unto their wonted presumption. None of us will deny but the large Confession of Faith, registrated in the acts of parliament, doth by consequence contain this short confession and abjuration; yet were it not sufficient against popery to subscribe the one without the other. How then shall we think the more general confession and abjuration at this time, when the urging of such popish books hath extorted from us so necessary an application, and doth still call for a testimony, to be complete enough without it?

“7. The papists shall hereby get occasion to renew their old objection against us, *annuas et menstruas fides de Deo decernunt*; that our faith changeth with the moon, or once in the year. Other reformed kirks might justly wonder at our inconstancy in changing our confession without any real necessity; and that in one and the same year it cometh forth larger and more particular, and then shorter and more general; and our adversaries will not fail to traduce us as

troublers of the peace of the kirk and kingdom, without any necessary cause.

“8. It will likewise prove a confirmation of their error, who think they may both subscribe the Confession of Faith, and receive the service-book and canons, which is not only a direct scandalizing of them, but also a ready way to put a weapon in their hands against ourselves, who maintain and profess, that these, and such other evils, are abjured in the Confession of Faith.

“9. If we should now swear this confession, we should be obliged by our oath to maintain Perth articles, which are the innovations already introduced in the worship of God, and to maintain episcopacy, with the civil places and power of kirkmen, because we are bound to swear this confession, by virtue of, and conform to the king's command, signed by his sacred majesty, of the date September 9, 1638. (These are the very words subjoined to the confession and band, and prefixed to the subscriptions :) and it cannot be denied but any oath ministered unto us, must either be refused, or else taken according to the known mind, professed intention, and express command of the authority urging the same; and it is most manifest that his majesty's mind, intention, and commandment, is no other but that the confession be sworn for the maintenance of religion as it is already or presently professed, these two being coincident, altogether one and the same, not only in our common form of speaking, but in all his majesty's proclamations; and thus it includeth, and containeth within the compass thereof, the foresaid novations and episcopacy, which, under that name, were also ratified in the first parliament holden by his majesty. And whereas it may be objected, that the councillors have subscribed the Confession of Faith as it was professed 1580, and will not urge the subscription in another sense upon the subjects, we answer, 1. The act of council containing that declaration is not as yet published by proclamation. 2. If it were so published, it behoved of necessity either to be repugnant to his majesty's declared judgment and command, which is more than to swear without warrant from authority, a fault unjustly objected unto us, or else we must affirm the religion in the year 1580, and at this time, to be altogether one and the same, and thus must acknowledge that there is no nova-

tion of religion, which were a formal contradiction to that which we have sworn. 3. By approving the proclamation anent the oath to be administered to ministers, according to the act of parliament, which is to swear simple obedience to the diocesan bishop, and by warning all archbishops and bishops to be present, as having voice and place in the assembly, they seemed to determine, that, in their judgment, the Confession of Faith, as it was professed 1580, doth consist with episcopacy; whereas we, by our oath, have referred the trial of this, or any other question of that kind, to the general assembly and parliament.

“10. This subscription and oath, in the mind and intention of authority, and consequently in our swearing thereof, may consist with the corruptions of the service-book and canons, which we have abjured as other heads of popery; for both in this present proclamation, and in his majesty's former proclamations at Linlithgow, Stirling, and Edinburgh, the lords of privy-council, in their approbation of the same, and the prelates and doctors, who stand for the service book and canons, do all speak plainly, or import so much, that these books are not repugnant to the Confession of Faith, and that the introducing of them is no novation of religion or law; and therefore we must either refuse to subscribe now, or we must confess contrary to our late oath, and to a clear truth, that the service-book and canons are no innovations in religion. And although the present books be discharged by proclamation, yet if we shall, by any deed of our own, testify that they may consist with our Confession of Faith, within a very short time, either the same books, or some other like them, with some small change, may be obtruded upon us, who, by our abjuration, if we adhere unto it, have freed both ourselves and the posterity of all such corruptions, and have laid a fair foundation for the pure worship of God in all time coming.

“Although there be indeed no substantial difference between that which we have subscribed, and the confession subscribed 1580, more than there is between that which is hid, and that which is revealed, a march-stone hid in the ground and uncovered, betwixt the hand closed and open, betwixt a sword sheathed and drawn, or betwixt the large confession, registered in the acts of parlia-

ment. and the short confession, or (if we may with reverence ascend yet higher) between the Old Testament and the New, yet, as to sheath our sword when it should be drawn, were imprudence, or at the commandment of princes, professedly popish in their dominions, after the subjects had subscribed both confessions, to subscribe the first without the second, or, at the will of a Jewish magistrate, openly denying the New Testament, to subscribe the Old alone after that they have subscribed both, were horrible impiety against God, and treachery against the truth; just so, for us to subscribe the former apart, as it is now urged and framed, without the explanation and application thereof at this time, when ours is rejected, and the subscribers of the former refuse to subscribe ours, as containing something substantially different, and urge the former upon us as different from ours, and not expressing the special abjuration of the evils supplicated against by us, were nothing else but to deny and part from our former subscription, if not formally, yet interpretatively. Old Eleazar, who would not seem to eat forbidden meat; and the confessors and martyrs of old, who would not seem, by delivering some of their papers, to render the Bible, or to deny the truth, may teach us our duty in this case, although our lives were in hazard for refusing this subscription; and who knoweth but the Lord may be calling his people now, who have proceeded so far in professing his truth at this time, to such trials and confessions as his faithful witnesses have given of old, that in this point also, our doing may be a document, both to the succeeding ages, and to other kirks to whom for the present we are made a spectacle.

“12. If any be so forgetful of his oath (which God forbid) as to subscribe this confession as it is now urged, he doth, according to the proclamation, acquiesce in this declaration of his majesty's will, and doth accept of such a pardon as hath need to be ratified in parliament, and thus doth turn our glory into shame, by confessing our guiltiness, where God from heaven hath made us guiltless, and by the fire of his Spirit from heaven hath accepted of our service, and doth depart from the commandment of God, the practice of the godly in former times, and the worthy and laudable example of our worthy and religious progenitors, in obedience whereof

and conform to which we made profession to subscribe; for there is no particular act required of us, to whom the pardon is presented in this proclamation, but this new subscription altogether.

“13. The general bond now urged to be subscribed, as it containeth many clauses not so fitting the present time as that wherein it was subscribed, so is it deficient in the reformation of our lives, a point at this time most necessary, viz. That we shall, answerably to our profession, be examples to others of all godliness, soberness, and righteousness, and of every duty we owe to God and man; without which we cannot now subscribe this confession, lest we loose the bonds to wickedness, seem to repent of our former resolutions and promises, and choose to have our portion with hypocrites, professing and swearing that we know God but in our works deny him, being abominable, disobedient, and unto every good work reprobate.

“14. Since the narrative of the general bond is now changed, and some lines, expressing at length the papists and their adherents to be the party from whom the danger to religion and the king's majesty was threatened, are left out, and no designation made of the party from whom the danger is now threatened, we are made either to think that our subscription at this time is unnecessary, or to suspect that we who have supplicated and entered in covenant are understood to be the party, especially since the lords of council have, in their act of September 22, ratifying the proclamation, found themselves bound to use their best endeavours that all his majesty's good subjects may rest satisfied with his majesty's declaration; since also we have been, although undeservedly, challenged of disorders, distractions, and dangers to religion and his majesty's authority, and since, in the foresaid act, and in the missive directed to his majesty, the lords of council offer their lives and fortunes to his majesty in repressing all such as shall hereafter disturb the peace of this kirk and kingdom, which, being expressed in a generality, is by many applied to us, and interpreted of our adhering to our covenant; we should therefore, by our subscription of the covenant as it is now conceived, both do directly against our own minds, in condemning ourselves wherein we are innocent, and should consent to our own hurt, to the suppressing of the

cause which we maintain, and to the repressing mutually of one another, directly contrary to our former solemn oath and subscription.

“ 15. The subscribing of this confession by the lords of his majesty's privy-council, who, by their place and high employment, are public peace-makers, and by others who have not subscribed the late confession, will make the breach wider, and the lamentable division of this kirk more desperate than ever before; some having sworn to labour by all lawful means to recover the former liberty and purity of religion; and others maintaining that for purity which is already established; some believing and professing that the evils supplicated against are abjured in that confession of faith, and others maintaining the confession of faith and these corruptions, although for the present discharged by authority, not to be inconsistent; and beside this, many divisions and subdivisions will ensue, to the doleful renting of the kirk and kingdom, making way for the wrath and judgments of God often threatened by his faithful servants, which the godly ought to labour by all means to prevent.

“ 16. We represent also to the honourable lords of privy-council to be considered, that the doctrine, discipline, and use of sacraments are sworn, and the contrary abjured, according to the word of God, and the meaning of the kirk of Scotland, in the books of discipline and acts of assemblies, and that in the oath there is no place left to the generality of any man's conception of the true faith and religion, nor to any private interpretation or mental reservation.

“ For these and the like considerations, in our own name, and in name of all who adhere to the late covenant subscribed by us, and sealed from heaven, we, from our duty to God, our king, our native country, ourselves, and the posterity, lest our silence import a satisfaction of our desires, and a stopping of our mouth from necessary supplication for things yet to be obtained from his majesty's just and gracious disposition, are constrained to declare and protest,

“ 1. That the cause and occasion of the distractions of the kirk and commonwealth are nowise to be imputed to our needless fears, but to the innovations and corruptions of religion, which, against the acts and order of this kirk, and the laws of the kingdom, have been pressed upon us, who, although

under great thralldom, were living in peace and quietness, labouring in all godliness and honesty to do our duty to God and man.

“ 2. We protest, that all questions and doubts that arise concerning the freedom of the assembly, whether in the constitution and members thereof, in the matters to be treated, or in the manner and order of proceeding, be remitted to the determination of the assembly itself, as the only proper and competent judge; and that it shall be lawful for us, being authorised with lawful commissions, as at other times when the urgent necessity of the kirk shall require, so in this exigence, to assemble ourselves at the diet appointed, notwithstanding any impediment or prorogation to the contrary, and, being assembled, to propone, treat, reason, vote, and conclude, according to the word of God, confession of faith, and acts of lawful assemblies, in all ecclesiastical matters pertaining to the assembly, and tending to the advancement of the kingdom of Christ and good of religion.

“ 3. Since archbishops and bishops have no warrant for their office in this kirk, and since it is contrary both to reason and to the acts of the kirk, that any have place and voice in the assembly, who are not authorised with lawful commissions, and seeing, both in common equity and by the tenor of this proclamation, they are made liable to the trial and censure of the assembly, we protest that they be not present as having place or voice in the assembly, but compare for underlying trial and censure upon the general complaints already made, and the particular accusations to be given in against them, and that the warning given by his majesty's proclamation, and this our protestation, be a sufficient citation to them to compare before the assembly, for their trial and censure in life, office, and benefice.

“ 4. We solemnly protest, that we do constantly adhere to our oath and subscription of the confession of faith and covenant, lately renewed and approven, with rare and undeniable evidences from Heaven of the wonderful workings of his Spirit in the hearts both of pastors and people through all the parts of the kingdom, and that we stand to all parts and clauses thereof, and particularly to the explanation and application, containing both our abjuration of and our union against the particular evils and

corruptions of the time, a duty which the Lord at this time especially craveth at our hands.

“5. We also protest, that none of us who have subscribed, and do adhere to our subscription of the late covenant, be charged or urged either to procure the subscriptions of others, or to subscribe ourselves, unto any other confession or covenant containing any derogation thereunto, especially that mentioned in the proclamation, without the necessary explanation and the application thereof, already sworn by us, for the reasons above expressed: And because, as we did in our former protestation, appeal from the lords of his majesty’s council, so do we now by these renew our solemn appeal, with all solemnities requisite, unto the next free general assembly and parliament, as the only supreme national judicatories competent to judge of national causes and proceedings.

“6. We protest, that no subscription, whether by the lords of council or others, of the confession mentioned in the proclamation, and enjoined for the maintenance of religion, as it is now already, or at this present time, established and professed within this kingdom, without any innovation of religion or law, be any manner of way prejudicial to our covenant, wherein we have sworn to forbear the practice of novations already introduced, &c. till they be tried in a free assembly, and to labour by all lawful means to recover the purity and liberty of the gospel, as it was established and professed before the foresaid innovations: And, in like manner, that no subscription foresaid be any derogation to the true and sound meaning of our worthy predecessors, at the time of their subscription in the year 1581, and afterward: withal warning and exhorting all men who lay to heart the cause of religion, against the corruptions of the time, and the present state of things, both to subscribe the covenant as it hath been explained and necessarily applied, and, as they love the purity and liberty of the gospel, to hold back their hands from all other covenants, till the assembly now indicted be convened and determine the present differences and divisions, and thereby preserve this country from contrary oaths.

“7. As his majesty’s royal clemency appeareth in forgiving and forgetting what his majesty conceiveth to be a disorder, or done amiss in the proceeding of any, so are we

very confident of his majesty’s approbation of the integrity of our hearts, and peaceableness of our ways and actions all this time past; and therefore we protest, that we still adhere to our former complaints, protestations, lawful meetings, proceedings, mutual defences, &c. all which as they have been in themselves lawful, so were they to us, pressed with so many grievances in his majesty’s absence from his native kingdom, most necessary, and ought to be regarded as good offices and pertinent duties of faithful christians, loyal subjects and sensible members of this kirk and commonwealth, as we trust at all occasions to make manifest to good men, especially to his sacred majesty, for whose long and prosperous government, that we may live a peaceable and quiet life in all godliness and honesty, we earnestly pray.

“Whereupon a noble earl, James earl of Montrose, &c. in name of the noblemen; Mr. Alexander Gibson, younger of Durie, advocate, in the name of the barons; George Porterfield, merchant burghess of Glasgow, in name of the boroughs; Mr. Harry Rollock, minister at Edinburgh, in name of the ministers; and Mr. Archibald Johnston, advocate, reader hereof, in name of all who adhere to the Confession of Faith and Covenant lately renewed within this kingdom, took instruments in the hands of three notaries present, at the said market-cross of Edinburgh, being environed with great numbers of the noblemen, barons, gentlemen, burghesses, ministers, and commons, their constituents, before many hundred witnesses, and craved an extract thereof: And, in token of their dutiful respect to his majesty, confidence of the equity of their cause, innocence of their carriage, and hope of his majesty’s gracious acceptance, they offered, in all humility and submissive reverence, a copy thereof to the herald.”

Having given this nervous paper at length, we shall not trouble the reader with remarks thereon, farther than to observe, that it hath an eye to the proclamation of the 9th of September, and to the council acts complexly; and whoever will consider impartially, that, by that proclamation and these acts, the freedom of the general assembly was prelimited,—for this reason, amongst

others, that archbishops and bishops, against whom especially the complaints of that time were levelled, were warned to come to the assembly, and that substituting the covenant 1580, with the bond annexed 1589, in the room of the said covenant, and more special application thereof to the time, by the bond subjoined thereto, anno 1638, was at best a returning from a particular to a general,—will stand in little need of being reasoned into a belief, that the court-covenant, as the first was now called, was a stratagem to break the covenanters, and that the latter had too good reason for making the foregoing protestation.

This well-laboured protestation had not, however, the wished-for effect of marring the court design; the commissioners for urging the king's covenant, then in Edinburgh, set out on that design, with letters of recommendation from the lord commissioner and the lords of the council, to their friends in all parts of the kingdom, and, with all the rhetoric they were master of, they extolled the grace and benignity of the king's mind, and the necessity and expediency of entering into the national covenant according as they had subscribed the same.

The covenanters being aware of this divisive measure, sent out their deputies with a protestation, whereof the copy is before prefixed, page 258—259, (for the rest of that protestation respected the prelimitation of the assembly), and with these they did also send an advertisement or advice to their confidants in all the parts of the country,¹ desiring that with all possible diligence they should warn every presbytery and congregation within their bounds to abstain from subscribing the new confession, (*i. e.* the king's covenant,) which they call a politic plot to divide them, and drown their covenant in oblivion; and that, wherever the proclamation for subscribing the king's covenant should be published, they, accompanied with as many of their brethren-covenanters as could possibly

¹ Baillie, p. 413.

be convened, should at the same time read the protestation against it.

And now both sides, being thus instructed, did enter upon their work with fervent zeal, and prosecuted the same with great diligence. In some places, the forwardness of the court got the start of the covenanters, and there especially they prevailed with numbers who had been deepest in defection during the former period, to subscribe their covenant; but in no place had they such success as in the shires of Aberdeen and Banff: In these two counties it was reckoned that the marquis of Huntly procured more subscriptions to the king's covenant than were obtained amongst all the rest of the kingdom. His first care was to get the doctors of Aberdeen to concur therein; for that county having, of all others, been most averse to the noblemen's covenant, as that framed by the Tables was usually nicknamed, the example of these doctors was of great account with them; and yet this he could not obtain from them without their explanation, that they did not understand it as prejudicial to episcopacy and ceremonies.²

When the king's covenant was proclaimed at the cross of Aberdeen, the master of Forbes and the lord Fraser caused read the protestation against it, at which time great disturbance did ensue; for the marquis, being provoked at the covenanters' courage in the place where his interest was strongest, did crave assistance from the magistrates to guard the cross against the insults of the other; but this they wisely declined, and, when lieutenant-colonel Johnston was ready to have sallied out of the catchpeal, with his trained bands, upon the covenanters, the magistrates did threaten, and otherwise discourage him, and thereby did prevent the effusion of much blood, which otherwise might have been spilt on that occasion.

That fray being over, the citizens convened at the market-cross, but refused to subscribe the king's covenant till their

² Mem. Dukes of Hamilton, p. 86. Row, p. 337.

ministers should go before them in it ;¹ for, according to bishop Burnet, lest an humour of annexing explications might have run through others, the doctors' explication, which is recorded at length by that historian, was kept a secret from the people ; whereupon Dr. Sibbald, one of the most gracious to the people, was prevailed on to be as the high-goat before this flock, and, having told them that he and his brethren had already subscribed the king's covenant, but that he was ready to do it over again, with this explication, "That he acknowledged episcopacy and the articles of Perth, with whatsoever other of that kind not contrary to the word of God, allowed by any reformed kirk elsewhere ;" and added, "upon these conditions, and not otherwise, do I, before God, subscribe, neither do I desire any to subscribe on any other terms," the most part of that town, adhering to his declaration, did thereupon subscribe.

At Glasgow likewise the court covenant was like to have found friends at first, for, Sir James Hamilton of Orbiston having rode post with the proclamation for it on the Sabbath, it was quickly published, and applauded by too many ; several of the ministers accompanied a number of non-covenanters to the cross, joined in all the tokens of their joy, and concurred in writing a letter of thanks to the lord commissioner for appointing that town to be the place of meeting for the assembly, with which the provost, Dr. Strang principal of the university, and Mr. Robert Wilkie minister, were next day sent to Hamilton.²

Soon thereafter the marquis went to Glasgow to receive subscriptions to the covenant himself,³ and, after a sermon preached by Dr. Balcanquhal in the High church, to prepare the people for the purpose, his lordship laboured what he could with the magistrates and council to induce them to comply, but was obliged, little to his contentment, to allow them to advise on that matter for ten days. After the elapse of that space the

justice-general did set upon them anew to subscribe, but a farther delay of eight days was insisted on by the provost, and, the longer that the affair was delayed, their scruples against it became the stronger, and indeed the covenanters, in their turn, did omit nothing in their power which might reasonably augment these scruples.

When the proclamation was first published at Glasgow, a deputy from the covenanters, though not yet furnished with the foresaid protestation, did protest against the same, and offered such reasons as occurred to him.⁴ Our author informs us farther, that he went to Glasgow himself, and dealt assiduously with that good town to refrain from joining in the opposition to the covenanters. At that time his brother was eldest baillie, and some others of the council were his friends, so that, no doubt, his advice had its due weight with them ; yet so far was he from claiming the praise of that influence, that he religiously ascribes it to the over-ruling providence of God, saying, God guides good men even in their by-ways. And, when the motion was afterwards renewed in the town-council,⁵ George Porterfield, a member thereof, did immediately renew the protestation, and gave reasons common to all the covenanters, which put off the matter till the sitting of the assembly ; and in other places the king's covenant met with no better reception, "God, in his holy and wise judgments, having," says the bishop of Sarum,⁶ "permitted the poor people to be so blind in their obedience to their leaders, that these arts took universally with them."

We did formerly repeat the rules by which the covenanters were to proceed in electing their commissioners to the ensuing assembly, and only observe farther thereon, that, in the end of September these rules were universally followed ; lay-elders were admitted members of presbytery, and allowed to vote in the choice of commissioners to the assem-

¹ Row, p. 337.

² Baillie, p. 448.

³ Ibid. p. 540.

⁴ Baillie, p. 448.

⁵ Ibid. p. 450.

⁶ Mem. Dukes of Hamilton, p. 85.

bly,¹ and the election of two, or, at least three ministers and one elder for each presbytery, went every where almost in favour of the covenanters; some opposition they did indeed meet with, and from none more than from Glasgow. The doctors of Aberdeen were judged the fittest for such a work, but their distance from the lord commissioner rendered correspondence with them impracticable, and, though his grace offered to send a coach for them, these learned gentlemen were averse to the journey, so that he behoved to make the more use of those at home, several of whom wanted not inclination enough to have danced to his pipe. For some time a party in the presbytery of Glasgow obstructed the election of lay-members to the general assembly,² whereupon the Tables at Edinburgh wrote to them, that thirty-nine presbyteries had already chosen their commissioners as they were desired, that the rest were in doing, and that they heard of none who were unwilling to do so, unless they were; and at the same time they sent the lord Loudon, with Messrs. David Dickson, Robert Blair, and James Bonnar, with instructions to use their best endeavours for resolving the doubts and removing the scruples which remained with any of their brethren there. Accordingly that conference succeeded with the majority, and old Mr. John Bell, Mr. Zachary Boyd, and Mr. James Sharp, ministers, with the earl of Eglinton, or, in his absence, the lord Fleming, ruling-elders, were chosen their members to the ensuing assembly. Mr. John Maxwell gave in a protestation against this election, but the same was not adhered to by any other.

Besides these, according to the ancient custom practised in this church from the reformation, forty-eight boroughs did choose each a commissioner to the assembly; yet still the number of elders chosen this year, both from presbyteries and boroughs, did not exceed ninety-six, and so fell short of the ministers chosen

thereto by forty-four, as will appear from a list of the whole members, which we purpose to add when we overtake that assembly, and the rather because most of the episcopal writers, and even the ingenious Rapin, do confidently, but very untruly, give out, that the ruling-elders did exceed the number of ministers on that occasion.

Nor was the care of the time confined to the church, but was likewise extended to the state. The season for a new election of boroughs drawing near, the marquis of Huntly obtained from the king a letter to the town-council of Aberdeen, thanking them for their attachment to his service, and requiring them to be careful that none might be chosen for magistrates, nor no course taken which might be anywise derogatory thereto;³ yet, when the day of election came, matters took a turn to the contrary. The provost, finding how matters would go, removed, and would not countenance the election, and some others protested that no covenanter should be chosen; notwithstanding several covenanters were chosen, both to be magistrates and councillors, to the high offence of the marquis, and great mortification of the episcopal party.

In Glasgow it was more difficult to get the council composed of sound-paced episcopals, and therefore the lord commissioner's chief care was to have the magistracy there to consist of men simple and at his own disposal; and of these he obtained a set to his mind.⁴

Amongst the freeholders there was no great hazard of carrying it against the covenanters, and yet they were as cautious as if they had been in the greatest danger;⁵ for having, before the lord commissioner's last return from court, agreed to meet at Edinburgh the beginning of October, to concert what measures it might be proper to follow in case of a disappointment, a great number of them came up at that time, but, recollecting that a parliament was called, and that then was the season appointed by law

¹ Mem. Dukes of Hamilton, p. 85.

² Baillie, p. 449.

³ Row, p. 336.

⁵ Baillie, p. 447.

⁴ Baillie, p. 449.

for the election of commissioners to the parliament (for at that time it seems to have been the custom annually to choose commissioners for parliament, though there was no certainty of sitting); therefore they left the meeting at Edinburgh, that they might be present in their respective counties at the Michaelmas head-court.¹

And now the chief thing remaining necessary to be adverted to, prior to the assembly, was the prosecution of the bishops, and others of the clergy, who were chargeable with scandal. The first and great difficulty lay in getting a warrant to cite them. Ecclesiastic authority they had none above a presbytery, and the king's proclamation indicting the assembly, though it did require the attendance of the archbishops and bishops, yet this it did not require of them as delinquents, but as constituent members of the assembly, only by that proclamation their persons were made subject to the assembly; wherefore the general Tables did earnestly solicit the lord commissioner for a warrant to summon the bishops to the assembly as guilty persons, but he rejected the motion as unprecedented; whereupon they devised one method for all the bishops; and it was this:

In the first place, they drew up a complaint, by way of libel,² against all the bishops, accusing them *in cumulo* of transgressing the caveats or limits set to them by former general assemblies; by behaving themselves as lords, rather than pastors over the church; by publicly teaching, or secretly defending and conniving at popish and arminian doctrines and tenets, and advancing the teachers of such opinions; and, which must be more amazing, that there should have ever been occasion to allege such things of clergymen, they accuse them of drunkenness, whoring, playing at cards and dice, swearing, — bribery, simony, lying, dishonest dealing in civil bargains, and many other heinous crimes, which are inserted at more length in the complaint itself, a copy of which is recorded in the

¹ Baillic, p. 476.

² Ibid. p. 514.

Large Declaration,³ and therefore we shall not swell this narrative with repeating it.

Next, they agreed that this complaint should be made by the earls of Sutherland, Athole, and Dalhousie; the lords Stormont, Montgomery, Eleho, Forrester, Forbes, Boyd, Balcarras, and Melvil, and the master of Berridale, in name of the nobility; the knights of Langton, Arnot, Deanmill, Airdrie, Balvaird, and Blebo; and the lairds of Craigmillar, Lugton, Buchanan, Dury younger, Balgony, Balbirny, Riccarton, Gogar, Boghall, Ingliston, Newliston, Clerkington, Newton, Ormiston, Ayton, Balfour, Lundy, Livingston, Bonhard, Ardross, Riccess, and Duddingston, with colonel Alexander Leslie, and Messrs. William Hamilton, Robert Preston, and William Dickson, in name of the barons and gentlemen; Messrs. William Scot at Cupar, George Hamilton at Newburn, Walter Greig at Balmerino, John Macgill at Flisk, and Andrew Blaiket at Aberlady, in name of the ministers; and George Bruce of Carnock, and George Porterfield, burgesses of Glasgow, and John Smith, John Mill, Lawrence Henderson, and Richard Maxwell, burgesses of Edinburgh, in name of the burgesses and commons, in regard none of these were commissioners to the assembly.

And, to the end the knowledge thereof might reach the delinquents, the foresaid commissioners were desired to make out a copy, in their own name, and in name of all the covenanters who were not members of the assembly, for each bishop, noticing in the subsumption to fill up the particular faults of each *respectivè*;⁴ or, if the blank left for that purpose could not hold all the particulars which might be offered, they were to draw up the same in a separate claim, and offer both to every presbytery where a bishop resided at the time, and where his cathedral-seat lay, with a petition to the presbyteries where such bishops' cathedrals or residences did lie, being the competent judicatures for trial of their scandals, to take the complaint against

³ P. 209, 219.

⁴ Ibid. p. 255, &c.

the bishop of their bounds to their consideration and trial, and either to take order therewith themselves, and censure the offender conform to the quality of the offence, or else make reference of the affair to the general assembly.

Accordingly, some one or other of these complainers did, about the end of October, present a copy of said complaint, amended as above, to each presbytery within whose bounds any of the bishops had their cathedral-seat or residence;¹ and, as was also before concerted by the Tables, all the presbyteries gave the same deliverance in substance upon the back thereof, viz. "Having considered this bill and complaint, we, according to the desire thereof, do refer the same to the next general assembly, to be holden at Glasgow 21st November; and we ordain the publishing of this complaint, and of our reference of it to the assembly, to be fully read by all the pastors of the presbytery, out of their pulpits, with a public warning and citation to the offenders complained on by name,—[Here they named not only the bishop of their own diocese, but all the other bishops]—to be present at the said assembly, to answer to this complaint in general, and to the particular heads of it, to undergo the trial and censure of it; and to bring with them the books and scrolls of the subscriptions and oaths of them who entered into the ministry; the books of the high commission, and the books of the general assembly, which they either had, or have fraudulently put away."

This conduct of the Tables, &c. we have narrated at the greater length, to obviate a mistake (though evidently a wilful one) current among the generality of the English historians, as if the presbytery of Edinburgh alone had done all this by their sole authority. The copy of the complaint and deliverance thereon, which they borrow from the Large Declaration, was, no doubt, that of the presbytery of Edinburgh; but that the said presbytery assumed an universal dominion over the bishops of

Scotland, as well without, as within their own bounds, as the Large Declaration doth assert, will no more follow, than that every other presbytery, to whom that complaint was presented, did assume the same authority. Now, that it was presented to other presbyteries beside Edinburgh, is evident from their own shewing in that Declaration, where, page 255, &c. they insert the whole resolutions of the Tables relative to this matter, every one of which might be adduced in support of this allegation, but we only recite the tenth article, which runs thus, "That, in case the presbytery where a bishop hath his residence, or where he hath his cathedral and episcopal seat, refuse to receive this complaint, or refer the same to the assembly, or to admonish or cite the bishop delinquent before the assembly, to answer to the complaint, the complainers to the presbyteries, upon their refusal, shall take instruments in the hands of the clerk of the presbytery, or any notary, and protest that their refusal of the ordinary care of justice procured (without doubt, by the bishop of that diocese complained of) be a formal citation of him; which protestation they may affix upon the dwelling-house of the said bishop, or upon his cathedral church, or the prime church within the presbytery; and that they may deal with any other presbytery within the diocese who is better disposed, and upon their receipt of the complaint, will refer the same to the assembly, and cite the bishop, in manner above expressed, to compare before the said assembly."

And, to instance only one particular more, principal Baillie informs us, that a copy of that complaint having been tabled before the presbytery of Glasgow,² (in which we have already heard there was a considerable number of ministers favourers of the bishops) against Mr. Patrick Lindsay, pretended archbishop of Glasgow, and a deliverance given by the presbytery, remitting the complaint, in respect of its general concern and great

¹ Large Declaration, p. 219.

² Collect. p. 476.

moment, to the general assembly, &c. he, the archbishop, was served by the presbytery-officer with a copy of said complaint and deliverance, in presence of two witnesses; and that, on the Thursday following, being a fast-day before the administration of the Lord's Supper, old Mr. John Bell, minister of the High church, made a general representation of the case to the congregation, and then gave down this complaint and presbytery-act to John Anderson his precentor, by whom they were read in the audience of all the people.

In like manner several presbyteries did prepare libels against such ministers in their bounds as had been scandalous in their conversation, or had vented arminian or popish doctrines, several of whom were remitted simply to the general assembly, and others of them judged on in part by the presbytery themselves,¹ as, a libel against Mr. David Mitchell, one of the ministers of Edinburgh, whom his presbytery suspended for heterodoxy, &c. notwithstanding the lord commissioner did interpose in his behalf, and at last charged them by a macer not to proceed against him.

At this time also the town-council of Edinburgh caused cite Messrs. Ranken and Brown, two of their regents, to answer for sundry things laid to their charge: Mr. Ranken was then in England, but Mr. Brown compeared, and offered to clear himself of all that he was accused of;² however, his process was short: the council told him that both he and Mr. Ranken held their office during pleasure, and it was not their pleasure that either of them should continue there longer; whereupon programmes were affixed for the filling up of their places with others who should be more ready to comply with the measures of the time.

The bishops and their friends having been unable to defend themselves against so universal and narrow a scrutiny into their lives, and yet disposed to shew their resentment as amply as they could, they thought of no less than a declina-

ture of the assembly, though indicted by authority of their sovereign, and pretended to assign a great many reasons, which were afterward said to have been revised by the king;³ the substance of which we may give when we come to shew the use which was made of them. The copy of this declinature, inserted in the Large Declaration, hath only the subscriptions of the two archbishops, and the bishops of Edinburgh, Galloway, Ross, and Brechin;⁴ but according to Mr. Baillie, the lord commissioner having been at pains to procure subscriptions thereto, there were about twenty hands, at most, obtained to it, and that some few others, particularly eight from the presbytery of Glasgow, made a form of protestation by themselves, but they fell from the same, and would not use it.

Matters being so far ripened for the assembly, the Tables gave forth as their last advice to their brethren, 1. That all the noblemen who subscribed the covenant should meet at Glasgow on the 17th of November, being the Saturday preceding the down-sitting of the assembly.⁵ 2. That all the elders chosen as commissioners to the assembly should be up against that time, and with them four gentlemen as assessors, who should give their advice to the elders in that common cause. 3. That each burgh should appoint two, four, or six, according to their number and quality, of the most judicious among them for the same purpose. 4. That the 4th of November be spent in fasting. 5. That particular congregations take care that no minister commissioner be absent for want of necessary charges. And, 6. That where any had been deceived or compelled to subscribe the court-covenant, the ministers of the place should take their declaration in writing, or before the session.

To prevent the effect of this advice, the privy-council were prevailed on to issue their act prohibiting any commissioner to carry more attendants with him to the assembly, than those of his

¹ Collect. p. 447. ² Ibid. p. 480.

³ Large Declaration, p. 248.

⁴ Collect. p. 576. ⁵ Ibid. p. 474.

own family and ordinary retinue;¹ but, when this was proclaimed, the covenanters did protest, that all might go thither who had interest as parties, witnesses, voters, or assessors; and that all might come with such a retinue and equipage as the councillors should give example of.

And lest this device should fail, by Traquair's advice, all those commissioners to the assembly, who could for any civil cause or pretence be got denounced, were put to the horn, for not payment of their taxations or debts, some few days before the down-sitting of the assembly, that so the assembly might be deprived of many members;² but against this a long paper of reasons was offered, arising from the following topics,³ viz.

1. Civil and ecclesiastical societies are distinguished, their members, rights, and privileges are distinct; the entry into these societies and extrusion are different: one may be a member of the commonwealth and not of the church, *et e contra*; the entry to the church is by baptism, to the commonwealth by birth; abscision from the commonwealth is by declared rebellion and treason, from the church by excommunication; so that a man, although cut off by excommunication, be no member of the church, yet, without declared rebellion, he continues a member of the commonwealth, *et e contra*. 2. Unless this distinction be observed, horning will be a real excommunication, *et e contra*. 3. Persons at the horn may use all other privileges, as to preach, &c.; and therefore, &c. 4. As there is no warrant in God's word for excluding any except declared heathens and publicans, so there is no act of our kirk for excluding any at the horn. 5. For acts of parliament, if there were any, they could only prohibit sitting in civil judicatures. 6. Though acts of parliament or custom may be alleged to prohibit declared rebels to have *personam standi in judicio*, yet there is none to prohibit *potestatem judicandi*. 7. This act or custom taking away *personam standi in judicio* is against parti-

cular persons, *et in causa propria*, not against incorporations, as presbyteries or universities. 8. If horning shall inhibit general assemblies, then by consequence other judicatures, and so doctrine and discipline may be thereby subverted. 9. The particular horning against the nobles respecting the taxation, they have sought a suspension upon this ground, that the body of the country will not pay, it being employed in providing arms, &c. against the commonwealth. 10. If *de facto* they bid them go to ward, and so impede their right of voting, let noble spirits give a noble answer. And, 11. The horning being used, at this time rigorously, *in fraudem totius ecclesie*, it ought to be so far from being respected, that it is to be resented, and the urgers thereof to be ecclesiastically punished. Upon the hearing of these reasons the lord commissioner and council found it necessary to pass from their device, and made no use of any such exception.

Upon the first of November the session sat down at Edinburgh, and next day the marquis went thither, and desired the lords who were present, to the number of thirteen, to subscribe his majesty's confession; several desired a delay, and this occasioned a debate which lasted about three hours, yet, in end, nine of them did subscribe, but the lords Durie, Craighall, Scotstarvet, and In-ner-teil did refuse for many causes, whereof the chief was the king's declared meaning, then intimated to them by his commissioner, that the innovations introduced into this church since the year 1580, were not repugnant to this covenant, and because the interpretation of the said covenant did belong to the general assembly.⁴ For these reasons they did, in all humility, protest, that those doubts should be cleared by the determination of the assembly then indicted, and that their refusing to subscribe might not be constructed to proceed from disloyalty or disobedience, but merely from a solicitude to walk warrantably in a matter of so great im-

¹ Collect. p. 577.

² Ibid. p. 577.

³ Ibid. p. 675.

⁴ Collect. p. 493, 516.

portance; and thereupon took instruments.

After this the marquis declared in council, that it was his majesty's pleasure that episcopacy might be limited, but not abolished; and he urged the council to make an act approving the king's will, that it might be the greater scarecrow to the assembly; but the motion was vigorously opposed by the lord advocate, and a paper, in substance the same with the last protestation, was sent from the covenanters to the council.¹ By these means the affair was got shifted for that time; but the advocate was complimented with many unkind words from the lord commissioner, and was charged, as his majesty's servant, to go to Glasgow and defend episcopacy, as he should answer at his peril; but he modestly declined that service, as what he could not answer for to God and his own conscience; whereupon the marquis discharged him from going thither at that time, which he obeyed.

The 4th of November being Sabbath, the same, with some following days, were, according to the advice of the Tables, observed in solemn fasting over all the land, for a blessing on the assembly; and, for inciting their devotion the more, it pleased God to afflict them with several other disagreeable circumstances.

About this time there was an accident which was like to have occasioned a present rupture: the mayor of Newcastle caused arrest a number of horses, which some of our countrymen had bought at a fair in that neighbourhood, as if bought for the service of our country against England;³ and the lord Johnston, when he understood this, would not suffer nolt and sheep to pass into England, so that hostilities were in a manner begun; but upon a letter from the king to the mayor of Newcastle, that arrestment was loosed, and the inhabitants of our borders did also suffer the drivers to pass through to England with their cattle.

The king's ships did also trouble our

coasts for a time, by stopping our ships under pretence of searching for prohibited goods;⁴ but, after they had done so for a little space, without success, they did give it over. It was suspected that their chief design in that was to have caught general Leslie in his passage from Sweden. This gentleman, renowned for military accomplishments, was so zealous for the Reformation in Scotland, that he caused a great number of our officers under his command to subscribe the covenant; and it was talked that he was bringing over the whole of these, and great store of warlike ammunition with him, for the assistance of his country against their king, which report, whether true or false, made it necessary for the court to look sharp out after him; yet, notwithstanding, he escaped their hands, and came over in a small vessel unmolested.

But that which gave the most uneasiness, was a rumour of great preparation making in England, both of horse and foot, against us;⁵ nor were these rumours groundless. The bishop of Sarum informs us, that Hamilton advised the king to go on in his preparations against the covenanters, and to seek assistance from the prince of Orange;⁶ and he inserts his majesty's letter, dated the 20th of October, bearing, that until the adherers to the last protestation were declared traitors, nothing would go as it ought in this kingdom; with his majesty's other letter, dated the 8th of November, wherein he empowers his commissioner to allow the sum of L.3000 sterling to the earl of Mar, a favourer of the country cause, if he would resign the government of the castle of Edinburgh; and that the necessary precautions were taken for securing and fortifying Berwick, and Carlisle, &c. And the same author informs us, that the marquis, having got the castle of Edinburgh into his hands, gave the command to general Ruthven, a brave officer, devoted to the king.

¹ Collect. and Burnet's Mem. p. 92.

² Baillie, p. 479.

³ Ibid. p. 481.

⁴ Baillie, p. 481.

⁵ Ibid. p. 478.

⁶ Burnet's Mem. Dukes of Hamilton, p. 82, 89, 90.

CHAPTER III.

Containing the history of the General Assembly holden at Glasgow in the end of the year 1638.

By this time the day was well mended with the opposers of defection; the cloud that began as a man's hand had now overspread the heavens, and, from a few inconsiderable supplicants, they were become almost the whole nation, and able to speak with their adversaries in the gate of judgment; and against all opposition to build the old waste places. But because that assembly was the most solemn, in several respects, that ever hath been in the kingdom, and yet is much unknown in the world, we will be excused for giving the following circumstantiated, though tedious narration of the same.

The commissioners from the west, hearing that the lord commissioner's train and attendants would be very numerous, they came by previous concert to Glasgow, upon Friday the 16th of November, to secure lodgings for themselves and their friends;¹ and next day the other commissioners to the assembly, lords, barons, ministers, and burgesses, who had by appointment met at Edinburgh some days before, came with their several assessors, a very great company, all into town in a body.

In the afternoon of that day, the lord commissioner, attended by the lords of privy council, and many other attendants, came also from Hamilton to Glasgow, and in the way was met and complimented by most of the nobility and other chief men among the covenanters, when much smooth language was spent betwixt them, the one protesting that nothing dissonant to scripture, reason, and law, should be asked, and the other assuring that nothing reasonable should be denied.²

On Monday the ministers met in three different places, because no private room could contain them all, and out of each meeting they did choose three, being nine in all, to meet with a committee of

the nobility, barons, and burgesses, for ripening and preparing what they should propose in public; but the most of their time was taken up in concerting who should be their moderator and clerk. For clerk, they were of opinion that Mr. Archibald Johnston, advocate, who hitherto had served the Tables without reward, and yet with great diligence, skill, and integrity, deserved that office beyond all others; but though they had the same good opinion of Mr. Alexander Henderson, minister at Leuchars for moderator, they doubted the expediency of putting him in that office; they expected much dispute with the bishops, or at least with the doctors of Aberdeen, and to take off their chief champion, by making him a judge of the party, they judged dangerous to their cause; yet, after they had seriously ruminated the matter, and that in no one of their number all the qualities necessary for a moderator, especially at that time, were to be found so eminently as in Mr. Henderson, they judged themselves shut up to make choice of him.³

Next day, the earl of Rothes, and some other commissioners, waited on the lord commissioner, and proposed that, according to the ancient custom, the assembly should begin with solemn fasting, and that, in the absence of the former moderator, Mr. John Bell, the oldest minister of the place, and otherwise well qualified for the purpose, might begin with a sermon, and moderate in the meeting till a moderator were chosen. To the first his grace agreed immediately, but not to the second; yet, after advising with Mr. Balcanqual, he sent him to desire Mr. Bell to preach on the Wednesday, and to moderate till another were chosen.⁴

The same afternoon, Mr. Alexander Somervell did preach and intimate the fast, and that there was to be sermon in all the churches of the city next day; and after dismissing of the congregation that evening, the ministers met and appointed preachers for all the churches during the sitting of the assembly, but

¹ Baillie, p. 577.

² Ibid. p. 578.

³ Baillie, p. 578.

⁴ Ibid. p. 579.

Mr. John Maxwell refused the use of his pulpit to any named by them, so long as the lord commissioner remained in town.¹

SESSION I.—On Wednesday the 21st of November the assembly convened in the high church of Glasgow,² which day, and for two weeks thereafter, the multitudes assembled were so exceeding great, that the members could not get access without the assistance of the magistrates and town guard, of the nobles and gentry, and sometimes, at first, the lord commissioner in person was pleased to make way for the members, but they were well accommodated after they got in. The lord commissioner sat in a chair of state, and at his feet, before and on each side, sat the lords of privy council, viz. Traquair treasurer, Roxburgh privy-seal, Lorn, now Argyle, his father having died shortly before, Mar, Moray, Angus, Lauderdale, Wigton, Glencairn, Perth, Tullibardine, Galloway, Haddington, Kinghorn, Southesk, Linlithgow, Dalziel, Dumfries, Queensberry, Belhaven, Almont, Sir John Hay clerk-register, Sir James Carmichael treasurer-depute, Sir William Elphinston justice-general, Sir James Hamilton justice-clerk, Sir Lewis Stewart of Blackhall, and several others. The covenanting lords and barons, whose names shall be mentioned in the list of commissioners to that assembly, sat at a long table in the floor, with their assessors, which consisted of almost the whole barons of note through Scotland; and in general, from all the fifty-three presbyteries, there were three commissioners, except from a very few, who sat all commodiously on seats rising up by degrees around the long table; a little table was set in the midst for the moderator and clerk; at the end was a high room prepared chiefly for the young nobility, viz. the lords Montgomery, Fleming, Boyd, Erskine, Linton, Crichton, Livingston, Ross, Maitland, Drumlanerick, Drummond, Keir, and Elcho, &c.; but the same was crowded with great numbers of other gentlemen, and the vaults above were

¹ Baillie, p. 580.

² Ibid. p. 158.

filled with ladies and gentlemen; the greatest defect, according to the bishop of Sarum, was, that in all that assembly there was not a gown to be seen, which he justly considered as an unlucky omen to the bishops.

The auditory being thus disposed, Mr. Bell preached from Rev. i. 12, 13. "I saw seven golden candlesticks, and in the midst of the seven candlesticks one like unto the Son of Man," &c. and had a very good and pertinent sermon, sharp enough against the late innovations and episcopacy; but it was a loss to the auditory that not a sixth part of them could hear the good old man distinctly.³

The forenoon's service being ended, it had been resolved to spend the afternoon in the same manner;⁴ but, though that was done in the other churches, it was found needful that the assembly should constitute on the day to which they were indicted, whereupon Mr. Bell came down to the moderator's chair, where, by humble acknowledgment of their sin, and of the Lord's righteousness in the judgments which had been long impending over them, by a thankful acknowledgment of the great mercy now vouchsafed them, and by fervent prayer for the out-pouring of the Spirit of truth and peace upon the members convened, he did constitute the assembly in the name of the Lord Jesus Christ, the alone king of his church, in which duty he was so heartily joined by the members, that the most were melted down into affectionate tears.

After prayer the lord commissioner gave in his commission to Mr. Thomas Sandilands, who had a deputation to officiate as clerk to that assembly, from his father Mr. James Sandilands, commissary of Aberdeen, clerk to the last assembly in the year 1618,⁵ which was in Latin, and may be seen in The Large Declaration, containing in substance, "That king Charles did grant full power and commission to James marquis of Hamilton to call a general assembly in

³ Row, p. 337. Baillie, p. 582.

⁴ Ibid. and Crawford, book iii.

⁵ Baillie, p. 583.

the kingdom and church of Scotland, when and where he pleased, and of doing all things that concerned the holding of the same according to the laws and practice of this church and kingdom." Bishop Burnet alleges,¹ that upon this his grace read a speech which had been prepared at court; but, according to Mr. Baillie,² he had no speech at that time, (though he admits they afterwards found him abundantly able to have done it) except that he desired his commission to be read, and the receipt thereof marked, which was done with great reverence.

Then the several commissioners from presbyteries, boroughs and universities gave in their commissions, every one almost of the same tenor, containing a power from the presbytery to three or two ministers,³ and one elder, to reason, vote, and concur, in their name, in all things to be proponed according to the word of God and the Confession of Faith, as they should be answerable to God and the church, which they desired might be read and examined; but the examination of them was deferred till a moderator and clerk were chosen. In the mean time a roll of them was made up, not after the order observed in the time of episcopacy, but according to the order of some old assemblies, by which they were afterwards enrolled and called upon; and this we shall insert below,⁴ from

¹ Mem. Dukes of Hamilton, p. 94.

² Collect, p. 583. ³ Ibid.

* Commissioner from the King's majesty,
JAMES MARQUIS OF HAMILTON.

Commissioners from the Presbyteries, both ministers
and ruling elders.

Presbytery of Dunse.

Mr Alexander Carse, minister at Polwart.
Mr John Hume, minister at Eccles.
Mr Thomas Swinton, minister at St. Bathans.
Sir David Hume of Wedderburn, knight, elder.

Presbytery of Chirnside.

Mr George Roul, minister at Mordington.
Mr Thomas Ramsay, minister at Foldoun.
Mr Walter Swinton, minister at Swinton.
James earl of Home, elder.

Presbytery of Kelso.

Mr Richard Simpson, minister at Sprouston.
Mr William Penman, minister at Morbattle.
Andrew Ker of Linton, elder.

Presbytery of Jedburgh.

Mr Robert Brownlee, minister at Kirkcoun.
Mr James Wilkie, minister at Crailing.
Mr Robert Cunningham, minister at Hawick.
Sir William Douglas of Cavers, elder.
Robert Simpson, Burgess of Jedburgh.

Presbytery of Erskintown.

Mr John Maitland, minister at Glenkirk.

a copy afterwards attested by the clerk, and printed, both in justice to the memory of the venerable and honourable members, and that the reader may see, with his own eyes, that the laics were not, as some allege, equal in number to the ecclesiastics.

And now, having inserted a roll of the members, it were ungenerous to pass over so famous a cloud of witnesses with barely naming them; and therefore I doubt not the reader, who esteems their memory, will bear with me when I add, that a more learned and pious assembly hath never been the attainment of our church: The characters by which the members are transmitted to us bespeak their learning: For, besides that the clergy of that time shew as much of it in their works as hath been afforded in any other period, when heard we of so many nobles, barons, and gentlemen, in any other of our assemblies as in that? Few among the laymen were below the station of the chief magistrate of a borough, or the town-clerk in some of the smaller boroughs, and consequently may be presumed to have been the most intelligent of their several societies; and for their piety, the unanimous choice made of them by those who best knew them, at a time too when a superficial profession or scanty measure of devotion was little accounted of, and when so much did depend upon them, is as

Mr Henry Cockburn, minister at Gingilkirk.

John lord Cranston, elder.

Mr Alexander Hume, bailie, Burgess of Lauder.

Presbytery of Melrose or Selkirk.

Mr William Jamieson, minister at Longnewton.

Mr Robert Martin, minister at the new kirk of Ettrick.

Mr John Knox, minister at Bowden.

Sir John Ker of Cavers, elder.

Presbytery of Dunbar.

Mr Patrick Hamilton, minister at Innerkirk.

Mr John Lauder, minister at Tunninghame.

Mr John Dalziel, minister at Prestonkirk.

Sir Patrick Hepburn of Waughton, knight, elder.

George Purves, Burgess of Dunbar.

Mr Patrick Hume, Burgess of North-Berwick.

Presbytery of Haddington.

Mr John Ker, minister at Salt Preston.

Mr James Fleming, minister at Bathans.

Mr John Oswald, minister at Pencaitland.

John lord Hay of Yester, elder.

Mr George Gray, common clerk, Burgess of Haddington.

Presbytery of Dalkeith.

Mr James Porteous, minister at Lasswade.

Mr James Robertson, minister at Cranston.

Mr Oliver Colt, minister at Inveresk.

William earl of Lothian, elder.

Presbytery of Edinburgh.

Mr Andrew Ramsay, minister in Edinburgh.

Mr Harry Rollock, minister there.

Mr William Colvin, minister at Cramoud.

ample evidence in their favours as can be brought of any assembly we ever had, this one thing excepted, viz. that many

of the members, especially of the ecclesiastics, were some way involved in the defection of the former period; but from

John lord of Balmerino, elder.
Mr James Cochran, dean of guild in Edinburgh.
Thomas Paterson, Burgess of Edinburgh.
Mr John Adamson, principal of the University of Edinburgh.

Presbytery of Linlithgow.
Mr Richard Dickson, minister at Kinniel.
Mr Andrew Keir, minister at Carriden.
Mr James Simpson, minister at Bathgate.
George Dundas of that ilk, elder.
James Glen, provost of Linlithgow.

Presbytery of Stirling.
Mr James Edmonston, minister at St. Ninians.
Mr William Justice, minister at Gargunock.
Mr Edward Wright, Minister at Clackmannan.
Sir William Murray of Toghaddame, elder.
Thomas Bruce, provost of Stirling.

Presbytery of Peebles.
Mr John Bennet, minister at Kirkurd.
Mr Robert Livingston, minister at Stirling.
Mr Hugh Ker, minister at Traquair.
James Williamson, provost of Peebles.

Presbytery of Middleby.
Mr Simeon Johnston, minister at Annan.
Mr John Hamilton, minister of Westerkirk.
James lord Johnston, elder.

Presbytery of Lochmaben.
Mr Robert Henderson, minister at Lochmaben.
Mr David Roger, minister at Undergarth.
James Douglas of Mousel, elder.

Presbytery of Penpont.
Mr George Cleland, minister at Durisdeer.
Mr Samuel Austin, minister at Penpont.
William Ferguson of Craigdarroch, elder.

Presbytery of Dumfries.
Mr James Hamilton, minister at Dunfries.
Mr William MacJore, minister at Carlawerock.
Mr Alexander Tran, minister at Lochoyton.
John Charteris younger of Amesfield, elder.
John Irvine, late provost of Dumfries.

Presbytery of Kirkcubright.
Mr Samuel Rutherford, minister at Anweith.
Mr William Dalgleish, minister at Kirkmabreck.
Mr Samuel M'Lenan, minister Kirkcubright.
Alexander Gordon of Earlston, elder.
William Glendinning, provost of Kirkcubright.
Robert Gordon of Knockbrenx, Burgess of New-Galloway.

Presbytery of Wigton.
Mr Andrew Anderson, minister at Kirkinner.
Mr Andrew Lauder, minister at Whitehorn.
Andrew Agnew of Lochna, elder.
Alexander MacGhie, Burgess of Wigton.

Presbytery of Stranraer.
Mr John Livingston, minister at Stranraer.
Mr James Blair, minister at Portmontgomery.
Mr Alexander Turnbull, minister at Kirkmaiden.
Robert Adair of Kinhill, elder.
James Glover, clerk of Stranraer.

Presbytery of Ayr.
Mr James Bonnar, minister at Maybole.
Mr John Fergushill, minister at Ochiltree.
Mr Robert Blair, minister at Ayr.
John earl of Cassilis, elder.
John Stuart, late provost of Ayr.

Presbytery of Irvine.
Mr Robert Baillie, minister at Kilwinning.
Mr William Russel, minister at Kilbirny.
Mr David Dickson, minister at Irvine.
John lord Lowden, elder.
Mr Robert Barclay, provost of Irvine.
Matthew Spence, provost of Rothsay.

Presbytery of Argyll.
Mr Donald MacIvor, minister at Inverary.
Mr Nicol MacAllum, minister at Kilmun.
Mr James Campbell, minister at Killinnan.
Archibald Campbell of Kilmun, elder.

Presbytery of Dumblaton.
Mr David Elphinston, minister at Dumblaton.
Mr Robert Watson, minister at Cardross.
Mr John Stirling, minister at Badernock.
Walter MacAulay of Ardineapple, elder.
John Semple, provost of Dumblaton.

Presbytery of Paisley.
Mr William Brisbane, minister at Erskine.
Mr John Hamilton, minister at Innerkip.
Mr Matthew Brisbane, minister at Killlellan.

John Brisbane of Bishoptoun, elder.

John Spreul, Burgess of Renfrew.
Presbytery of Glasgow.
Mr John Bell, senior, minister at Glasgow.
Mr Zachary Boyd, minister of the Barony Parish.
Mr James Sharp, minister at Govan.
Alexander earl of Eglington, elder.
David Spence, clerk of Rutherglen.
Patrick Bell, provost of Glasgow.

Presbytery of Hamilton.
Mr Patrick Hamilton, minister at Cambuslang.
Mr James Johnston, minister at Stenhouse.
Mr John Heriot, minister at Blantyre.
William Baillie of Carphin, elder.

Presbytery of Lanark.
Mr William Livingston, minister at Lanark.
Mr Alexander Somerville, minister at Dolphington.
Mr Richard Inglis, minister at Westoun.
Sir William Baillie of Lamington, elder.
Gideon Jack, baillie of Lanark.

Presbytery of St. Andrews.
Mr Alexander Henderson, minister at Leuchars.
Mr Andrew Auchinleck, minister at Largo.
Mr James Bruce, minister at Kingsbarns.
John lord Sinclair, elder.
James Sword, Burgess of St Andrews.
Ninian Hamilton, Burgess of Craill.
Thomas Simpson, town-clerk of Kilmrinne.
William Hamilton, Burgess of Anstruther-easter.
John Tullous, clerk of Anstruther-wester.
James Airth, clerk of Pittenweem.

Presbytery of Cupar.
Mr David Dalgleish, minister at Cupar.
Mr John Moncrieff, minister at Colleslie.
Mr Walter Buchanan, minister at Ceres.
John lord Lindsay, elder.
George Jamieson, merchant, Burgess of Cupar.

Presbytery of Kirkcaldy.
Mr Frederick Carmichael, minister at Kennoway.
Mr Robert Douglas, minister at Kirkcaldy.
Mr Robert Cranston, minister at Scoonie.
John earl of Rothes, elder.
John Williamson, Burgess of Kirkcaldie.
David Simpson of Monturpie, Burgess of Dysart.
Mr Robert Cunningham, Burgess of Kinghorn.
George Gairdine, Burgess of Bruntisland.

Presbytery of Dumfermline.
Mr John Row, minister at Carnock.
Mr John Duncan, minister at Culross.
Mr James Sibbald, minister at Torrie.
Robert lord Burley, elder.
James Reid, provost of Dumfermline.
Gilbert Gourlay, baillie of Culross.
John Baird, Burgess of Inverkeithing.

Presbytery of Dumblane.
Mr Henry Livingston, minister at Kippen.
Mr Andrew Rhind, minister at Tillicultrie.
Mr William Edmondston, minister at Kilmadock.
Sir George Stirling of Keir, knight, elder.

Presbytery of Auchterarder.
Mr George M'usht, minister at Dunning.
Mr James Row, minister at Muthill.
Mr John Graham, minister at Auchterarder.
James earl of Montrose, elder.

Presbytery of Perth.
Mr Robert Murray, minister at Methven.
Mr John Robertson, minister at Perth.
Mr Alexander Petrie, minister at Rhind.
John earl of Wemyss, elder.
Thomas Durham, dean of guild in Perth.

Presbytery of Dunkeld.
Mr William Menzies, minister at Kenmore.
Mr John Anderson, minister at Cargill.
Mungo Campbell, fiar of Lawers, elder.

Presbytery of Meikle.
Mr George Seymour, minister at Meikle.
Mr George Halyburton, minister at Glenislay.
James lord Cupar, elder.

Presbytery of Dundee.
Mr Andrew Wood, minister at Monyfooth.
Mr John Robertson, minister at Auchterhouse.
David Graham of Fentrie, elder.
James Fletcher, provost of Dundee.

Presbytery of Forfar.
Mr John Lindsay, minister at Aberlemno.
Mr Silvester Launie, minister at Glamis.
Mr Alexander Kininmont, minister at Kirtmure.
James Lyon of Auldbar, elder.

this charge must be excepted, (1.) Our countrymen who, having fled from the persecution of the prelates in Ireland, were settled by presbyteries in Scotland, after the remarkable æra in the year 1637, as Mr. Blair at Ayr, Mr. Livingston at Stranraer, Mr. Hamilton at Dumfries, Mr. McLellan at Kircudbright, &c. (2.) All those who, during the former period, suffered for their non-conformity, as Mr. Dickson at Irvine, Mr. Rutherford at Anwoth, Mr. Livingston at Larnark, Mr. Dalgliesh at Kirmabright, Mr. Dickson at Kinniel, and others. (3.) All who, though they did not suffer for non-conformity to episcopacy and ceremonies, were kept free of these corruptions. Mr. Robert Douglas, a member of this assembly, and one of the greatest men our church hath produced, justly observes in his letters, quoted by Mr. Wodrow, "That the bishops, before this period, removed very few, and suffered many eminent godly men to live at their charges," of which number were a great many of the foregoing roll, as Mr. Ker at Prestonpans, Mr. Fleming at Bathans, Mr. Fergushill at Ochiltree, Mr. Bell senior at Glasgow, Mr. Somerville at Dolphington, Mr. Henderson at Leu-

chars, Mr. Bruce at Kingsbarns, Mr. Douglas at Kirkaldy, Mr. Row at Carnock, Mr. Robertson at Perth, Mr. Cant at Pitsligo, &c.¹ (4.) The candid reader will also judge charitably of those who, though they attended the bishops' courts, did never swear the oath of supremacy to the king and their ordinaries, and opposed the gross corruptions of the time, particularly arminianism and popery, as Mr. Baillie at Kilwinning, and Mr. Ramsay and Mr. Rollock at Edinburgh. And it must be admitted as a *salvo* for those who were most guilty, that ere this time they had publicly confessed, and forsaken their former courses, and returned unto the Lord by solemn fasting, yea, and covenanting too, as is abundantly evident from the foregoing history, and Messrs. Blair and Livingston's lives.

SESSION II.—After prayer the moderator, *pro tempore*, signified his earnest desire that the assembly would proceed to the choice of a moderator; whereupon the lord commissioner demanded that his majesty's letter to the assembly should be read, the amount whereof was a command, "That the assembly would give the same reverence and obedience to

David Hunter, provost of Forfar.
John Graham, baillie of Montröse.
Robert Dempster, baillie of Brechin.

Presbytery of Meris or Fordoun.

Mr James Sibbald, minister at Benholm.
Mr Andrew Mill, minister at Fetteresso.
Mr Alexander Simpson, minister at Conventh.
Sir Gilbert Ramsay of Balmain, elder.

Presbytery of Aberdeen.

Mr David Lindsay, minister at Balhelvie.
Mr William Guild, minister at Aberdeen.
James Skeen of that ilk, elder.
Mr John Lundie, professor of humanity for the university of Aberdeen.

Presbytery of Deir.

Mr Andrew Cant, minister at Pitsligo.
Mr James Martin, minister at Peterhead.
Mr Alexander Martin, minister at Deir.
Alexander Fraser of Philorth, elder.

Presbytery of Alford.

Mr John Young, minister at Keig.
Mr John Ridford, minister at Kinbetrock.
Mr Andrew Strahan, minister at Tilleneshill.
Mr Michael Elphinston of Balabeg, elder.

Presbytery of Turreff.

Mr Thomas Mitchel, minister at Turreff.
Mr William Douglas, minister at Forg.
Mr George Sharpe, minister at Fyvie.
Walter Barclay of Towie, elder.

Presbytery of Kincardine.

Mr Alexander Robertson, minister at Clunie.
Presbytery of Garioch.
Mr William Wedderburn minister at Bathelmie.
Andrew Baird, Burgess of Banff.

Presbytery of Forres.

Mr William Falconer, minister at Dyke.
Mr John Hay, minister at Raffert.
Mr David Dunbar, minister at Edinkally.
William Ross of Clova, elder.
Mr John Dunbar, baillie of Forres.

Presbytery of Inverness.

Mr John Howison, minister at Wartlaw.
Mr Patrick Dunbar, minister at Durris.
James Fraser of Bray, elder.

Presbytery of Tain.

Mr Gilbert Murray, minister at Tain.
Mr William MacKenzie, minister at Tarbet.
Mr Hector Monro, minister Nether-Tain.
Sir John MacKenzie of Tarbet, elder.
Mr Thomas MacCulloch, baillie of Tain.

Presbytery of Dingwall.

Mr David Monro, minister at Kiltairn.
Mr Murdoch Mackenzie, minister at Containe.
John Monro of Lumlair, elder.

Presbytery of Dornoch.

Mr Alexander Monro, minister at Golspie.
Mr William Gray, minister at Clynie.
George Gordon, brother to the earl of Sutherland, elder.

Presbytery of Thurso.

Mr George Leslie, minister at Dower.
Mr John Smart.
John Murray of Pennyland, elder.

Presbytery of Kirkwall.

Mr David Watson, minister at the Isle of Wastrely.
Mr Walter Stewart, minister at Sutherlandstay.

It appears from the original commissions still extant, and indorsed in the handwriting of Mr Archibald Johnston, the clerk, as "produced and approved 24th November 1638," that three elders from Dumfriesshire are omitted in this roll, viz.—John Kennedie of Hal-leathes, baillie of Lochmaben, Walter Millar, clerk of Annan, and William Grierson baillie of Saquhar. The number of members whose commissions were sustained, amounted at least to 140 ministers and 100 ruling elders.

¹ Hist. vol. i. p. 118.

James, marquis of Hamilton, his commissioner, as if he himself were personally present; and promising that whatever his said commissioner should offer in his name, he would ratify the same;" which demand was no sooner made than obeyed, and the letter registrated in the books of the assembly.¹

This order obeyed, Mr. Bell requested the lord commissioner again to allow the assembly to proceed to the choice of a moderator; his grace protested he was willing to give way thereto, but alleged that they ought first to proceed to the trial of the commissions, that they might know who had a right in the choice of a moderator, and who not.

The ice being once broken, a tough dispute ensued betwixt the lord Traquair and Sir Lewis Stewart (who in the absence of the advocate sustained his place) on the one part, and the lords Rothes and Loudon (for Balmerino, who was as able as any of them to have spoken well, held himself quiet), with Messrs. Dickson, Henderson, and Livingston senior, on the other.

With what reasons the lord commissioner and his assessors supported their plea, all my authors, even the Large Declaration, and bishop Burnet, are silent; but by the others it was argued, that an ecclesiastical moderator behoved to be chosen before the commissions were examined.² (1.) "From the constant practice of this church. (2.) Reason saith that the assembly should ascend by degrees to its constitution, from a promiscuous convention to a number instructed with commissions from the several kirks of the kingdom, unto whose commission so much respect is due, that they be presumed to be for the most part valid, at least have a vote in choosing a moderator to themselves, by whose means every commission may be more exactly tried. (3.) It is one of the points of the freedom of the assembly, that the commissioners choose their own moderator immediately after the exhibition of their commission, lest any thing which concerns them be done

¹ Crawford, b. iii.

² Ibid.

irregularly, without their consent, in the meeting where they are present. (4.) The trial of the commissions is one of the weightiest matters of the assembly, and never was the validity of them discussed before the moderator was chosen, and the judicatory brought to a frame, so far as the whole might judge of every part; nor can they be discussed till the judicatory be constituted in the manner which by the law has authority to judge thereof. (5.) It was required, in all the supplications for a free assembly, that the questions belonging to the manner and matter of assembling should be referred to the assembly itself, and now, seeing an assembly is indicted, therefore a formal assembly must once be made before any question belonging to them can be rightly discussed, which cannot be done till a moderator be chosen by common consent of the church now convened by her representatives. (6.) Seeing the commissioners present do represent the churches from which they are commissioned, and come with proper instructions, it were a wrong to the several churches here convened by their delegates, not to suffer them to embody themselves, and to draw their own members to some orderly frame, that at the first entry they may proceed regularly."

These reasons having been insisted on at great length, the lord commissioner and lords of council retired into the chapter-house, where they consulted together for a good space, and, at their return, his grace condescended to permit the choice of a moderator, under protestation that the same should not import his approbation of any commission against which he should in due time propone just exceptions, or import his acknowledgment of any delegate for a lawful member of this assembly; upon which he took instruments. In like manner his grace did protest, that the nomination of a moderator should no-wise prejudice the lords of the clergy in their office, dignities, or any privilege which law or custom had given to them; upon which he also took instruments.³

³ Baillic, p. 585.

In answer to these the earl of Rothes, in name of the commissioners from presbyteries, boroughs, and universities, did protest, 1. That the lord commissioner's protestation should nowise prejudice the lawful commissions produced by them, nor the freedom of the assembly, nor afford any ground of quarrel against the same, or its proceedings, in time coming, in regard they did offer to hear all objections at discussing the particular commissions. 2. That the assembly, then to be fenced in the name of the Son of God, should, in all time coming, be esteemed and reputed a free general assembly, and that it should be lawful to them to extend the said protestation, and reasons of the same, before the assembly were dissolved. And, 3. That no protestation made in favour of the privileges of the archbishops and bishops should be admitted, till they and their rights and privileges, complained upon by the most part of the kingdom, in their summons, be tried, and either allowed or disallowed in that assembly; and that the determination of the same by the assembly, according to the word of God and confession of faith, should be esteemed and observed as most just and lawful. Likewise the lord Montgomery, in name of the complainers against the bishops, did protest that his grace's protestations should not prejudice the discussing in that assembly, of their complaints against the persons, titles, dignities, and privileges of the pretended bishops. Upon which several protestations, these lords respectively asked and took instruments.¹

By this time Mr. Bell, hoping to be relieved, did renew the motion for choosing a moderator, but was interrupted by the lord commissioner, who represented that there was presented to him a paper in name of the lords of the clergy, and craved that the same might be read instantly.² Upon this, some reasoned so sharp against the motion being listened to till a moderator was chosen, that his grace was offended, and

by the authority of his royal master, he did require the reading of that paper; but on a sudden there arose a tumultuous clamour, crying, "No reading, no reading," which did farther incense his lordship, and was displeasing to the most of the members. This outcry being hushed, the lord commissioner did protest that their refusing to hear that paper was unjust, and that it was injurious to call the archbishops and bishops pretended, while the acts of parliament authorised them. Against which the delegates from the presbyteries did also protest, that the bishops behoved to be taken for pretended till the assembly should try the challenges which were given in against them, but promised, at the same time, that, so soon as a moderator was chosen, any paper which his grace desired to be read should be heard.

And now it was expected that every one had been weary of protesting except the clerk, who received a piece of gold with each; but, beside their hopes, a new bone of contention was thrown in amongst them: the lord commissioner informed them that his majesty had wrote letters to six of the councillors,³ viz. the lords treasurer and privy seal, Argyle, Lauderdale, Carnegie, and Sir Lewis Stewart, to be his assessors, not only for counsel, but also for voting in the assembly. The earl of Argyle's letter was publicly read, and the lord commissioner urged that his majesty's desire should be condescended to before any farther procedure. To this it was answered, with all respect to the worthy nobles named, that the lord marquis, in the produced commission, was appointed sole commissioner; that assessors were only for counsel, and not for multiplication of votes; that the king in person would require but one voice, and that the giving of more to the assessors might give way not only to very many, as in some assemblies had taken place, but to so many as by plurality might oversway all. Against this refusal his grace did protest with some grief, and

¹ Baillie, p. 585, and the Journal.

² Ibid. p. 586, and the Journal.

³ Baillie, p. 587.

was in like manner answered with great concern.

At length, all objections against choosing a moderator being overcome, Mr. Bell did put upon a lect with Mr. Alexander Henderson, minister at Leuchars, Mr. John Ker, Mr. John Row, Mr. James Bonnar, and Mr. William Livingston;¹ all, except Mr. Henderson, old and unfit for the fatigue of that office, (for Messrs. Dickson, Ramsay, Rollock, or any other who might have been acceptable next to Mr. Henderson, were purposely kept off, lest the votes had been divided); and so, the lect being put to voting, the choice centred in the great Mr. Henderson, without a contrary voice, or even a silent member, unless the lord commissioner was so; for it was his custom rather to give a kind of permission, than say anything that might import a direct assent, resolving, it seems, to keep himself so free, that he might, when he would, disavow all that was done. The moderator being chosen, he did, by solemn prayer, constitute the assembly, *de novo*, in the name of the Lord Jesus Christ; for, "among that man's other good qualifications," saith principal Baillie, "this was one, a faculty of grave, good, and fervent prayer, ever suited to the matter in hand, which he exercised without fainting to the end of the assembly."² After prayer he made a pretty oration for the encouragement and direction of his brethren; and then it was resolved on by the assembly, that, in respect of the shortness of the day, and severity of the season, they should have but one session in the day.

SESSION III.—The first thing to be done at this diet, was the choice of a clerk to the assembly; but, as soon as this was moved for by the moderator, it was opposed by the lord commissioner.³ His grace, whether of intention to have a clerk on whose submission to injunctions he could depend, or to shew his sympathy to the old clerk, insisted that Mr. Thomas Sandilands's son, who was present, and had a deputation

from his father, might be continued in that office, and desired the young man might be heard to speak for his interest. Upon this Mr. Sandilands informed the assembly, that his father had that office by demission from Mr. Thomas Nicolson the former clerk; that he was secured in it by act of the assembly 1616, that he had continued to discharge it dutifully till now, when, infirmity and old age having overtaken him, he had given a deputation to the informer, who demitted his interest to the consideration of the assembly.⁴

To this it was answered, that Mr. James Sandilands had not his office by the voices of a free general assembly;⁵ that such right as he had was not transmissible to another without the assembly's consent; and that the man, through age and infirmity, was *civiliter mortuus*, unable to discharge his office, and his son unwilling to attend at Edinburgh, where, in respect of the general resort, the registers of the church ought to be kept; therefore any personal loss or prejudice which Mr. Sandilands could sustain by the want of that office, behoved to give way to the prejudice which the public would sustain by his having it.

For these, and many other reasons, (for there was more dispute concerning that matter than was decent) the assembly found the place vacant, and the said Mr. Thomas Sandilands, with Mr. Archibald Johnston advocate, and two others, were put on a lect for election;⁶ whereupon the lord commissioner did renew the plea for his assessors' votes. He craved that his majesty's letters to them, and his protestation upon refusing their votes, might be read, which was done;⁷ and then his grace, assisted by Traquair and Sir Lewis Stewart, did urge a present compliance with his majesty's pleasure in that particular, and alleged that was the custom in the time of king James VI. of worthy memory, a privilege from the possession of which his majesty ought not to be debarred *brevi manu*; yet still the moderator and others

⁴ Baillie, p. 589.

⁵ Journal.

⁶ Baillie, p. 589.

⁷ Ibid.

¹ Baillie, p. 587. ² Ibid. ³ Ibid. p. 588.

opposed the demand, professing their great regard to his majesty's commands, and to their lordships who were named as assessors, but that they were as strongly bound to be zealous for the church's liberty, who was the mother of them all; and alleged that, by yielding in this particular, they would prejudge her liberty in a variety of instances; whereupon the lord commissioner renewed the protest which he had taken yesternight, and the lord Loudon, in name of the commissioners to the assembly, gave in reasons, of a pretty high strain, why the lord commissioner and his assessors ought to have but one vote.¹ The substance of a part of these are in the answers to the protest taken on the same ground at the former session, and what seemed new in them was as follows.² "1. Because the general assembly is an ecclesiastical meeting of ecclesiastical persons, all ministers or elders, representing particular presbyteries, who cannot all convene, and the civil magistrate does not represent any of them, and so cannot vote, either *virtute sui officii*, for then that right were competent to all civil magistrates, supreme and subordinate, *semper et ubique*, to papists, Turks, &c.; nor yet *virtute representationis*, seeing he wants a commission from a particular presbytery. 2. Because *præses politicus ordinis causa* had no voice in ancient councils, nor should have any vote in assemblies, except he be privileged by a particular act for the same. 3. Because there were thirty-nine assemblies in this kingdom before ever his majesty or his commissioners sat in assembly, and after that they never had an act of assembly for more votes than one. 4. The king's commission bears no assessor, but only authorises the marquis for his sole commissioner; they cannot vote for him from whom they have not a commission, and, if they had, it behoved to be under the great seal, and would contradict the marquis's sole commission, and be equal to his in this assembly. 5. If assessors had power to reason and vote as well as the commissioner, there would

be no difference between their power in this assembly, and they would be like *conjuncti deligati judices*, and then contrariety of voices would nullify their vote. If the king's majesty were present, could it agree with his dignity to have assessors voting equally with him? And the lord marquis's commission, bearing, *Ac si ipse rex ibidem ad cæset sustinens ejus personam secundum legem et praxin*, this must be taken conjunctly, and not disjunctly, with the acts and practice of the church, and not according to any corrupt practice contrary to the acts of the church. And, 6, although the assessors had power of reasoning, it behoved only to be after the assembly is constituted, after licence craved of the moderator, after the reasoning of the commissioners themselves, and only by proposing questions *animo ædificandi, non tentandi*, out of a doubt of conscience against the assembly's propositions or apparent conclusions, but noways against any of the confessions of faith, in doctrine or discipline, now sworn to by the whole kingdom for the third time."

Of these reasons Traquair craved a double, and promised to answer them, but he never found leisure for the employment.³

Further altercation being put off, and the roll called on the vote for a clerk, it carried almost unanimously for Mr. Archibald Johnston, who, having given a solemn oath for his fidelity, diligence, and conscientious keeping and using of the registers, was admitted to all the rights, profits, and privileges which any in that office had formerly enjoyed, and instruments were taken both of his admission and acceptance.⁴

Mr. Johnston having been thus installed, the moderator required that all who had any of the books or acts of former assemblies should put them in his hand; whereupon Mr. Thomas Sandilands exhibited two books containing some acts from the year 1590, to the assembly at Aberdeen anno 1616, with some minutes of the acts of the said last assembly on a paper apart; as also the minutes of

¹ Baillie, p. 589.² Ibid. p. 680.³ Baillie, p. 590.⁴ Ibid. and Journal.

the assembly at St. Andrews anno 1617, and the acts of the assembly at Perth anno 1618, subscribed by his father, all which he delivered in presence of the assembly; and, being farther interrogated concerning the rest, he solemnly averred that his father received the above, and no more, from the archbishop of St. Andrews, and that, to his knowledge, he had no other registers belonging to the church.

So many registers being still wanting, the moderator bewailed the loss, and exhorted all to contribute their endeavours for recovering them, seeing they were the *magna charta* of the church of Scotland, containing all her privileges since the reformation, and extremely needful for casting light on several matters to be then handled. The lord commissioner did also profess his willingness to aid the assembly in so good a work, and the earl of Rothes did put them on the scent, by reminding them that king James had sent an order to Mr. Thomas Nicolson, who preceded Mr. Sandilands as clerk to the assembly, to deliver the registers of the church to the archbishop of St. Andrews, and moved his grace for an order to oblige the bishops to deliver up what they had of these registers.¹

Upon this Mr. Archibald Johnston, (who till now sat quiet, that all that the assembly knew concerning these registers might be brought out,) gave them an evidence how deserving he was of the trust reposed in him, by producing on the table five books, which, with the two registers given up by Mr. Sandilands, were, he said, sufficient to make up a perfect register of the church from the reformation. He informed the assembly that the first two contained the acts of assembly from the reformation to the year 1572, and were signed by Mr. John Gray, their clerk; the third contained the acts of assembly from that to the year 1579, except that a few leaves, from the 22d to the 27th, which contained archbishop Adamson's process, were torn out. The fourth contained the acts of assembly from the year 1586, to the year

¹ Baillie, p. 590, 591, and Journal.

1589, and were written and signed on the margin by Mr. James Ritchie and Mr. Thomas Nicolson, clerks successive. And the fifth and greatest volume contained the acts of assembly from the year 1560, to the year 1590, and was margined by the hand-writ of the assembly-clerks. And farther, he informed the assembly, that he received the first four from Alexander Blair, writer, who was first servant to Mr. Robert Winram, depute-clerk to the modification of stipends, and succeeded him in that office under Mr. Thomas Nicolson, clerk to the assembly; and, for the fifth, that he had it only in loan from a minister.

This discovery did greatly rejoice the hearts of every one, and when the moderator proposed that a course might be taken for trying the authenticity of these registers, Mr. John Row told them, that he had in his hand a copy of the book of policy, subscribed by Mr. James Ritchie, which would tend to cognosce his hand-writ; and Mr. Johnston added that he had the original book of policy, written on Lombard paper, which would also conduce to that end.² Yet, after all, that they might build on a sure foundation, the moderator desired that these books might be examined by Argyle, Lauderdale, and Southesk. Argyle professed his willingness to bestow his pains that way, but the lord commissioner would not allow his assessors, seeing they were precluded of a vote, to do the drudgery of the assembly. Upon which, principal Adamson, with Messrs. Andrew Ramsay, James Bonnar, John Row, and Robert Murray, ministers, with Mr. Alexander Gibson younger of Dury, Mr. Alexander Pearson, advocate, and Mr. Alexander Wedderburn, clerk of Dundee, three of the assessors to the assembly, were appointed a committee to peruse, examine, and cognosce the said books, and to report their diligence to the assembly so soon as they could overtake the same, which they did, as we shall notice in its place.

This affair having been proceeded in as far as it could for the time, the mo-

² Baillie, p. 591.

derator proposed that the assembly might proceed next to try the commissions of the delegates, that so the assembly might be fully constituted; but the lord commissioner required that Dr. Robert Hamilton, who had come to him the day before with a paper from the lords of the clergy, might first be heard; he called for the doctor, caused him present his paper to be read, and urged, that, seeing the objections concerning a moderator and clerk were removed, that paper might be now heard.¹ It was answered over and over again, that this could not be till the commissions were discussed, and the assembly fully constituted. Traquair alleged, that the paper had exceptions against the lawfulness of the election of the commissioners, which were unseasonable to propose if once the commissions were approved.² The lord commissioner assured the assembly that he knew not what was in that paper, yet, supposing it was calculated for enlightening the members as to who were duly qualified and chosen, or who not, that it was the only time to read the same before voting. Rothes replied, that exceptions against particular delegates could not be proponed till their commissions were tried, and exceptions against the whole assembly could not be heard till it were fully constituted. And so, after a long dispute between the lord commissioner and Traquair on the one part, and Rothes, Loudon, and the sheriff of Tiviotdale, on the other, in which it was discovered that the paper did contain a protestation against the whole members;³ that the bishops were seeking not a bare reading, but examination of the points contained in it; and fearing that the lord commissioner aimed at taking the judgment of commissions to himself, the assembly over-ruled the motion till the commissions were tried, but promised that the papers now offered should have the first hearing after that; whereupon the lord commissioner did protest, that the not reading of that paper before trying the commissions

should infer no prejudice to the lords of the clergy and their adherents, and of this protestation he required an act from the new clerk.⁴ Mr. Johnston answered, that he could write no act without a warrant from the assembly, and it could not give a proper warrant till it were fully constituted; whereupon his grace said, if that was refused he would take instruments in the lord register's hands. Mr. Johnston replied, that he was willing, at the moderator's desire, to write his grace's protestation, but alleged that he could not give out an extract of the same till the assembly were constituted; and thereupon he was set to framing, and, with difficulty, made out a protest to his lordship's mind; for his grace declared, that, though he was a great commissioner, yet, as a poor subject and servant, he was liable to account, and was therefore bound to be punctually circumspect. Yet after all, Traquair made a new motion, that the paper might be read before the commissions were read, and the consideration of it might be deferred till the assembly were fully constituted. Loudon answered, that it was noways competent for them to hear a paper as judges, before they were found to be judges. And, when they had harped a considerable time upon that string, Argyle put in his word, and alleged, that, as a party does give in exceptions against an assize, before the assize be sworn, so if the bishops had exceptions against the assembly, then was the season for proponing the same, when the members, though called and convened, were not yet tried. This, it seems, pinched the moderator, for, with some warmth, he retorted, that the lord commissioner had sufficient abilities himself for discharging the trust reposed in him, and that his lordship only should speak there; that the assembly were not to be diverted from their business by all the exceptions which a number of witty noblemen might make; and that those who were not commissioners would do well to take a proper time for informing his grace of what they thought needful. This check

¹ Baillie, p. 591.² Journal.³ Baillie, p. 594.⁴ Baillie, p. 594.

was more intended for others than Argyle, who would have taken the same worse if it had fallen on their fingers; yet, lest Argyle had been fired with that match, Loudon diverted it by a quick jest, that my lord Argyle's example would have held, if the bishops had once compared as pannelled men before an assize; and so that tedious and irksome plea ended in an adherence to the resolution already taken, and a renewal of the lord commissioner's protestation.¹

SESSION IV.—This day it was near noon ere the assembly sat down, owing not so much to the lord commissioner's being sumptuous in his entertainment, though that he was even to magnificence, as to his frequent consultation with his assessors, and other lords of the privy-council, and long informations and letters to the king;² for, according to the bishop of Sarum,³ it was about this time that the marquis "foresaw he could not run a great way with the assembly, and that they were beginning in their cabals" (or rather in the bishop's brain a long time after this) "to threaten to seize on his person, and on such of the council as should withstand them, but he resolved not to quit the grounds laid down to him, follow on it what would; yet finding afterwards that there were surmises of designs upon his life," (for what person intending evil does not judge that others act accordingly?) "he judged himself bound to let his majesty know all he understood. Therefore he sent up Sir James Hamilton with a full account of all matters, containing likewise the characters of all the councillors, together with his advice to his majesty how to reduce the country to his obedience,"—(an advice certainly most inconsistent and unseasonable, while he was professing friendship, and pretending to adjust matters amicably.) "Those he recommended most to the king, and of whose adherence he had received the fullest assurances, were the lords Traquair, Roxburgh, Perth, Tullibardine,

Kinnoul, Seaforth, Lauderdale, Southesk, Haddington, and Dalziel, but above all the marquis of Huntly, whose cordial affection to his majesty's service he highly magnified. His advice was, that Berwick and Carlisle should be secured, of which he put the king in mind in almost every letter; that his majesty was to send a fleet of some of his ships to lie in the Frith, and to be plying from that to the north, to block up their trade, and also some others to ply from the Mull of Galloway to Kintyre, marking to the king the roads and harbours whither they might retire. Next, his majesty was to come down with a royal army, and this he was assured would either teach them or force them to reason; but because they in Scotland would, no doubt, upon a rupture, fall on those who adhered to his majesty, therefore he advised that there might be commissions of lieutenantancy sent to the marquis of Huntly for the north, and to the earls of Traquair and Roxburgh for the south, that all might gather to them upon the breach. He also spared not to shew the king how the bishops had miscarried, and that their ambition had been great, but their folly greater."

When the lord commissioner came to the assembly, the moderator proposed, that for the more quick dispatch of business, his grace would permit the assembly to proceed on business at the hour appointed, and promised that whatever progress they made should be daily reported to him when he came in.⁴ But his grace answered, that he was sent by his majesty to attend that business alone, and, that he might be able to give a faithful account thereof, it behoved him to be an eye and ear witness to all that passed, wherewith the assembly were content.

The commissions from presbyteries, boroughs, and universities fell next to be examined.⁵ The moderator proposed, for order's sake, that all the commissions should be read in the order of the roll; and next, for expedition, he urged, that whenever any exception was

¹ Baillie, p. 594.

² Ibid. p. 594.

³ Burnet's Mem. Dukes of Hamilton.

⁴ Baillie, p. 595.

⁵ Ibid.

made to a commission, it should be set aside to be tried afterward, but that the commissions against which no objections were made at reading should be sustained without farther trial; which was agreed to by all except the lord commissioner, who said he had objections to make against many commissions, in which he was not yet fully instructed, and protested that his silence should not be taken as acquiescing in any man's commission, but that he should be at liberty to object, either in the time of reading or afterward, as he should see cause.¹ This privilege was at first disputed, and it was argued that his grace ought to object at the time of reading, or not at all, yet, for peace' sake, the demand was allowed.

Amongst all the commissions there were not above a dozen controverted, whereof one half were afterward sustained.² The commissions challenged were those of Peebles, Glasgow, both presbytery and university, Rothsay, Brechin, Kincardine, Aberdeen, Garioch, Canonrie of Ross, and Orkney; the particular objections against which shall be referred to the next sederunt, for the reading of so many commissions may well be supposed to have exhausted the time of this.

SESSION V.—At this sederunt, which met by nine o'clock, the commissions objected to were put to a trial, when the lord commissioner did renew his protest for liberty to object whenever he saw cause.

Against the commission from the presbytery of Peebles Mr. Robert Elliot did protest,³ as if the same had been procured by the lord treasurer's indirect dealing. Here arose a flame which at first burnt hot, yet it was happily extinguished. Traquair was highly incensed at this attack upon a prime officer of state in the face of the assembly; he inveighed sharply against Mr. Elliot, and required that the lord commissioner might see justice done him, which his grace promised. The moderator admo-

nished the lord treasurer to speak of Mr. Elliot with that regard due to a minister of the gospel. And Rothes and others having pled, that the assembly were judges of what wrong was done to his lordship by that protestation, Traquair condescended to submit his conduct in that election to the censure of any one member of the assembly. The delegates from the presbytery did likewise consider Mr. Elliot's protestation as impeaching them, and the extract of the election and procedure therein was produced, which served to vindicate the election as regular, and the Lord Traquair from any avowed accession to the crime charged on him; yet, in regard, there were presumptions that his lordship practised with some under cover, the only censure passed upon Mr. Elliot was a few words of admonition to behave more respectfully.

Rothsay commission was next taken under consideration.⁴ The delegates from the presbytery of Irvine did object that the isle of Bute, in which Rothsay lies, was a part of their presbytery; and this consisting with the knowledge of many of the members, the commission from Rothsay was rejected, only, as that isle lies at a considerable distance from Irvine, it was thought more proper that it should be added to Dunoon.

The commission from the presbytery and university of Glasgow came next in order. The college, supposing they had the privilege of a presbytery, named four delegates to the assembly, (of which number was Mr. John Maxwell, a non-covenanter) which were cast.⁵ In this trial many checks were intended for Dr. John Strang, the principal, both because it was supposed that stratagem flowed from him, and especially because at this time they found out his disingenuity. When the delegates from the presbytery were chosen, he pretended, at least, to be dissatisfied with Mr. Maxwell for protesting against lay-elders; and yet, at a preceding diet of the assembly, it was discovered that, about two or three weeks before, he and seven other mem-

¹ Baillie, p. 596.² Ibid.³ Ibid.⁴ Baillie, p. 597.⁵ Ibid.

bers of the presbytery had drawn up a protestation of the like nature; and not only so, but this writ having been put into the principal's hand, to be kept till all the subscribers should agree on giving it in, he had, with the knowledge of Mr. William Wilkie alone, given up the same to the marquis of Hamilton, to be used by him as a decoy-duck for drawing in others to comply. This plot being once discovered, the subscribers were convened in lord Loudon's lodging, and dealt with to retract that protestation. In appearance the most part did repent of their rashness; but the principal was in the greatest perplexity; the writ was not now in his power, and he knew the recalling thereof would be very displeasing to the marquis, and yet he adventured to pass from the same, though not in such a positive and distinct manner as to gain him great credit.

The commission from the university being rejected, the lord commissioner craved, that, in respect of Mr. John Maxwell's protest against the election of lay-elders, the commission to the lord Eglington might be set aside, notwithstanding, on trial, it was approved.¹ It was allowed to the university to convene, *de novo*, and grant a commission to any one delegate, but, having once mismanaged the affair, they would not be corrected; wherefore the assembly did name a committee, whereof Argyle was to be convener, to visit and reform that university; yet, when that committee did at length meet, all they did was to establish Mr. David Dickson at Irvine conjunct professor of divinity with the principal, which was the more readily agreed to by the university, that they were afraid some of their number would have been deposed.

The next controversy respected the commission to the elders from Brechin, which was still hotter. A thin meeting of the presbytery had chosen the laird of Dun, but, the lord Carnegie's interest in the place being stronger, the presbytery were more fully convened, and made choice of his lordship.² Dun judg-

¹ Baillie, p. 595.

² *Ibid.* p. 596.

ing that he was like to suffer wrong, had recourse to the Tables at Edinburgh, where he had the address to obtain an approbation of his commission from a considerable number of the members, who very inadvertently gave a signed declaration to that effect upon the back of the commission, and, when the commission came to be read in the assembly, the clerk did read the approbation also. The lord commissioner, taking the advantage of that inadvertent step, required an extract of the whole. The more judicious of the assembly being sensible that the Tables were in that step inadvertently assuming their work, were for shifting the lord commissioner's demand, and alleged that his grace had no concern in that approbation, but only in the commission itself; yet, in the end, his grace having taken instruments that the said approbation was produced and read in the assembly, both commissions were rejected.

The next contention was about the delegates from the presbytery of Aberdeen. This presbytery was divided into two parts, but unequally; the greater part did choose the delegates mentioned in the preceding roll, who were therefore approved, and the other, in favour of the doctors, Baron, Sibbald, and Harvie, were rejected,³ as done neither in the place of meeting, nor in the presence of a presbytery, but signed by three ministers only in their own houses; yet the assembly wished for the doctors' presence, hoping by this to have got the bottom beat out of the opposition in that place; but, the doctors having disappointed their expectation, a committee was appointed to visit the Old Town college of Aberdeen, and to take order with the disaffected ministers in that city and province.

It were tedious to relate so minutely the circumstances of the other controverted elections; that from the presbytery of Kincardine was rejected, as to all the members except one, because done by the bishop without the consent of elders or knowledge of particular

³ Baillie, p. 600.

kirks. The commission from the presbytery of Garioch was rejected in so far as respected Mr. Andrew Logie,¹ one of their delegates, on account of sundry complaints given in against him; as was Mr. Thomas Mackenzie's commission, from the canonry of Ross, for much the same reason; whereupon he produced a protestation against the assembly as made up of lay-elders;² he exclaimed greatly against the Tables at Edinburgh, and his name was afterwards found at the bishops' declinature. Upon the production of that protestation Rothes took instruments that the protestation might serve as evidence in any process that might afterwards be intended against Mr. Mackenzie; and the lord commissioner also took instruments thereon, as supporting his master's cause; and, because his protestation did turn especially on the admitting lay-elders, Mr. Andrew Ramsay offered to argue for that office against any who would accept the challenge, and to prove that it is lawful and necessary, from scripture, from antiquity, from the practice of other reformed churches, and from the acts and practice of our own church. This the lord commissioner took in bad part, and undertook to bring forth a party; but when doctor Balcanqual, whom his grace had an eye to, was importuned to accept the challenge, he declined it. The last question concerning commissions respected one from Orkney, which the assembly rejected because it had no subscription of presbytery or minister, but only was subscribed by Patrick Smith a layman.

And now, the commissions being discussed, the moderator reported the same, with a remark on the singular favour of God towards the assembly, in vouchsafing them peace and liberty to treat of all such matters as should come before them, and recommended to them, as the next and only preparatory step remaining, to clear the authenticity of the registers, and that the committee named would bring in their report against the next sederunt.

¹ Baillie, p. 600.

² Ibid. p. 601.

SESSION VI.—After prayer the moderator resumed the affair of the old registers, and the committee named for revising them gave in a report in writ, attesting before God, and declaring to the world, that these registers are famous, authentic, and good registers, which ought to be so reputed, and have public faith in judgment, and outwith the same, as valid and true records in all things; and with that report they gave in a paper containing nineteen reasons proving the said registers to be authentic; all which, being among the printed acts of this assembly, shall therefore be here overlooked.

The moderator, hoping that by these reasons the lord commissioner would have been eased of all his doubts, enquired at his grace if they were not fully removed;³ but though he professed that report had cleared his mind of several doubts, yet having, it seems, been fully resolved against consenting to any thing, he took time to advise the matter more fully.

From this, and the importance of the matter, the moderator took occasion to put off the vote till next day, and desired that all might be then ready either to object or approve these registers.⁴

Then the moderator desired that it would please the assembly, in respect of his insufficiency for the work laid upon him, to join assessors to him. And it was answered, that the church never used assessors in times of purity, yet, if the moderator pleased, it was allowed without the solemnity of a public act, that he might name whom he would to consult with in private, concerning the ordering and preparing of matters to be treated in public; and accordingly he nominated,⁵—

Ministers: Mr. Henry Rollock, Mr. John Adamson, Mr. David Dickson, Mr. David Dalgleish. Elders: Rothes, Montrose, Lindsay, Loudon, Balmerino, Sir William Douglas of Cavers, Sir George Stirling of Keir, Sir Patrick Hepburn of Waughton, James Cochran provost of

³ Baillie, p. 601.

⁴ Ibid.

⁵ Ibid. p. 602, 603.

Edinburgh, James Fletcher provost of Dundee, and Mr. Robert Barclay provost of Irvine.

The moderator inquired next if there should be any committee for private conference appointed;¹ but Mr. David Dalgleish having reminded the assembly of the abuse of such privy conferences in the time of episcopacy, and the moderator himself having observed that this was particularly the case in the assembly 1616, where he was present, all were averse to that motion, only that those named by the moderator might spend an hour with him, before the public meeting, for regulating the procedure of the day. Against this the lord commissioner protested, alleging that the ordering of matters for the assembly belonged to him. Rothés answered, that the ordering or timing the affairs of the assembly belonged of right to the moderator; and the moderator alleged that his grace's protestation was unnecessary, in respect nothing was proponed without his audience. Nevertheless he adhered to his protestation.

Next, the moderator proposed that there should be a committee named for receiving bills, references and appeals, and for that purpose he named,

Ministers: Mr. David Lindsay, Mr. James Bonnar, Mr. William Livingston, Dr. Guild, Mr. Andrew Auchinleck, Mr. Robert Douglas, Mr. William Colin, and Mr. George Hallyburton. Elders: Cassillis, Burleigh, Dundas, Auldbar, John Semple, and Mr. Robert Cuningham.²

And now, many of the before-mentioned impediments being taken out of the way, the long-urged protestation of the bishops, and their declinature of the assembly, was presented by Dr. Robert Hamilton, minister at Glassford, their procurator, and read in the face of the assembly.³

Of that prolix paper the curious reader may find a copy in the Large Declaration,⁴ of which the following is the substance: "Although," say they, "we do acknowledge and profess that a general assembly, lawfully called and orderly con-

vened, is a most necessary and effectual mean for removing those evils wherewith the church is infested, and for settling the order which becometh the house of God, and that his majesty only hath power, by his prerogative royal, to call assemblies, so that it is not lawful to convene without his royal consent and approbation, except we will put ourselves in danger to be called in question for sedition; yet nevertheless we cannot but esteem this meeting at Glasgow most unlawful and disorderly, and their proceedings void and null in law, for the following reasons: 1. Because the most part, if not all the commissioners, were chosen before the assembly was indicted by the king's authority. 2. Because the ministers who are sent commissioners to this assembly are not qualified according to act 46, parl. 3, James VI., by assenting to and subscribing the confession of faith in presence of the archbishops or bishops, and taking the oaths of fidelity and supremacy. 3. Because they refused to subscribe the confession of faith as it was enjoined by the king's majesty in September last. 4. Because they have petulantly impugned the dignity and privilege of the bishops, who are one of the estates of parliament, contrary to act 130, parl. 3, James VI. 5. Because they have their commissions from presbyteries, who have forfeited all privilege, if ever they had any, of sending commissioners to the assembly, in so far as they have deposed the moderators who were lawfully appointed to govern them by the bishops in their synods, and elected others in their places, contrary to act of the assembly 1610, and act of the parliament 1612. 6. Because they have associated to themselves a lay ruling-elder out of every session, who, being ordinarily a man of authority, doth over-rule in the election; whereas lay-elders have not sat ordinarily in presbyteries these forty years, nor ever had any voice in the election of ministers for the general assembly. 7. Because the commissioners to this assembly have so behaved, that they may justly bethought incapable of commission to a free and

¹ Baillie, p. 603. ² *Ibid.* and the *Journal*.

³ *Ibid.*

⁴ P. 248.

lawful assembly. For, (1.) By their seditious and railing sermons and pamphlets, they have wounded the king's honour and sovereign authority, and animated his lieges to rebellion. (2.) They are known to be such as have either been schismatical, refractory, and opposite to good order settled in the church and state; or such as having promised, subscribed, and sworn obedience to their ordinary, have never made conscience of their oath; or such as have sworn, and accordingly practised, yet, contrary to their promise and practice, have resiled, to the contempt of authority, and disturbance of the church; or such as are under the censures of the church of Ireland for their disobedience to order, or under the censures of this church; or convened, at least deserving to be convened before their ordinaries, or a lawful general assembly, for divers transgressions deserving deprivation. 8. Because they admit that lay-elders have a decisive voice in the assembly, which is not consistent with reason, Scripture, or the practice of the Christian church: So that we may intreat my lord commissioner, in the words of the fathers of the fourth general council of Chalcedon, 'Mitte foras superfluos.' Nor will a pious prince be offended with it, but, with Theodosius the younger, will say, 'Illegitimum est eum, qui non sit in ordine sanctissimorum episcoporum, ecclesiasticis immisceri tractatibus.' And Pulcheria, the empress, commanded Strategus, 'Ut clerici, monachi, et laici vi repellentur, exceptis paucis illis quos episcopi secum duxerunt.' Upon this respect was Martinus, in that council of Chalcedon, moved to say, 'Non esse suum, sed episcoporum tantum, subscribere.'

9. Because the most part, if not all the commissioners, directed to this meeting, have pre-condemned episcopal government, and the five articles of Perth; have approved their covenant as most necessary to be embraced by all in the kingdom; and not only have given judgment of those things before-hand, but, by most solemn oaths, have bound themselves to defend and stand to the

same. Now it is known, that, among other reasons which made our reformers decline the council of Trent, this was the chief, viz. that pope Leo had pre-condemned Luther before the meeting of that council. 10. Because the greatest part, if not all of these pretended commissioners, have declared themselves party to the bishops of this church, by their calumnies and reproaches, especially in forging, devising, venting, and publishing a most infamous libel, full of lies and calumnies against the bishops, which they caused publish in all the churches of Edinburgh, upon Sunday October 28, against all charity, which doth not delight in the discovery of men's nakedness; against the apostle's rule, 'Rebuke not an elder; but intreat him as a father;' against the act of parliament, James VI. parl. 8, discharging all persons to impugn or procure the diminution of the authority and power of the three estates, or any of them; against all lawful and formal proceeding prescribed by acts of general assembly, ordaining that all summonses contain the special cause and crime, which the said libel doth not; against common equity, which admits summons only by the authority of that judge before whom the delinquent is to compare: now, the assembly was not open when the summonses were given, neither can summonses from the presbytery be sustained for compareance before the general assembly; and against all decency and respect due to men of their place and dignity. 11. Because they have publicly declared, that no primate, archbishop, or bishop, have place or decisive voice in the general assembly, except they be authorised and elected by their presbyterial meetings, consisting of preaching and ruling elders; which is against reason and the practice of the church in the primitive and purest times. 12. Because they deny to the primate, &c. to be moderator or president of the assembly, but only he who is chosen by the suffrages of presbyteries and laymen, contrary to the appointment of ancient councils, and contrary to our own laws, both municipal and eccle-

siastical, annis 1606, 1608, and 1610. As for that act at Montrose, let them answer to it that have their calling by that commission. Finally, seeing all pastors are inferior to bishops, how absurd is it, and contrary to all reason and practice of the Christian church, that archbishops and bishops shall be judged by presbyters; and more absurd, that they should be judged by a mixed meeting of presbyters and laics convening without lawful authority of the church. And for these reasons they did decline the assembly, and protested that none of her deeds be reputed the acts of the church of Scotland."

So soon as this long paper was read, the complainers against the bishops did, by the mouth of young Durie, one of the principal clerks of session, take instruments, that the bishops had thereby acknowledged their citation, that they had compared by their procurator, and therefore that their personal absence was wilful; and craved that Dr. Hamilton, as their procurator, might be cited *apud acta*. This was no sooner sought than granted.¹

Against this the lord commissioner did protest, and produced three other papers, one subscribed by the dean of Edinburgh, Mr. David Mitchell, Mr. Alexander Thomson, Mr. James Forsyth, and others, to the number of twenty, bearing the name of a supplication, but ending in a protest against the assembly, if elders or commissioners chosen by them should be admitted members.² Another to the like purpose, subscribed by the two ministers of Dundee, and a few others in that neighbourhood;³ and a third by Dr. Strang, Mr. John Maxwell, Mr. Robert Wilkie, Mr. John Bell, younger, and four other members of the presbytery of Glasgow.⁴ But several of the subscribers of these papers had before that made a recantation, and Dr. Strang, author of that from Glasgow, and who had given it up to the lord commissioner, insisted in the pre-

sence of the assembly, and prevailed, that theirs should be suppressed, which his grace beheld with great wrath.

The number of opponents being so small, this gave great pleasure to the assembly, especially considering with what number of protests they had been often threatened; and finding, as it was late, that they could not make answers to these several papers that night, they recommended to a committee to bring in answers against next sederunt;⁵ and, in the mean time, as lay-elders were so much harped on, the moderator caused read some papers in support of their sitting in assemblies, of a piece with that formerly inserted, said to have been drawn up by Mr. David Calderwood the historian, who, though he was no member of the assembly, having had no charge for the time, lodged in a room adjoining to the moderator's, and promoted by his studies the proceedings of the assembly.

SESSION VII.—This day the assembly met pretty early, as indeed the proceedings at that sederunt shew there was need for; and the first business which came to hand was the approbation of the five new discovered registers as authentic.⁶ The moderator did often require, that, if any had ought to object why these should not be taken for authentic registers, and make faith in judgment, they might now propone the same. Upon this the lord commissioner professed his earnest desire of seeing the church restored to her registers, but that he was laid under the necessity, much against his inclination, to protest against acknowledging these books for sufficient registers, and that neither his royal master, nor the lords of the clergy, should suffer prejudice by anything in them.⁷ Notwithstanding, the whole assembly did unanimously approve of these books, as the true and authentic registers of our church, and appointed the testimony of the committee, and their reasons, to be inserted in the books of the assembly.

¹ The Journal. Baillie, p. 603.

² Ibid. and Baillie, p. 604. ³ Ibid.

⁴ The Journal. Baillie, p. 598.

⁵ Journal. Baillie, p. 604

⁶ Ibid. Baillie, p. 605.

⁷ Ibid.

At the same time, the moderator did remark it as one of the signal providences of God for his church, that these registers were not only preserved from destruction, but set up at their door, especially considering the great desire which had been shewed for burying our old assemblies in oblivion; and that the favourers of them were so negligent, that, except Mr. Johnston, no member of the assembly knew what was become of them.¹ And, while the act was in framing, he took occasion to bewail the fearful rent made by the bishops in our church, which for thirty-six years was so united, that her unity was recorded, to her praise and commendation, among foreign churches, in the harmony of their confessions; and shewed from the preface to that book, that the great cause of this unity was the purity of the church of Scotland beyond other churches in the point of discipline.

Some, as the author of the Large Declaration,² make a wonder of it, how in two days men could peruse and make a judgment of such volumes, which other men (who took themselves to be no fools), thought could hardly be done in a year. But as this is exaggerating on any supposition that can be reasonably made, the unprejudiced reader will call to mind, that these books came through Mr. Archibald Johnston's hands, who by that time was, no doubt, fully master of them, and in all probability had left little to the committee to do, but to prove the remarks which he had made. Besides, it will be observed, that every one of the nineteen reasons given for approving these registers, are so distinctly laid, as any who doubted might have soon tried the facts. And the moderator having several times invited all who had a mind to take such proof, no regard can be had to such objection; especially when they consider it as coming from Dr. Balcanqual, a man who, in consequence of the above invitation, had as immediate access as any in the assembly to have proven the truth of the report made.

The next purpose handled was the bishops' declinature. Two answers to it were framed, viz. one by Mr. Archibald Johnston, with the assistance of Mr. David Calderwood, and a shorter one by Mr. Andrew Ramsay.³ The shortness of the time did prevent the polishing of these, yet they were both read, and, after some short time, they were cast into a third mould, and printed. Of Mr. Ramsay's answer we have seen a copy in the manuscript journal of this assembly belonging to the faculty of advocates; and Mr. Matthew Crawford hath the following copy of the other, which we the rather insert, because it is more full than Mr. Ramsay's, and contains the substance of the printed copy.

"In the preface of their declinature they acknowledge the necessity of a general assembly called for removing distractions and settling peace in the church, and yet they have been the chief instruments to bereave the kirk of this liberty; first by prorogations from time to time, and at last by prorogation to no certain time;⁴ for they feared a lawful general assembly as much as the pope does a general council; so that their protestation is *protestatio contrario facto*.

"They acknowledge that his majesty hath authority, by his prerogative royal, to call assemblies, as is acknowledged by the assembly at Glasgow 1610, and by the parliament 1612; but withal they profess, that it is not lawful to convene without his royal consent and approbation, unless we put ourselves in danger to be called in question for sedition. We acknowledge that the prince, when he seeth cause, may convocate a general assembly, but we deny that it is sedition to hold assemblies without his consent. The Christians, for the space of 300 years, held their councils and assemblies under the persecuting emperors, and yet were not, in so doing, guilty of sedition. But it will be alleged, that the case is different where there is a Christian magistrate professing the same religion.

¹ Journal. Baillie, p. 606. ² P. 270.

³ Journal. Baillie, p. 606.

⁴ Crawford, book iii.

Ans. It is true his consent should be sought earnestly, but if he be negligent, or wilfully refuse, the kirk may hold her assemblies, if they find necessity, for ‘paria sunt non esse et non apparere; error cum non resistitur, approbatur; et veritas, cum minime defenditur, opprimatur; negligere imperium, cum possis deturbare perversos, nihil aliud est quam deferere.’

“The papists, standing for the pope’s right to call general councils, yet maintain, that, if he doth not, nor will not convocate, they may convene without him, Antonine de Rossellis I. V. D. in monarchia, part 2. cap. 30. and part 3. cap. 3; Antonine de Dominiis Arch. Spalatensis, lib. 2; de Repub. Eccles. cap. 7. num. 18. Jacob. Almaynus; all hold, that the church may hold a general council, *reluctante pontifice*, if there be need of it. As the eye, seeing the body in danger, may give warning to the rest of the members, that the body may defend and preserve itself, so any particular kirk, seeing the necessity of convocating a council, may make manifest the necessity to other kirks, *et sic denunciative congregare non autem præceptive*. The ground of the kirk’s right is laid down by the council of Constance, *Concilium potestatem a Christo immediatè habet*. What we have alleged for general councils holdeth more firmly for national and provincial, seeing they are more necessary than the general. A tacit consent of princes was accounted sufficient, and this tacit consent was collected by their grant of liberty to profess religion, and submitting their sceptres to the sceptre of Christ. In granting liberty of religion they granted liberty to hold synods, no less than weekly meetings of congregations to divine service. That French catholic who wrote that treatise, ‘De libertate ecclesiastica,’ in defence of the Venetians, saith, ‘Imperatores, cum libertatem religionis edictis suis ecclesiæ concesserunt, simul jus liberè congregate synodi illis attribuisse; nam cultus christiani hæc pars est prorsus necessaria οὐσιωδως.’ The act of parliament which ratifieth

the jurisdiction of the church, namely, the act of James VI. parl. 6, cap. 69, ratifieth consequently the general assemblies, where all jurisdiction is ordered, and censure sometimes exercised. The parliament anno 1592, did not grant liberty to hold assemblies, as if the kirk had not had such liberty before, but ratified her former liberty to hold assemblies yearly, or oftener *pro re nata*, and to appoint time and place for the next assembly by themselves, in case his majesty or commissioner were not present at the time; but, if any of them were present, it was provided that they should appoint time and place. This provision gave not a privative power to his majesty to refuse a general assembly so long as he pleased, for then the liberty of holding general assemblies could not be said to have been ratified, but only a privilege or prerogative to appoint time and place for the yearly assemblies. The act of parliament anno 1612, acknowledgeth the indiction of time and place to appertain to his majesty, but doth not give a privative power to frustrate the kirk of the yearly assemblies, if he pleases, which were ratified, but that being presupposed, bindeth him to appoint time and place. For farther satisfaction we refer the reader to the reasons already hinted for holding general assemblies; howbeit this assembly at Glasgow was indicted by his majesty, which they acknowledge, but they hold it unlawful in itself.

“Their first exception, or probation of the unlawfulness of this assembly, is taken from the time of the election of the commissioners, being elected before the indiction of the said assembly by his majesty, September 22, to which we answer, 1. That the commissions produced, and examined by the assembly, were all of date since the 22d of September, when the assembly was indicted. 2. Although it had been as they allege, it cannot make null the assembly, for the election of commissioners is ever in the liberty of the presbyteries, when there is an apparent occasion of an assembly; and at this time they were put both in

expectation of an assembly and a parliament. 3. They themselves procured commissioners to be chosen in sundry parts, anno 1617, before the assembly at St. Andrews, November 25, 1617, was indicted, upon report that his majesty would have a general assembly, but could not appoint time and place till the commissioners were chosen.

“As to their second reason. That act of parliament, anno 1572, was never put in practice conform to the tenor of it and order there set down. The occasion of making of it was, because some at that time stood for the king’s mother, and could not acknowledge the king for sovereign during her life, so that by her death the force of the law ceased. 2. By this reason all the assemblies of our kirk, since the abolition of bishops and superintendents, might be called in question, and we have no lawful ministers; yea, their own pretended assemblies did consist of many who could not produce a testimonial of their oath. 3. That act concerneth not all, but such as were presented to benefices,—not every minister. 4. The substance of the act hath been kept conform to the later acts made thereanent; and none of the ministers convened in the assembly, but they have subscribed both the confession of faith, and bond for maintenance of the king’s authority. 5. Suppose the act were still in force, yet those that had not taken it would not be deprived of their office, unless they had wilfully refused to subscribe it.

“As to the third reason. We could not have refused to subscribe the confession of faith enjoined by the king, unless it had been expressly declared, that that confession is consistent with all the innovations introduced, or to be introduced. We have been still ready to subscribe the confession of faith in the sense that our predecessors subscribed it.

As to the fourth. Seeing, by the ancient laws of the kingdom, all the great-er prelates, that is, as well abbots and priors, as bishops, do constitute the third estate of the kingdom, they can no more be guilty of violating the laws who impugn

the estate of bishops, than they who impugn the estate of abbots and priors. As to those acts by which bishops are restored, especially anno 1584, we answer, that they were made in a troublesome time, and were protested against when they were proclaimed; and the third estate of prelates suffered innovation and diminution, anno 1587, when the small barons were put in the place of bishops and abbots, and were declared to be members of the parliament, and to sit on the articles, and vote in parliament as the third estate, to supply the decay of the ecclesiastic estate. 2. But suppose that bishops were the third estate, are they guilty of lese-majesty who call them to censure for their faults, and say that they ought to be subject to an assembly, seeing they consented to the act of the pretended assembly at Glasgow, whereby they are made liable to the trial of the general assembly in their life and conversation? Can they not distinguish betwixt the estate and the persons?

“As to the fifth, namely, ‘That the presbyteries have lost the right to direct commissioners to the general assembly, in so far as they have deposed their moderators,’ we answer, that the pretended assembly of Glasgow, who appointed that the bishops should constitute moderators in presbyteries, and upon this express condition, that there should be yearly general assemblies; which condition not being performed, the presbyteries came in their own place again. 2. Many of the pretended moderators willingly demitted, in which case, by the very act of the pretended assembly at Glasgow, the presbyteries had power to choose their own moderators, who remained still unchanged until the sitting down of the assembly. 4. Suppose it were true that were alleged, yet they cannot be said to have forfeited their liberty of choosing commissioners. Every transgression deserveth censure or reproof, but not deprivation from liberties.

“As to the sixth reason, viz. ‘That in the presbyteries lay elders had voice in the election of commissioners to the

assembly,' we answer, Noblemen and gentlemen were chosen elders soon after the reformation; and what hindereth why they may not be commisionate with the minister of the congregation to keep the presbytery, as they do in other churches, especially in the churches of France and Holland? Yea, in the second book of discipline, confirmed by several acts of assembly, it is expressly coneluded, 'that there shall resort some elders out of every parish to the presbytery;' and by the act of the assembly 1582, the ministers are bound 'to exhort them to resort to the presbyteries at all times, but for matters of weight to urge them strictly.' And by the acts of general assemblies anno 1563, anno 1582, anno 1568, annis 1595 and 1596, elders are appointed to be members of the general assembly. And, by the second book of discipline, the elders' office and power is to hold all sorts of assemblies, presbyterial, synodical, and national, with the pastors and doctors. But if this custom and privilege of elders keeping of presbyteries, synods, and assemblies, did wear out, it was the pride of those that were hunting after bishoprics that was the cause of it; for still, till the division began about the introduction of prelacy, elders were in church judicatures.

"As to the next exception; seeing they design no ministers in particular, that, by seditious and railing sermons and pamphlets, do excite the subjects to rebellion, we hold it sufficient, that neither the presbyteries sending, nor the assembly admitting, do know of any such.

"As to the eighth, it is answered, We know none schismatically opposite to good order, unless they mean such as have opposed their encroaching upon the liberties of the kirk, and their shameless usurpation. An oath should not bind a man to iniquity or impiety. The entrants did not understand what was the established order, from which we have declined, nor foresee the intent of the prelates to bring in so many novations in religion. The censures in-

flicted (if there were any) upon three or four ministers, Scotsmen, returning from Ireland to Scotland, were inflicted for adhering to our confession of faith, which manifesteth them to be faithful members of this kirk, and so fit to voice in her assemblies, especially since the censure reached no farther than Ireland. As for such as were under censure in this land, we know none but such as were censured by the bishops in the high commission court, a judicature erected without consent of our kirk, or of the estates of parliament, and discharged by proclamation before they were chosen commissioners.

"As to the ninth exception, namely, That laymen are admitted to have a decisive voice in the assembly, we answer, 1. Our ruling elders are not merely laymen, but office-bearers in the kirk, and are called, in the book of discipline, ecclesiastical persons. 2. If this objection hold, it will not only hold against this assembly, but against all the assemblies since the reformation, for elders have had power to voice in assemblies from the beginning; and, the order for choosing commissioners, with power to voice, was set down first anno 1563, among which are the gentlemen commissioners from shires; yea, the most corrupt assemblies that themselves held admitted laymen to have decisive voice. As for that saying cited out of the council of Chalcedon, 'Mitte forus superfluos,' if they be not pleased with Whittaker's answer, viz. That these superfluous persons were the clergy, monks, and laics, who favoured Eutyches, and had no commission to the council, we hope Gutcliff's answer will satisfy them, who says, 'Verba hæc,' &c. These are not the words of the fathers of the council of Chalcedon, but Dioscorus, and the Egyptians who were favourers of the heretics, cried this. To this same purpose they allege the direction given by Pulcheria, to Strategus captain of Bithynia, to drive by force, out of the council of Chalcedon, such monks, clerks, and laymen, as did but pester the council, which was for avoid-

ing disturbance. That saying of Theodosius junior, which they produce, seemeth to cross that which before they granted to his majesty and his deputies, and it is urged by papists against the definitive voice of emperors and kings in councils; but Whittaker *de Conciliis* proveth it to be forged, *quia non habetur in antiquis exemplaribus*: But we let them to understand our assemblies are not to be ordered according to the pattern of those monkish times, but according to the constitutions and practice of our own kirk, conform to the word of God and example of the best reformed churches.

“As to the tenth, viz. that the assembly is the adverse party, we answer, 1. Suppose what is here alleged were true of all or the most part, yet can they not be declined, for, as it was answered, at the synod of Dort, to the arminians using the like exceptions, by this reason Arius, Nestorius, Eutyches, and other like heretics, could not have been condemned justly in the councils of Nice, Ephesus, or Chalcedon, because the orthodox teachers, who had impugned their doctrine before, sat as judges upon their doctrine. Alexander and Cyrillus did impugn the heresies of Arius and Nestorius before the convocation of the councils of Nice and Ephesus, and yet sat in those councils as judges. 2. Suppose they had all precondemned episcopal government, and the five articles of Perth, they had but condemned that which was condemned before by our kirk, and never received by any lawful synod. 3. The acknowledgment of episcopal government, and practice of the five articles of Perth, were suspended till the trial of a free and lawful general assembly, whether they were abjured by the confession of faith or not. 4. The commissioners convened did not judicially precondemn, but, according to their several places and stations, gave warning of the innovations entered in, which hindered them not to alter their minds, if they had heard anything to the contrary at meeting with others in the assembly. 5. The examples alleged

are to small purpose. Our reformers protested against the council of Trent, not only because pope Leo X. precondemned Luther's doctrine, but also declared the intention of his appointing to convocate that council was to root out that new start-up heresy. And, as it was answered to the arminians, that that council was not a free council, the prelates and other members of it being sworn slaves to the pope, and had power to determine nothing but what pleased him to approve by his nuncios. Likewise our first reformers would not be acknowledged for doctors of the popish kirk, and had made separation from them before. Also there is great difference betwixt some of the fathers refusing to go to ungodly councils, and their declining a free national council, especially being called to purge themselves of the scandals laid to their charge. Whereas they say that several of the commissioners have declared themselves their party, and none ought to be judge in his own cause, we answer, The cause for which the bishops are accused is not the ministers' proper cause, but the cause of the whole church; and the bishops themselves, anno 1600 did promise that they would submit themselves to the judgment of a general assembly; wherefore, seeing they contended that the assembly should be their judges, it is frivolous to complain of us as the adverse party.

“As to the eleventh, anent that implacable hatred that we carry to the prelates, we desire they would prove it. It is true, that several of all ranks did renew the national covenant, but not out of intention to hurt any, not the bishops themselves, if they would have purged themselves of the crimes objected against them: We indeed hate their vices, not their persons. As to their accusation and citation, which they call an infamous libel, we answer, That their letters of citation contain two sorts of crimes, of some whereof there was *fama clamorus*, and a reigning bruit and scandal; others were so evident, that no witnesses needed to be adduced: But, if they were free

of them, why did they not sist themselves before the assembly to have their innocence purged? But, say they, why were they read publicly in the churches? We answer, not to make them more notour, they being notour enough already; but, because some of them were absent, others lurking in secret places, this manner of citation was thought most sure, seeing my lord commissioner had refused to cause cite them personally, that thereby they might shun the censure of the assembly; neither did we, by so doing, transgress the bounds of christian charity, and contemn the bounds prescribed by the apostle, for justice requireth that public sins be publicly rebuked. The apostle's reprehension is anent private malversations, but those that sin publicly, or scandalously, should be rebuked openly, whether they be old or young. The dregs of profanity are more sour and stinking in old men than in young. As to their complaint, that we did not use a lawful form, nor did according to the order prescribed by acts of general assemblies, March 1596, and April 1592, we answer, for the first, it is not transgressed, for the libel containeth special crimes sufficiently instructed and notorious: other crimes were subjoined, wherewith they were slandered, which were to be verified from the places where the slander did first arise. The acts of those assemblies bear no more, but that all summonses contain a special cause and crime, and that none be summoned *super inquirendis*. The libel containeth special causes; and none of them were summoned *super inquirendis*. As for the act of the assembly, anno 1582, ordaining that, in a process of deprivation of ministers, there be a libelled precept upon forty days' warning if within the kingdom, and sixty if without, directed by the kirk, and, in case of absence at the first summons, that the second be directed, &c., we answer, That form of proceeding was ordained for inferior judicatories who sit frequently, but the general assembly, which sits but once in the year, is not tied to that rule. But there needs not so much noise about

their citation, seeing, by their subscribing of the declinature, and compearance of their procurator, they manifested to all their knowledge of the citation. But, say they, common equity admitteth summonses only by the authority of that judge before whom the delinquent is to compear. Answer. They know it hath been the continual practice of our kirk, that inferior judicatories have cited delinquents to compear before the superior; and necessary it is so to do, because the general assembly sitteth not frequently: if every citation began at the assembly for compearance at the next, delinquents might persist in their offences, and perhaps escape all punishment.

“As for the twelfth exception, that the authors of the late protestation were injurious to them, in denying either primate, archbishops, or bishops a decisive voice in the general assembly, unless they be elected by the presbyteries. Answer. The act of assembly 1597, ordained that ministers and barons should be directed with commission from presbyteries. And, in the assembly holden at Montrose anno 1600, when the cautions were concluded, it was statute and ordained, that none of them that shall have vote in parliament shall come as commissioners to the general assembly, or have vote in the same, in any time coming, unless he be authorised with commission from his own presbytery to that effect. Which acts are yet standing unrepealed, neither ought to be repealed, seeing they are founded on the law of nature, and the continual practice of other reformed churches.

“As to the thirteenth reason, we answer, that, upon just grounds, we deny the presidentship or moderatorsip of the assembly, either to the archbishop or bishop, because by the second book of discipline, chapter 7, it is ordained, that in all assemblies a moderator shall be chosen by common consent of the whole brethren convened. This freedom our assemblies ever enjoyed since the reformation, until anno 1616, that archbishop Spotswood began to usurp the place of mode-

rator in that assembly; yea, in the great council at Antioch, against Paulus Samosatenus, in the time of Galienus and Aurelianus emperors, Marcion presbyter of Antioch was preses, or moderator, although many bishops were present, as the Magdeburg centuriators testify. By the cautions at Montrose it was provided, that the ministers, voters in parliament, should not arrogate to themselves any farther pre-eminence or jurisdiction than any of the rest of their brethren, under the pain of deprivation.

“As for that act of Montrose, (say they) let them answer to it that have their calling by that commission; we profess that we have a lawful calling by the election of the clergy, who are the chapter of our cathedrals, &c. Answer. Because they see they are not able to answer for the breach of those cautions, concluded by consent of his majesty and the ministers aspiring to prelacies, they profess plainly that they have not their calling by that commission; by which they betray their purpose to deceive the church. 2. They cannot deny but chapters of cathedrals, and election of bishops by them, were condemned by our kirk as popish, and there is no law for it except the antiquated laws made in time of popery; for they cannot so much as pretend a warrant of any of their own assemblies for their election and consecration; so that, for the breach of these cautions, manner of election, and the usurpation of that office by consecration, they are cited before the assembly.

“As to their fourteenth reason, viz. ‘That it is absurd, and contrary to all reason and practice of the Christian church, that archbishops and bishops shall be judged by presbyteries, much more by a mixed meeting of presbyteries and laics,’ we answer, by the kirk it seemeth they mean the bishops. They cite some old councils, declaring how and by whom archbishops and bishops are to be judged; but this assembly consists of commissioners from their respective presbyteries, both of ministers and elders, chosen according to the order of our kirk; and

meetings of churchmen and laymen have been not only in the apostles’ times, but also in times of popery; and we are not to be directed by the canons of these councils which they cite, but by the established order and canons of our own reformed kirk, which are agreeable to the practice of the apostolical and best reformed kirks in our time. *Semper petunt principium*, that they are archbishops and bishops, which is not only denied, but they are summoned to answer for usurping such offices. By the ancient canons, no bishop ought to be condemned, except he be judged by twelve bishops, and the accusation proven by two sufficient witnesses, *Causa 2, quæst. 5, canone, Nullam damnationem*. And, if they must be judged according to that form, they shall never be judged.

“Now, seeing all their reasons are frivolous, their protestations are as frivolous, and therefore need not be insisted on.”

After reading the said paper, the chief of the assembly entertained a kind of dialogue concerning the occasion and nature of it.¹ The lord commissioner alleged that the answer was unnecessary, in regard the declinature was directed only to him; but the moderator said, it was a declinature to be read before the assembly, and therefore an answer behoved of necessity to be given by them. The lord Rothes, far from hesitating as to that, alleged that the assembly had not a more important matter before them; and Mr. Andrew Ramsay importuned the commissioner to attend to the declinature, as rejecting his majesty by three testimonies cited by the bishops. His grace, willing to vindicate them, took it for granted that they had no such intention, but declined entering into the merits of the cause.

Then the moderator addressed himself to the assembly, upon the subject matter of the said declinature, to this effect: “There are two things,” said he, “in which the strength of it lieth, 1. That the assembly is their party, and therefore cannot be their judges. And, 2. that

¹ Journal.

suffrage is granted to lay elders.—For the first, it is the same exception which the arminians made against the synod of Dort, and we need give no other answer than the divines of Great Britain gave to them, viz. ‘Non valet ad synodi auctoritatem enervandam quod causentur remonstrantes,’ &c. *i. e.* That although the members of the synod had publicly taught doctrine contrary to the arminian doctrine, yet they ought to sit as judges in examining and trying their cause, seeing they are lawfully called by the church thereto; which they prove by many arguments. And this was not only their opinion, but the judgment of all the foreign divines who were at the synod of Dort.”¹

But from the second point the moderator was diverted by Dr. Balcanqual, who, having been at that synod, desired to make answer; and, liberty being granted him, he had a quick and easy discourse, in which he endeavoured to shew, but without any great solidity of judgment, “That the case of the arminian remonstrants differed from the church of Scotland in many respects, and therefore the same answer could not serve the bishops’ declination, which was most valid against the remonstrants, 1. Because the controversies that were handled in the synod of Dort were dogmatic, and in matters of doctrine and points fundamental, in which all are bound, under the pain of damnation, to betake themselves to one side, and not be neutral; and, therefore, the remonstrants could not justly decline the church of the Low countries in questions of that nature, although they had before that synod declared themselves to the contrary. But the questions debated in the church of Scotland do not respect fundamental points of religion, which, by the confession, are declared to be eternal and unchangeable, but respect matters of discipline and order, which, by the 21st article of the confession, seem to be alterable. 2. Although the ministers in Holland had preached against the arminians, yet they had not bound themselves by

oath and subscription against the doctrine of the remonstrants, as you in Scotland have done against the bishops, and the points depending betwixt you and them.”

To the first part of this answer the moderator replied, “That, 1. It was a question of great difficulty to discern what points were fundamental and what not, and, if the whole assembly were set to determine the matter, it might puzzle their judgments. 2. The synod of Dort did not pronounce the five controverted articles betwixt them and the arminians to be heretical, but only erroneous. 3. Dr. Field and others distinguish errors into fundamental, and *circa fundamentales*, or those that are far remote from the foundation. In the first, mere ignorance is damnable; but I hope, Balcanqual will not affirm that simple ignorance of these points of arminianism is of itself damnable. 4. Our church holds that all the main points of her discipline and order were warranted by the word, and by God’s grace we are able to prove it. 5. As to the 21st article of our confession, which is brought by the doctor to prove matters of policy to be mutable, it is only to be understood of circumstantials: Our confession does not hold the essentials of discipline to be mutable; for, in the 19th article of the same confession, they make discipline, according to the rule of the word, to be the third note of the visible church. Hence it followeth, that though it be not absolutely necessary to the being of a church, yet it is necessary to her well-being, and to her integrity and perfection; so that, anno 1582, when Mr. Robert Montgomery denied this, and asserted that discipline was mutable, the assembly did sharply censure him.”

And to the second general head he answered, “That we had only renewed the confession of faith sworn by our predecessors, and had suspended our judgment as to several innovations, to the determination of a free assembly.”²

With this controversy principal Bailie seems dissatisfied; he thought the doctor rash in making all the arminian

¹ Journal. Baillie, p. 607.

² Journal.

articles fundamental, and the moderator as uncircumspect in absolving them all, without distinction, of the crime of heresy; that he took too much liberty to discourse of what he called points fundamental and preterfundamental; and was of opinion, that Mr. David Dalgleish replied pertinently in a few words, "1. That the ancient councils had proceeded, and found themselves competent judges, even when matters of an inferior degree were questioned, as in the case of Novatus and Donatus. And, 2. That the bishops were summoned for heresy, viz. points of popery and arminianism, which the doctor acknowledged to be fundamental."¹

By this time the lord commissioner thought it time to divert the dispute, and thereby brought off the doctor scratch-free, which all his own wit could not have done. "And yet," adds the principal, "I see the doctor has used a noble trick to clear himself of all: he has made the king, who was at some hundred miles distance from those speeches, bear witness that he never said that the arminian errors were fundamental, though some thousands heard the contrary. We ever esteemed that man a Dordracenist, but we have been much mistaken, and see he has made the king, in his declaration, print as much for the arminians, as the heart of Canterbury could wish. Alas! what is man, that even a deanery can metamorphose his mind in a short time."²

And now, both sides seeming wearied of one another's disputings, the moderator stated the question, whether or not this assembly found themselves judges to the bishops notwithstanding of their declination; but when they were about to vote this, the lord commissioner interrupted them.³ "This," says the Large Declaration, "gave our commissioner the occasion to do and declare that which by our special commandment he had resolved; for he presently made a speech of a competent length, the sum whereof was this. 'I should perhaps have continued a little longer with you, if you had not fallen

upon a point which doth enforce my deserting you. You are now about to settle the lawfulness of this judicatory, and the competency of it against the bishops, whom you have cited hither, neither of which I can allow, if I shall discharge either my duty towards God, or loyalty towards my gracious and just master. This is a day to me both of gladness and sadness; gladness, in that I have seen this assembly meet—and that I shall now, in his majesty's name, make good unto you all his most gracious offers in his royal proclamation; of sadness, in that you, who have called so much for a free general assembly, and, having one most free in his majesty's intentions granted you, have so handled and marred the matter, that there is not the least shadow of freedom to be discerned in this your meeting; for the former, which is the discharge and performance of your sovereign's gracious promises, let this paper, which I deliver to the clerk to be read, witness it to you all.'" Here the clerk did publicly read a paper of the following tenor:—

"The king's majesty, being informed that many of his good subjects have apprehended, that, by the introducing of the service-book and book of canons, the in-bringing of popery and superstition hath been intended, hath been graciously pleased to discharge, likeas by these he doth discharge, the service-book and book of canons, and the practice of them, or either of them, and annulleth and rescindeth all acts of council, proclamations, and all other acts and deeds whatsoever, that have been made and published for establishing them, or either of them; and declareth the same to be null, and to have no force nor effect in time coming.

"The king's majesty, as he conceived, for the ease and benefit of his subjects, established the high-commission, that thereby justice might be ministered, and the faults and errors of such persons, as are made liable thereto, taken order with and punished with the more convenience and less trouble to the people; but, finding his gracious intentions therein to be mistaken, hath been pleased to discharge, likeas by these presents he doth discharge the same, and all acts and deeds

¹ Collect. p. 607.

² Ibid. p. 608.

³ Journal, p. 276.

whatsoever made for establishing thereof. And the king's majesty, being informed that the urging of the five articles of Perth assembly hath bred distraction in the church and state, hath been graciously pleased to take the same to his royal consideration, and, for the quiet and peace of his country, hath not only dispensed with the practice of the said articles, but also discharged all and whomsoever persons from urging the practice thereof, upon either lay or ecclesiastical persons whatsoever, and hath freed all his subjects from all censure and pains, whether ecclesiastical or secular, for not urging, practising, or obeying them, or any of them, notwithstanding of any thing contained in the acts of parliament or general assembly to the contrary. And his majesty is farther contented that the assembly take the same so far into their consideration, as to represent it to the next parliament, there to be ratified as the estates shall find fitting.

"And because it hath been pretended, that oaths have been administered different from that which is conceived in the act of parliament, his majesty is pleased to declare by me, that no other oath shall be required of any minister, at his entry, than that which is set down in the act of parliament.

"And, that it may appear how careful his majesty is, that no corruption or innovation shall creep into this church, neither yet any scandal, vice, or fault, of any person whatsoever, (censurable or punishable by the assembly) go unpunished, his majesty is content to declare by me, and assure all his good people, that general assemblies shall be kept so oft as the affairs of this church shall require.

"And, that none of our good subjects may have cause of grievance against the proceedings of the prelates, his majesty is content, that all and every one of the present bishops, and their successors, shall be answerable, and, from time to time, censurable, according to their demerits, by the general assembly.

"And to give all his majesty's good people full assurance that he never intended to admit any alteration or change in the true religion professed within this kingdom, and that they may be truly and fully satisfied of the reality of his intentions, and integrity of the same, his majesty hath been pleased to require and command all his good subjects to subscribe the confession of faith, and bond for maintenance thereof, and of his

majesty's person and authority, formerly signed by our dear father in anno 1580, and now likewise requireth all those of this present assembly to subscribe the same. And it is his majesty's will that this be inserted and registered in the books of assembly, as a testimony to posterity, not only of the sincerity of his intentions to the said true religion, but also of his resolution to maintain and defend the same, and his subjects in the profession thereof.

(*Subscritur*)

"HAMILTON."

On this paper our author observes, that though several things were granted, yet nothing that gave the assembly a tolerable security for any thing:¹ They were not permitted to treat of any thing, but to take that declaration for full and satisfactory conclusions in all things: To meddle with any points of doctrine contained in the service-book, to examine whether episcopacy, Perth articles, and the books of canons and ordination, were right or wrong, or to try if the articles of Arminius, and a number of gross points of Romish heresies and idolatries, maintained by the bishops and most of the court-faction, was not permitted; and general assemblies were to be left simply to the will of the prince, who was not like to indict any but at the good pleasure of the bishops, as had been the custom for thirty-six years past. Notwithstanding the moderator gave thanks for the same in the following grave and learned speech to the lord commissioner:²

"It well becometh us, his majesty's subjects convened in this honourable and reverend assembly, with all thankfulness to receive so full a testimony of his majesty's goodness, and not to undervalue the smallest crumbs of comfort that fall to us of his majesty's liberality. With our hearts do we acknowledge before God, and with our mouths do we desire to testify to the world, how far we think ourselves obliged to our dread sovereign, wishing that the secret thoughts of our hearts, and the way wherein we have walked in time past, were made manifest to him. It hath been the glory

¹ Baillie, p. 609.

² Journal.

of the reformed churches, and we account it our glory in a special manner, to give unto kings and magistrates what belongs to their places; and, as we know the fifth command of the law to be a precept of the second table, so do we acknowledge it to be the first of that kind, and that, next unto piety towards God, we are obliged to loyalty and obedience to our king. There is nothing due to kings and princes in matters ecclesiastical, which, I trust, shall be denied by this assembly to our king; for, beside authority and power in matters civil, to a christian king belongeth, 1. Inspection over the affairs of the church, 'Et debet invigilare non solum super ecclesiasticos, sed super ecclesiastica;' *i. e.* He ought to watch not only over ecclesiastical persons, but over ecclesiastic matters. 2. The vindication of religion doth also belong to the king, for whom it is most proper, by his authority, to vindicate religion from contempt and all abuse, he being keeper also of the first table of the law. 3. The sanctions also are in his majesty's hand, to confirm, by his royal authority, the constitutions of the kirk, and give them the strength of a law. 4. His majesty also hath the power of correction: he both may and ought to compel kirk-men in the performance of the duties which God requires of them. 5. The coercive power also belongs to the prince, who hath power from God to coerce and restrain, by his terror and authority, from what becometh not their places and callings. 6. The Christian magistrate hath power to convocate assemblies when he finds the pressing affairs of the church calling for them; and in assemblies, when they are convened, his power is great, 1. As he is a Christian, having the judgment of discretion in all matters debateable and controverted. 2. As he is a king or magistrate, he must have the judgment of his eminent place and high vocation, to discern what concerns the spiritual welfare and salvation of his subjects. And, 3. As a magistrate singularly gifted with more than ordinary gifts of knowledge and authority: And we heartily

acknowledge that your grace, as his majesty's high commissioner, and representing his royal person, hath an eminent place in this reverend and honourable assembly; first, we hope as a good Christian; next, as his majesty's high commissioner; and, thirdly, as one endued with singular gifts, and fitted in a special manner for this employment. Far be it from us to deny any thing that is due, either to those who are in supreme authority, or to such as are delegated by and subordinated to them. When Alexander the Great came to Jerusalem, he desired that his image might be set up in the temple. This the Jews did modestly refuse, as inconsistent with the law, which was the law of God, but liberally offered what was in their power, and more honourable for the king, viz. that they would begin the reckoning of time from his coming to Jerusalem, and would call all their first-born sons by his name. What is ours let it be given to Cæsar, but let God, by whom kings reign, have his own place. Let Christ Jesus, the King of kings, have his own prerogative, by whose grace our king reigneth, and we pray that he may reign long and prosperously over us."

The lord commissioner being (as how could he miss?) well satisfied with this pathetic and accurate oration, said to the moderator, "Sir, you have spoken as becometh a good christian and a dutiful subject, and I am hopeful you will conduct yourself with that deference you owe to our royal sovereign, all of whose commands will, I trust, be found agreeable to the commandments of God."¹

The moderator replied, that the assembly being indicted by his majesty, and consisting of such members, regularly authorised, as by the acts and practice in former times had right to represent the church,² they took themselves for a free assembly, and he trusted that all things in it would be so conducted, that the law of God and reason should be seen to precede in every thing; that they would not go forward a step

¹ Baillie, p. 610.

² Ibid.

but as clear light should chalk out the way before them, and that they would make evident to all men that they were afraid to walk in another way; and that they were hopeful that their king, being such a lover of righteousness, needed only to have truth pointed clearly out before him, and, when this was done, that his majesty would fall in love with it.

On this the lord Loudon arose, and, having first declared his hearty assent to what the moderator had delivered in the name of the assembly, he humbly desired a copy of the declinature with the lord commissioner's allowance, (for it seems the heads of it, resumed in their answers before inserted, were only gathered by some skilled in the shorthand in time of reading), that they might consider the same more deliberately, and clear themselves of all the imputations thereby laid to their charge. The lord commissioner answered, that they might have a copy of that paper, and they had his consent to clear themselves as fully as they pleased, but he would not suffer them to go on in censuring the lords of the clergy.¹

Then the moderator asked again if he should put the question, Whether or not the assembly found themselves judges competent to the bishops? But the commissioner urged that this question might be deferred. "Nay, with your grace's permission, that cannot be," said the moderator, "for it is fit to be put only after the declinature hath been under consideration."² Then the lord commissioner said he behoved to be gone. "I wish the contrary from the bottom of my heart," replied the moderator, "and that your grace would continue to favour us with your presence, without obstructing the work and freedom of the assembly."

The earl of Rothes being no less anxious for the lord commissioner's stay, said, he thought some more pains should be used by the assembly to remove the prejudices which his grace had taken up against them; and, no person objecting

¹ Baillie, p. 610.

² *Ibid.*

to the motion, he began with the complaints which had been made of sinister dealings in elections,³ and said much for clearing the assembly from that imputation; but the lord commissioner judged all that was said fell far short of their vindication, and pulled out two papers, one of them directed to a minister, and the other to an elder in every presbytery, containing private instructions prelimiting the election of members to the assembly, which his grace said came from their Tables at Edinburgh; but, when these papers were read, the assembly denied their knowledge of them. The first might, they said, be the advice of some friend, for which the assembly could not answer; but the other paper was, they said, altogether spurious, and seemed to be forged by their adversaries, of purpose to afford a pretext for discharging the assembly, and that, except in the fourth article, concerning the excluding of chapel-men, chapter-men, &c. and the eighth, advising to the study of matters controverted, it agreed in nothing with the instructions which had been sent from the Tables, of which they then produced a copy, and asserted upon their honour that the same was a genuine copy; and by these, they said, no indirect nor partial courses, nor dangerous propositions, had been used in elections, but such as were most legal, peaceable, and ordinary.

In the next place, whereas their meetings were branded for being called Tables, a name which, in ordinary acceptation, denoted a council-table, as if they had arrogated power and authority to themselves, it was answered, that, for the preservation of religion and purity of God's worship, it was most necessary for them to meet for deliberating jointly upon those weighty matters; that so large convocations having been no less disagreeable to the privy-council, than inconvenient for the lieges themselves, commissioners from each sheriffdom and society of men were allowed, first, by the privy-council at Dalkeith, and afterwards by the lord com-

³ Baillie, p. 610.

missioner, that so the great confluence of people from all parts of the kingdom might be dissolved; and, for their satisfaction, it was yielded that these commissioners should represent their grievances, and receive answers for the whole. That, though these conventions had not been favoured with such consent, they were not void of authority, because, they consisting of the nobility, barons, boroughs, and ministers, by act 113, parl. 11. king James VI. it is acknowledged necessary that the king and his estates be truly informed of the necessities, &c. of the subjects in all estates, which necessary and true information cannot be made to his majesty and estates without private meetings and consultations, and consequently, it being granted to them to inform the king and estates, &c. it must necessarily follow, that they have power granted to them to meet and advise upon that information, 'Quia aliquo concessio, omnia concessa videntur, sine quibus concessum expediti nequit.' And as to the ministers, they had power, not only by the word of God and constitutions of the church, but also by the laws of the land, to propose, reason, and vote in assemblies, and, by the same parity of reason, to keep previous meetings, not to determine or execute, but to consult upon their necessary business. All which were, they said, most compatible with the loyalty and duty of good subjects, and did not encroach upon authority, seeing they assumed not to themselves any judicial determination in matters of state, civil or ecclesiastical, but, by voluntary instructions and opinions every one to another, concerning the common cause of religion, did resolve what might be most conducive to their lawful and just ends; *so that they suffered wrongously the invidious designation of Council-Tables, and gave no occasion for it, other than that, in their meetings and consultations, they sat about a table, a posture nowise prejudicial to authority, and which the meanest mechanics are allowed when they consult upon business belonging to their trade.

The lord commissioner replied, that he was not offended at these meetings being called Tables, but it displeased him that he found so much power there, and so little at the council-table; and that the councils given by their Tables were more regarded than the commands of the council-table. To this Rothies answered, that he knew of nothing that had come from their Tables but what was agreeable to the word of God and laws of the church and kingdom; and therefore it needed not be surprising that their advice had a due influence upon all whom the Lord had inclined to take part with them. And the lord Loudon entreated his grace to condescend on those orders of the council-table, which had not procured ready obedience; "for," added he, "I know of none but such as could not be obeyed with a good conscience; and that may not be accounted disobedience."

Enough having been said in vindication of the assembly for refusing a vote to the nobles who were named assessors to the lord commissioner, it was not thought fit to urge the matter farther in that shape, only it was alleged on the part of the lord commissioner, not by himself, that Blackhall, being a lawyer, might be admitted to defend the cause of episcopacy and the bishops; but the assembly overruled this for the following reasons, which we the rather insert, because of the great abuse of that privilege by too many of the gentlemen of the gown at this day: "1. We ought ever to remember," say they, "as a fundamental maxim, the distinction made betwixt civil and ecclesiastical jurisdiction in the word of God, and largely explained in several acts of assembly, especially in the first and tenth chapters of the book of policy, where we find the difference clearly stated. As to the persons, manner of government, matters treated, and form of proceeding, all is ecclesiastical, and only ecclesiastical in the one, and all civil and only civil in the other—their very principles and rules are different. In the one, civil

¹ Journal.

² Baillie, p. 672.

laws are the rule, but in the other the word of God is the only rule. They are independent of one another in their own jurisdiction; and as an assembly cannot prescribe rules to the parliament in civil matters, no more ought the parliament to prescribe to the assembly in ecclesiastic; and therefore advocates, arguing upon civil grounds and acts of parliament, should not be permitted by the assembly, in matters ecclesiastic, where no rule should be heard but that 'it seemed good to the Holy Ghost, and to us assembled in his name;' and *scriptum est, scriptum est*. 2. Although God's word should regulate all civil as well as ecclesiastic jurisdiction and constitutions, it would be accounted ridiculous for procurators in civil judicatures to plead the cause of their client from scripture; and it were far more absurd to suffer procurators to come before the assembly, and dispute ecclesiastical matters out of civil constitutions. 3. The lords of privy-council, for eschewing confusion, contradiction, and jangling, will not suffer advocates to plead before them. 4. As advocates are admitted by the court of session, their power is only to plead before them, or other civil judicatures in subordination to them. 5. Civil pleaders in general assemblies were ever refused, and never suffered in this kirk; and bishops Adamson and Montgomery were censured for not compearing personally, although one Wilson an advocate craved to be heard for Adamson. 6. In the assembly 1576, sess. iii. follows these words: 'The bishop of Dunkeld, being accused, did compear in the assembly, and desired he might have Mr. John Graham advocate, to reason for him, which being thought a new thing, and by [*i. e.* beside] the custom of the assembly, was finally voted and concluded to be a novation, and to introduce *forum contradictorium*, and finds him not to be admitted, nor none others, who are not of the function of the kirk; and therefore ordains him to answer in his own person the 9th of this instant, or to choose any of the brethren in the function of the kirk;' whereby all advo-

cates compearing and reasoning for any party is prohibited. 7. Albeit Sir Lewis Stewart be named an assessor, he being an advocate, this is done *in fraudem legis*, to introduce *forum contradictorium*, to make the assembly like a civil judicature, and to fill all with the problematic disputes of those whose ordinary charge is to dispute *sceptacii in utramque partem*: Which admission of one who is not of the function of the kirk were an innovation, beside the custom of pure assemblies, and were a taking the place of divines over their head; for both by reason, and by the custom of the kirk, it is the proper duty of divines, whom the assembly may appoint, to dispute *utramque partem*. And, 8. The king's advocate (and far less any other) has not place to reason in the assembly, especially at this time, when there have been differences between the king and the church; so, if my lord commissioner will have advocates to plead for the king, the kirk and the country may with as good reason send for advocates, and the assembly behoved to sist procedure till their coming, and be vexed with problematic disputes, which were absurd."

The exception with respect to lay-elders was next overhauled.¹ The lord commissioner said, "Because the king intendeth only the preservation of the purity of religion, he cannot consent that the assembly should consist of so great a number of ignorant men wanting ability to judge of matters to be treated there, but desires that they may consist only of the church's own proper members." And, on the part of his grace, it was roundly asserted by Dr. Balcanqual, that neither the name nor thing of a lay-elder was ever known to any general council, nay not to any particular church in the world before Calvin's days; and that though since that time, elders were allowed a voice in some churches, as at the synod of Dort, yet that was only to men learned and judicious. To which it was answered by the lord Loudon, "That it is not always men of the greatest learning who bring forth the clearest

¹ Journal.

arguments in matters religious. There are here a number of nobles, gentry, and burgesses of the best quality, trained up at schools and colleges, taught in the grounds of religion, and able to dispute truths when fairly stated." And thereupon his lordship, with the earl of Rothes, Sir William Douglas, sheriff of Teviotdale, and some others, offered to dispute the matter, and by God's grace to prove that the office of the ruling-elder is warranted by the word of God, and by the acts and practice of our own and other reformed churches; but it seems the doctor was not prepared to accept the challenge, and therefore the arguments on that head were kept in. But, in regard it may tend to the vindication of this assembly, that the said office be cleared, the reader will be pleased to cast his eyes back to that paper, proving the power of ruling-elders from the acts and constitutions of our own church, inserted page 248 of this history; and for farther confirmation of the office, we beg liberty to transcribe part of a Treatise on Ruling-elders, by Mr. James Guthrie, who entered to the ministry about this time, and was the first (and otherwise a most famous) martyr after the restoration. "The institution," saith he, "of the office of ruling elder is divine; it is not an ordinance of man, but of God: The Lord Jesus, upon whose shoulder the government is laid, and who is faithful in all his house, hath, in his eternal wisdom, thought fit to appoint such an officer in his house, for the right and orderly governing thereof. It is true, that by the sloth, or rather by the pride, of teachers, while they alone would seem to be somewhat, and by the policy of Satan and inadvertence of the church, these officers were, for many ages together, out of use in the christian church; but certain it is, that both the Jewish synagogue, and afterward the christian church, had seniors or elders, without whose council nothing was done in the church. That the Jewish church had such appears from 2 Chr. xix. 8. Jer. xxix. 1. Matt. xvi. 21, 22, 23, 26,

57, 59; and Acts iv. 5. And that the christian church also had them, in the primitive and purest times thereof, appears from the testimony of ancient writers.¹ But we have a more sure word for the divine institution of elders in the christian church than any testimony of man, viz. the testimony of God, in the scriptures of the New Testament. The first place is Rom. xii. 6, 7, 8. 'Having then gifts differing according to the grace that is given to us, whether prophecy, let us prophesy, according to the proportion of faith; or ministry, let us wait on our ministering; or he that teacheth on teaching; or he that exhorteth, on exhortation; he that giveth, let him do it with simplicity; he that ruleth, with diligence; he that sheweth mercy with cheerfulness.' In which text the apostle doth first comprehend all the several kinds of ordinary standing officers in the church of God under two general heads, viz. prophecy, whereby is meant the ordinary faculty of right understanding and expounding the scriptures; and ministry, under which is comprehended all other church-offices and employments. To each of these the apostle addeth their general duties, viz. that he who prophesieth should do it according to the proportion of faith, *i. e.* according to the measure of the knowledge of the word of faith that he hath received of God; and he that ministers, let him wait on on his ministering, *i. e.* let him not do it negligently or slothfully, but faithfully and diligently. Then he subdivides these two generals into the special offices contained under them; he divides him that prophesieth into him that teacheth and him that exhorteth, or into the doctor to whom the word of teaching or instruction belongs, and the pastor to whom the word of exhortation is competent; and under him that ministereth he comprehends, first, him that giveth, by whom is meant the deacon, who is appointed for the supply of the poor;

¹ Ambros. Com. on 1 Tim. v. 1. Tert. in his 34th chap. of Apolog. Basi. Mag. Com. on Isa. iii. 2. Kier on that same place. Aug. Ep. 137. Greg. con. Cels. lib. iii. Aug. l. iii. contra Crescen. cap. lvi.

secondly, him that ruleth, by whom can be meant no other than the ruling-elder, seeing an ordinary ruling officer in the church, who is different from the pastor and teacher, is here spoken of by the apostle. A second place of scripture that proves the office of ruling elders, is 1 Cor. xii. 28. 'And God hath set some in the church; first, apostles; secondarily, prophets; thirdly, teachers; after that miracles; then gifts of healing, helps, governments, diversities of tongues.' In this text the apostle reckons several officers of the church; some extraordinary, which were to continue but for a season, such as apostles, prophets, powers or miracles, gifts of healing, kinds of tongues; and some ordinary, which were to continue to the end of the world; and these in his church are teachers, or the ordinary church-officers who are exercised in the word; helps, *i. e.* the deacons, who are appointed for the help and relief of the poor; and governments, *i. e.* the governing or ruling-elders; for it is clear from the words, that the apostle, by governments, doth mean a church-officer, whom God hath set in his church for ruling and governing thereof: now this cannot be any other of the church-officers, for these he hath named besides, and therefore, it remains that it is the ruling-elder. And a third place of scripture is 1 Tim. v. 17. 'Let the elders that rule well be counted worthy of double honour, especially they that labour in the word and doctrine.' Which text doth hold forth and distinguish two sorts of elders in the church, to whom the Lord Jesus hath committed the power of ruling; one sort who do also labour in the word and doctrine, to wit, pastors and teachers, and another sort who do only rule, and doing it well are accounted worthy of double honour, and these are the ruling-elders of whom we speak."

The lord Rothes being still loath that the lord commissioner should leave them dissatisfied, he did argue the matter in a friendly way: He acknowledged that his lordship had a great share in procuring to them the favour of that free as-

sembly. "And now," added he, "when the assembly so granted is fully constituted, if your grace, who is a chief member of it, shall, by protestation against the assembly, and deserting the same, labour to render it most unfree, that were more than we expected."¹ And he offered, if his grace had any just exceptions against their former proceedings, or was afraid they would not behave with moderation, that they were willing to clear themselves concerning by-gones; and, for the time to come, he hoped that the law of God and the constitutions of the church should be their rule.

But the only answer which the lord commissioner gave, was an appeal to God, that he had laboured, as a good christian, a loyal subject, and a kind countryman for the good of this church, and that there was nothing within the bounds of his commission which he would not gladly do for her.² This part his grace acted with tears: he bewailed that such a weighty burden was laid upon a weak man, unable to bring matters to the conclusion he wished; and, by his speech and example, he drew water from many eyes.

This grave and sorrowful part being somewhat allayed, the lord Rothes said, "The present evils, and farther inconveniences likely to ensue on his grace's leaving the assembly, could not lie at the assembly's door, neither did they blame his grace nor their royal sovereign for it, but the bishops, who were the source of all their evils, and had, by their secret suggestions and private whisperings concerning ruling-elders, &c. filled his majesty's mind with prejudice against them."³ The lord commissioner, in return to this, did excuse the bishops, but admitted that they had, by their declination and protestation, brought the matter to this issue.³

Mr. David Dalgleish, a grave and venerable member, of solid judgment, taking the advantage of the lord commissioner's answer, said, "Now I perceive, both by the bishops' declination and your grace's

¹ Journal. ² Baillie, p. 612. ³ Journal.

speech, that they desire not to be cleared of the foul aspersions and imputations condescended on in the libel against them, and, if your grace shall leave us, it is evident that they are to blame for it." The lord commissioner answered, that he was sure the bishops desired nothing more than to have a fair hearing before impartial judges, but that no man would submit himself to a judge who is his party, as the bishops take this assembly to be. To which Mr. Dalgleish replied, "If I were accused of such crimes, I would submit myself to the meanest subject in the kingdom, rather than lie under such foul imputations." And Loudon added, "If the bishops decline the judgment of that reverend and honourable assembly, he knew not a judgment-seat fit for them but the King of heaven's; for we protest," said he, "that we have no personal prejudice at them; but, in so far as they have wronged the church, &c. we have a right to censure them for it, and they ought in conscience to submit."¹

By this time the lord commissioner, having been weary of reasoning, interrupted them, and said, "I stand to the king's prerogative as supreme judge over all causes civil and ecclesiastic: To him the lords of the clergy have appealed, and therefore I will not suffer their cause to be farther reasoned here."²

Argyle finding the matter was come to an extremity, desired to be heard before his grace left the assembly,³ and, in a general speech, declared that he was called to attend them by his majesty's command, that his conduct had been upright, that he had never blown the bellows, either by flattering the king or his high commissioner for his own ends, or tampering with those who were discontented, but studied, as he had opportunity of being with both, to keep matters in as soft a temper as he could; but now, lest he should be mistaken, he said he took them all, laics as well as ecclesiastics, for a lawful assembly, and honest countrymen, and wished that, in their

consideration of the covenant, which, at his majesty's command, he, with the rest of the council, had subscribed according to the sense in which it was understood when first sworn in the year 1580, nothing might be done prejudicial to the true sense of it.

Loudon answered, that this motion was very seasonable; that it tended to their scandal among other nations, that one confession should be subscribed by the lords of his majesty's council, and another by the body of the nation, as if there were two different confessions of faith among the professors of one religion in one kingdom; and he earnestly desired that the confession might be cleared, and all the heads and articles of it fully examined, that all might join in one bond of religion and dutiful obedience to our king.⁴

Here the lord commissioner thought fit to interpose once more. He promised that what was done by order of authority should be cleared by the laws of the church and kingdom, and that his majesty's intention would be vindicated from all misconstructions in due time.⁵

The lord Rothes, being impatient that such an urgent demand should be shifted, besought once more the lord commissioner's permission that the confession might be cleared, for, said he, "at Aberdeen alone it was subscribed in no less than three different senses; by some after a popish manner, admitting all the ordinances of the church introduced, or to be introduced, which is implicit faith with a witness; by others, with that construction only which it had when subscribed in the year 1580; and, by a third sort, in a sense which did exclude all the innovations introduced since that time; which things were lamentable, and required a present remedy."⁶

But the lord commissioner would not listen to the motion.⁷ He said he had authority to have taken order concerning that and many other things, but now he could not stay any longer, and urged

¹ Journal.² Ibid.³ Ibid and Baillie, p. 613.⁴ Baillie, p. 613.⁵ Ibid.⁶ Ibid.⁷ Ibid. Large Declaration, p. 276. Burnett's Mem. Dukes of Hamilton, p. 106.

the moderator to conclude with prayer; but, being disappointed in that, as in most of his other plots, he did thereupon renew all his former protestations in his royal master's name. In like manner he did, in his own name, and in the name of the lords of the clergy, protest that no act there should imply his consent, or be accounted lawful or of force to bind any of the subjects; and having so said, he did, in his majesty's name, dissolve the assembly, and discharged their proceeding any farther. The Large Declaration saith, that he added, under the highest pains: and bishop Burnet saith he discharged them under pain of treason; but all my manuscripts are silent as to this.

The lord commissioner had scarce done with speaking, when the lord Rothes begged his attention, and said, because his grace's departure was surmised this morning, it was thought necessary that a protestation should be made ready against that event, and now it was prepared so far as the time would permit, but, unwilling he was to present the same; yet, seeing the lord commissioner was departing without a just cause, he gave it in to be read by the clerk, and thereupon took instruments;¹ and, while his grace and all the lords of council, except Argyle, who waited to hear the reasonings in the assembly, were departing, the protestation—which began thus, "We, commissioners from presbyteries, boroughs, and universities, now convened in a full and free assembly of the church of Scotland, indicted by his majesty, and gathered together in the name of the Lord Jesus Christ, the only head and monarch of his own church, &c.;" and of which the substance will fall more naturally to be repeated when we come to relate the history of the next sederunt—was read, and instruments were again taken thereon.

This done, the moderator did wisely encourage his brethren in a speech to this effect: "All who are present know how this assembly was indicted, and what power we allow to our sovereign in

matters ecclesiastic: But though we have acknowledged the power of christian kings for convening assemblies, and their power in them, yet that must not derogate from Christ's right, for he hath given warrant to convocate assemblies whether magistrates consent or not: Therefore, seeing we perceive his grace my lord commissioner to be zealous of his royal master's commands, have not we as good reason to be zealous toward our Lord, and to maintain the liberties and privileges of his kingdom? You all know that the work in hand hath had many difficulties, and yet hitherto the Lord hath helped and borne us through them all; therefore it becometh not us to be discouraged at our being deprived of human authority, but rather that ought to be a powerful motive to us to double our courage in answering the end for which we are convened."²

And having so said, he desired that if any other of the reverend or honourable members pleased, they might speak a word for the encouragement of their brethren, as God should put it in their hearts. Whereupon Mr. David Dickson arose, and said, "Ye all understand that the great work now in hand hath been carried on from small beginnings, for, at the first, we intended only to exoner ourselves, and to leave a testimony to posterity that we bear witness to Christ's oppressed cause. We thought the matter desperate when we were charged to buy the service-book and book of canons under the pain of horning, yet we gave in supplications to the council, desiring them to hear us speak against such proceedings; and, when we knew not what to do next, God led us on step by step, and hath kept us still within the compass of his word and the laws of this kingdom, for ought we know, for we have only followed our cause with humble supplications to our king, and protestations against what we could not obey; and it is evident that God hath accepted our testimony, for his hands are about us still. If his eye had not directed, and his hand guided us, we could not have

¹ Journal.

² Journal, and Baillie, p. 614.

been of one mind to this day; we had long since been confounded in our wits, and could have done nothing for compassing this great work, more than young children. God is now to crave a solemn testimony from the church of Scotland, and we have clearly represented to us an example of fidelity to our Lord and master by my lord commissioner. He hath stood punctually to the least jot of his commission, and it becometh us to be as zealous and loyal towards our God. Therefore, seeing this court is granted to us of God, under our king, and with his allowance, and a parliament indicted to warrant all the conclusions of it, let us go on as we may answer to both; and, though his majesty hath withdrawn his granted warrant, shall we for this be disloyal to our God, and let go that power which he hath granted? If we go not on, we shall prove traitors both to God and to our king; or, if we be silent, and pass from this assembly, how shall the will of God be demonstrated to our king in things controverted? There is not a mean to inform his majesty fully and clearly but the determinations of this assembly, therefore we must now proceed, and so proceed as all our actings may answer for themselves, and it may be seen that our behaviour is as becometh good subjects to God and the king. We must either go on, or take upon us all the imputations of scandalous and turbulent persons, and grant that there have been as many wrongs as there have been false imputations laid out against us; and this were to sin more deeply, and to quit those glorious privileges which Christ hath granted to us above all our sister churches. Seeing then, that there is not a mean left whereby to clear ourselves before the christian world but this, let us go on in putting over the matter upon our Lord and Master, and he shall answer for us at the court of heaven, and justify us in the eyes of all that are wise."¹

After Mr. Dickson had thus spoken, Mr. Henry Rollock, Mr. Andrew Cant, and Mr. Andrew Ramsay, of the clergy,

¹ Journal.

Loudon of the nobility, Keir of the gentry, and Mr. Robert Cuninghame of the boroughs, had pathetic speeches to the same purpose, which did not only animate the other members with new life and courage, but also a multitude of spectators; amongst whom was lord Erskine, son to the noble earl of Mar, (and otherwise a youth of great expectation) who came into the assembly, and with tears besought that he might be admitted to subscribe the covenant. He ingenuously confessed that his conscience had frequently checked him for this omission, and admonished him that he should, with the first opportunity, join himself to so good a cause; and perceiving, he said, that God was angry with him for this neglect, he desired the prayers of the assembly on his account, that the Lord's anger might be turned away from him. Several others followed the example of this noble youth, amongst whom were Mr. Forbes, and Mr. MacKail, ministers from Holland, and both of them Scotsmen, and the first-named a son of the famous Mr. John Forbes, who was moderator to the general assembly at Aberdeen, anno 1605, and was banished on that account. The seeing and hearing of these men gave great joy to the whole assembly; and they looked upon it as an evidence of the divine favour, that when they were afraid, lest many through discouragement would have turned their back upon the cause, that, even in that crisis, the hearts of some were, for their encouragement, incited to join themselves to them.²

Then the moderator did put the question, whether they would adhere to the protestation against the lord commissioner's departure, and continue constituted till all things needful were concluded, or not? And, the votes being called, the whole members promised heartily to abide, on all hazards, except Sir John Carnegie of Cathie, and three or four ministers about Angus, whose names, according to Mr. Rowe,³ were Mr. Thomas Thoires, Mr. John Watson, Mr. Joseph

² Journal, and Baillic, p. 615.

³ Hist. p. 333.

Brodie, and Mr. John Annan, who went off, pretending their commission had an express clause of their sitting only in case of his majesty's countenancing the assembly, and were for that reason struck off from the roll, as was Dr. Baron, commissioner from the university of St. Andrews, who had left them some days before on the pretence of sickness. To these the same author adds Dr. Strang and Patrick Bell, who, he says, came back next day, and adhered to the assembly's protestation; but, however true this may be of provost Bell, it seems improbable with respect to the principal, because his commission had been rejected, as we noticed before.

The last question that day was, whether the assembly do find themselves lawful and competent judges to the pretended archbishops and bishops of this kingdom, and the complaints given in against them and their adherents, notwithstanding of their declinature and protestation, and, according to Mr. Baillie, all did vote affirmativè, but, according to the Journal, three or four did vote in the negative.

SESSION VIII. *Nov. 29.*—The work of this day began with a proclamation against the assembly, privately subscribed by the lord commissioner and most of the councillors, and was published about ten o'clock, with great solemnity, at the market-cross of Glasgow;¹ but, the same being recorded in the Large Declaration, all in it that we have occasion to repeat is, “that it discharges and inhibits all and whatsoever pretended commissioners, and other members of the said assembly, from all farther meeting and convening, treating and concluding anything belonging to the said assembly, under the pain of treason; declares all and whatsoever they should happen to do, in any pretended meeting thereafter, to be null, and of no strength, force, or effect, with all that may follow thereon, and prohibits and discharges all the lieges to give obedience thereto; all of whom it declares

free from the same, and of all hazard that might ensue for not obeying thereof; and for this effect it commands and charges all the foresaid pretended commissioners to depart forth of the said city within twenty-four hours after the publication thereof,” &c.

As soon as this proclamation was published, Mr. Archibald Johnston, assisted by the lord Erskine and several other young noblemen and gentlemen, who had reverentially heard the proclamation read, did, for answer thereto, read the protestation which had been given into the assembly at the lord commissioner's departure, and was approved by them; but, this being also in the Large Declaration,² we shall pass the narrative, and only subjoin that part which contains their reasons and protestation. “Therefore,” say they, “from a consciousness of our duty to God and his truth, the king and his honour, the church and her liberties, this kingdom and her peace, this assembly and her freedom, and the safety of ourselves and our posterity in our persons and estates, we profess, with sorrowful and heavy, but loyal hearts, that we cannot dissolve this assembly, for the reasons following:

“1. For the reasons already printed concerning the necessity of convening a general assembly, which are now more strong in this case, seeing the assembly was indicted by his majesty's authority, did convene, and is fully constituted, in all the members thereof, according to the word of God and discipline of this church, in the presence and audience of his majesty's commissioner, who hath really acknowledged the same, by assisting therein seven days, and exhibiting his majesty's royal declaration to be registered in the books of this assembly, which accordingly is done.

“2. For the reasons contained in the former protestations made in name of the noblemen, barons, burgesses, ministers, and commons, whereunto we do now judicially adhere, as also unto the confession of faith and covenant subscribed and sworn by the body of this kingdom.

“3. Because, as we are obliged by the appli-

¹ Journal. Large Declaration, p. 290.

² P. 294.

cation and explication subjoined necessarily to the confession of faith subscribed by us, so the king's majesty, and his commissioner and privy-council, have urged many of this kingdom to subscribe the confession of faith made in the years 1580, and 1590, and so to return to the doctrine and discipline of this church as it was then professed. But it is clear, by the doctrine and discipline of this church, contained in the book of policy then registrated in the books of assembly, and subscribed by the presbyteries of this church, that it was most unlawful in itself, and prejudicial to those privileges which Christ in his word hath left to his church, to dissolve or break up the assembly of this church, or to stop their proceedings in making of acts for the welfare of the church, or execution of discipline against offenders, and so to make it appear that religion and church government should depend absolutely upon the pleasure of the prince.

"4. Because there is no ground of pretence, either by act of assembly or parliament, or any preceding practice, whereby the king's majesty may lawfully dissolve the general assembly of the church of Scotland, far less his majesty's commissioner, who, by his commission, hath power to indict and keep it *secundum legem et praxin*; but, on the contrary, his majesty's prerogative royal is declared, by act of parliament, to be nowise prejudicial to the privileges and liberties which God hath granted to the spiritual office-bearers and meetings of this church, which are most frequently ratified in parliament, and especially in the last parliament, holden by his majesty himself: which privileges and liberties of the church his majesty will never diminish or infringe, being bound to maintain the same entire by solemn oath given at his royal coronation in this kingdom.*

"5. The assemblies of this church have

* When we were formerly upon the history of this coronation, we would gladly have related the manner of it, but were obliged, through want of proper materials, to omit particulars; but now, having procured a sight thereof, we will, seeing the coronation oath is here referred to, adventure to transcribe so much of that solemn ceremony as respects the security given by king Charles, for the preservation of religion and liberty.

"The king having taken his seat, George viscount of Duplin, lord chancellor, did, in name of the estates of the kingdom, speak to his majesty thus:

still enjoyed the freedom of uninterrupted sitting, notwithstanding any countermand, as is evident by all the records thereof, and in special by the register of the general assembly holden anno 1582, which being charged with letters of horning by the king's majesty's commissioner and council, to stay their process against Mr. R. Montgomery, pretended bishop of Glasgow, or otherways to dissolve and rise, did, notwithstanding, shew their liberty and freedom, by continuing to sit still, and going on in that process to the end thereof; and, thereafter, by letter to his majesty, did shew clearly how far his majesty had, upon misinformation, prejudged the prerogative of Jesus Christ, and the liberties of this church, and did enact and ordain, that none should procure any such warrant or charge, under the pain of excommunication.

"6. Because, now to dissolve, after so many supplications and complaints, after so many reiterated promises, after our long attendance and expectation, after so many references of processes from presbyteries, after the public indiction of the assembly, and the solemn fast appointed for the same, after frequent convening together, formal constitution of the assembly in all the members thereof, and seven days' sitting, were, by this act, to offend God, contemn the subjects' petitions, deceive many of their conceived hopes of redress of the calamities of the church and kingdom, multiply the combustions of this church, and make every man despair hereafter ever to see religion established, innovations removed, the subjects' complaints respected, or the offenders punished with consent of authority, and so, by casting the church loose and desolate, would abandon both to ruin.

"7. It is most necessary to continue this assembly for preventing the prejudices which may ensue upon the pretence of two cove-

"SIR,—The estates of your native and ancient kingdom, calling to mind the great happiness they enjoyed under the government of your majesty's father, of blessed memory, and acknowledging your highness to be the rightful heir of this crown, by a long and lawful descent, do beseech your majesty to receive them into your highness's protection, to govern them by the laws of the kingdom, and defend them in their rights and privileges by your royal power, offering their service in most humble manner to your majesty, with their vows to bestow life, and what else is in their power, for the safety of your majesty's sa-

nants, whereas, indeed, there is but one, that first subscribed in 1580 and 1590, being a national covenant and oath to God, which is lately renewed by us, with that necessary explanation which the corruptions introduced since that time, contrary to the same, enforced, which is also acknowledged by the act of council in September last, declaring the same to be subscribed as it was meant at the time of the first subscription; and, therefore, for removing that shame, and all prejudices which may follow upon the appearance of two different covenants and confessions of faith in one nation, the assembly cannot dissolve before it try, find, and determine, that both these covenants are but one and the self-same covenant; the latter, renewed by us, agreeing to the true genuine sense and meaning of the first, as it was subscribed anno 1580.

“For these and many other reasons, we the members of this assembly, in our own name, and in the name of the kirk of Scotland whom we represent, and we noblemen, barons, gentlemen, ministers, burgesses, and commons before mentioned, do solemnly declare, in the presence of the ever-living God, and before all men, and protest, 1. That our thoughts are not guilty of any thing which cred person, and maintenance of your crown, which they entreat your majesty to accept, and pray almighty God that you may happily, and for many years enjoy the same.

“The king made answer, That he did esteem their affections more than the crowns of many kingdoms, and would, by God’s assistance, bestow his life in their defence, wishing to live no longer than he might see their kingdom flourish in all happiness.”

Then the archbishop of St. Andrews asked his majesty, if he was willing to take the oath appointed to be given at the coronation of kings.

His majesty made answer, That he was willing.

Whereupon the archbishop did interrogate him thus:

1. “SIRE,—Will you promise to serve Almighty God to the uttermost of your power, as he hath required in his most holy word, and, according to the same word, maintain the true religion of Christ now preached and professed within this realm, abolishing and gain-standing all false religions contrary to the same? And will you carefully employ yourself to root all heretics and enemies to the true worship of God, who shall be convicted by the true church of God of the fore-said crimes, out of this realm?”

The king answered, “I promise faithfully so to do.”

2. “SIRE,—Will you make promise to rule the people subject to you according to the laws and constitutions received within this realm, causing justice and equity to be

is not incumbent on us as good Christians towards God, and loyal subjects toward our sacred sovereign. 2. That all the protestations, general or particular, proponed, or to be proponed by the commissioner his grace, or the prelates and their adherents, may be presently discussed before this general assembly, being the highest ecclesiastical judicatory of this kingdom, and that his grace depart not till the same be done. 3. That the lord commissioner depart not till this assembly do fully settle the solid peace of this church, cognoscing and examining the corruptions introduced upon the doctrine and discipline thereof; and for attaining hereof, and removing all just exceptions which may be taken at our proceedings, we attest God, the searcher of all hearts, that our intentions and whole proceedings, in this present assembly, have been, are, and shall be according to the word of God, the laws and constitutions of this church, the confession of faith, our national oath, and that measure of light which God the Father of lights shall grant us, and that in the sincerity of our hearts, without any preoccupation or passion. 4. That if the commissioner his grace depart, and leave this church and kingdom in this present disorder, and administered in all judgments without partiality, and to procure peace, to the uttermost of your power, to the church of God, and amongst all Christian people?”

The king answered, “I grant and promise so to do.”

3. “SIRE,—Will you likewise promise to preserve and keep inviolated the privileges, rights, and rents of the crown of Scotland, and not to transfer nor alienate the same in any sort?”

The king answered, “I promise so to do.”

4. “SIRE,—We also beseech you to grant and preserve to us of the clergy, and to the church committed to our charge, all canonical privileges; and that you will defend and protect us in this your kingdom, as every good king ought to defend his bishops and the church under their government.”

The king answered, “With a willing heart I grant the same, and promise to maintain you, and every one of you, with all the churches committed to your charges, in your hail rights and privileges, according to law and justice.”

And then the king, arising from his chair, went to the communion table, erected in form of an altar, where, in sight of all the people, he laid his hands on the Bible and took his oath, and said, “All the things which before I have promised, I shall observe and keep. So help me God, and by the contents of this book.”

* This article was not imposed by law, but by the bishops, at the instigation of archbishop Laud, who directed the whole ceremony.

charge this assembly, that it is both lawful and necessary for us to sit still, and continue in keeping this present assembly indicted by his majesty, till we have tried, judged, and censured all the bygone evils and the introductors, and provided a solid course for continuing God's truth in this land, with purity and liberty, according to his word, our oath, and confession of faith, and the lawful constitutions of this church; and that, with the grace of God, we, and every one of us adhering hereunto, shall sit still and continue in this assembly, till, after the final settling and conclusion of all matters, it be dissolved by common consent of all the members thereof. 5. That this assembly is, and should be, esteemed and obeyed as a most lawful, full, and free general assembly of this kingdom: And that all acts, sentences, constitutions, censures, and proceedings of this assembly are in themselves, and should be reputed, obeyed, and observed, by all the subjects of this kingdom and members of this church, as the actions, sentences, constitutions, censures, and proceedings of a full and free general assembly of the church of Scotland, and to have all ready execution under the ecclesiastical pains contained or to be contained therein, and conform thereto in all points. 6. That whatsoever inconvenience shall fall out by impeding, molesting, or staying the free meeting, sitting, reasoning, or concluding of this present assembly, in matters belonging to this judicatory by the word of God, laws and practice of this church, and the confession of faith, or in the observing and obeying the acts, ordinances, and conclusions thereof, or execution to follow thereon, that the same be not imputed to us, or any of us, who most ardently desired the concurrence of his majesty's commissioner to this lawful assembly; but on the contrary, that the prelates and their adherents, who have protested and declined this present assembly, from a consciousness of their own guiltiness, not daring to abide any legal trial, and, by their misinformation, have moved the commissioner's grace to depart and discharge this assembly, be esteemed, reputed, and holden the disturbers of the peace, and overthrowers of the liberties of the church, and guilty of all the evils which shall follow hereupon, and condignly censured according to the greatness of their fault and laws of the church and realm: And to this end we again

and again do, by these presents, cite and summon them, and every one of them, to compare before this present general assembly, to answer to the premises, and to give in their reasons, defences, and answers against the complaints given in, or to be given in against them, and to hear probation led, and sentence pronounced against them, conform to our former citations, and according to justice, with certification, as effects. Likeas by these presents we summon and cite all those of his majesty's council, or any other who have procured, consented, subscribed, or ratified this present proclamation, to be responsible to his majesty, and the three estates of parliament, for their counsel given in this matter, so highly concerning his majesty, and the whole realm, conform to the 12th act, king James IV. parl. 2, and protest for remedy of law against them, and every one of them. And lastly, we protest that, as we adhere to the former protestations, all and every one of them, made in the name of the noblemen, barons, gentlemen, ministers, boroughs, and commons, so, seeing we are surprised by his grace the commissioner's sudden departing, far contrary to his majesty's indiction and our expectation, that we may extend this our protestation, and add more reasons thereto in greater length and number, whereby we may fully clear, before God and men, the equity of our intentions, and lawfulness of our proceedings.

Remarks on the said proclamation and protestation are unnecessary; one thing is obvious, that both were drawn up in a hurry, but both were afterward amended in the proclamation and protestation the 18th of December, which may be noticed in their place.

And now, this stir being over, the assembly met, and after prayer the moderator considering that, the lord commissioner and his company being gone, some might be in hazard of erring in point of decency and order, he did, in an address to the honourable and reverend members, intreat them to consider, not only that they were in the sight of God, who requireth both inward reverence and outward respect, but that their adversaries had spoken reproachfully of their carriage as tumultuous, therefore he exhorted that their behaviour might

be grave, as in the sight of God, that they should keep themselves quiet, because they ought to have their judgments exercised concerning the matter in hand, and their minds elevated to God for light and direction;¹ that when they did speak it should be with gravity, and the rest should attend to what was said; that one only should speak at a time, and that after liberty given; not that he assumed any thing to himself, but he was bold to direct them in that wherein he had the consent of their own minds.

To this diet the earl of Argyle came back, and the moderator did earnestly intreat, that, though he was no member of the assembly, he would, for the common interest he had in the church, be pleased to countenance their meetings, and bear witness of the rectitude of their proceedings. This his lordship promised, and did honestly perform, by recommending to the assembly to go on wisely, and with that respect due by obedient subjects to a gracious king, and assuring them, that by their discreet behaviour the work they were now employed in would be constructed.² This advice the assembly took in good part, and they looked on his lordship's countenance as the greatest human encouragement they met with; for besides that he was the most powerful by far of any subject in the kingdom, it was known that he was in great favour with the king, and it was believed that he had allowance to stay as a check upon the assembly; but it soon appeared that nothing else than a sense of duty induced his lordship to encourage them with his presence in a time of so much need, and that he did it at the loss of the king's favour, and, if matters had turned out to the wish of the court, at the hazard of his own head; for, by his majesty's letters to him about this time, it appeared that nothing was more against his majesty's inclination than his lordship's stay, and the lord commissioner did resent the same beyond all bounds.

¹ Journal.

² Baillie, p. 615.

This day Argyle produced a letter from the earl of Wigton, and next day another from the earls of Kinghorn and Galloway, shewing that they had subscribed the confession according as it was professed in the year 1580.³ Montrose did likewise declare that he had authority from the earl of Mar and the lord Napier to say as much in their name; and some others declared that the lords Almond and Blackhall desired to be understood as having subscribed in the same sense. "These are the councillors whose declaring themselves the marquis of Hamilton (we speak in the language of the bishop of Sarum)⁴ judged rather an advantage than a loss."

The falling off from the court of so many councillors, and, upon the matter, acceding to the assembly, was very acceptable to them: and upon that occasion the moderator said, "Though we had not a nobleman to assist us, our cause were not the worse nor the weaker; but thereby occasion is given us to bless God, that they are coming in daily."⁵

In the next place, the moderator recollecting that the bishops had, in their declinature, alleged that several members of the assembly were lying under censures, either of the church of Ireland, or of our own church, and therefore could not warrantably be judges to them, and that the lord commissioner and privy council had taken this for granted in the late proclamation, therefore he thought it highly necessary, that, before entering on business, those members who fell under that imputation should first clear themselves from it.⁶ The members under the censures of the Irish bishops were Messrs. Blair, Livingston, Hamilton, and Maclellan; and Mr. David Dickson, Mr. Samuel Rutherford, and the laird of Earlston had been censured by the high commission in Scotland. "Several of us," says Mr. Baillie, "could have wished, that, for stopping the mouths of the adversaries, these men had not been

³ Baillie, p. 616. ⁴ Mem. Dukes of Hamilton, p. 107. ⁵ Journal. ⁶ Ibid.

chosen, but their eminent gifts would not suffer them to be passed by."

For the first four, Mr. Blair the eldest of their number, did, in an easy speech *ex tempore*, shew at length that the censures inflicted on them by the Irish bishops were only for their adhering to the discipline of the church of Scotland, a fact in which all the four agreed;¹ and Mr. Dickson, who, as being settled at Irvine, a port which had frequent intercourse with the Irish, had been at pains to get certain information concerning that point, did likewise attest the same; and in end the assembly was fully satisfied that the censures inflicted upon their brethren were most unjust, and therefore were of no effect from the beginning, and that the church of Scotland, having no dependence on the church of Ireland, was under no necessity to regard their censures.

When Mr. Blair was about to return to his seat, Sir William Douglas stopped him, and desired he would likewise satisfy the assembly concerning his departure out of the kingdom.² "Well remembered," said the moderator, "for it is asserted in the proclamation, that some, long since banished for open and avowed teaching against monarchical government, are members of the assembly." To which Mr. Blair answered, that he thanked God that by this an occasion was afforded him for exonerating himself, a thing which he would gladly have done of his own accord, were it not that he feared the imputation of officiousness, in exhausting so much of the assembly's time as would be necessary in relating that affair; and then, to the point, he said, "I take God, in whose sight I speak, to witness, that all the public afflictions which have befallen me, have, for ought I know, been for constant adherence to the confession of faith of the church of Scotland. When Perth articles were concluded I was present, and from that time the Lord determined me to stand to that truth which I perceived to be there oppressed. While I was a regent in the college of Glasgow, Dr. Cameron,

¹ Journal.² Ibid.³ Ibid.

our learned countryman, was brought from foreign parts, and settled in that university, to bring them to conform to Perth articles; and, after he had for some time tried to gain me, finding his labour lost, it raised a prejudice in his breast, which seems never to have been fully removed. And to this occasion of misunderstanding there was added another. In a public theological dispute, where I was opponent, it was maintained by a young gentleman, who accompanied the doctor from France, that election proceeded upon foreseen faith. In this dispute the doctor took part with his theologue; and the students' report of this affair, amongst their acquaintances, was so much improved to the doctor's disadvantage, that he became the more incensed against me, and set himself to undermine me by all means possible; and finding that he was not like to prevail otherwise, he, by one of my students, procured a sight of my notes on Aristotle's Ethics, from which he extracted several excerpts, which, in his apprehension, savoured of disloyalty, for which he did publicly tax me in presence of the whole university, which brought on a dispute betwixt us that lasted for three hours. The dispute was in writing, and, at the doctor's desire I subscribed all my answers, though dictated off-hand, and consented that they should be transmitted to king James. And though this dispute, or rather examination, ended so favourably for me, that Mr. Robert Wilkie, rector of the university, said, 'Would to God king James himself were present to have heard your declaration;' and Mr George Young, who had been seduced to take part in the opposition against me, took me in his arms, and thanked God that I had so fully exonerated myself; the archbishop of Glasgow was dealt with to examine the matter; and after he had read my dictates, he acknowledged to Mr. James Robertson, my fellow regent, that he perceived malice did prompt the doctor; yet, lest the matter should be reported to his prejudice, he sent for me, and, at my sight, wrote a letter to king

James, lest, said he, we should be both wronged. To this letter, which did indeed state the matter candidly, an answer was returned to my lord Alexander, who had been my scholar, that his majesty saw no cause for being offended with me. Thus you see that there was neither process nor sentence against me on that account, and that the inquiry made into that matter, by the university and the archbishop, and afterward by the king himself, reflected no dishonour upon me. If it shall be still asked, what should have moved me after this to leave the university, I answer, That, perceiving the undermining courses which had been taken with me, and the difficulty of getting into the ministry, or continuing in it without some degree of conformity; and, being likewise become weary of teaching philosophy, I resolved to embrace the first opportunity of retiring; and, upon a call from Ireland, which was offered to me soon after, I resigned my place in the university without the smallest compulsion other than I have related: On the contrary, when my demission was talked of, Dr. Cameron, whose name I have mentioned oftener than I had any inclination, professed reconciliation to me, and importuned me not to demit my place; and to my brother, Mr. William Blair, the archbishop declared (as my brother wrote in his first letter to me after I went to Ireland) that he was resolved to have me settled in Ayr, where God, in his adorable providence, hath now brought me."

Mr. Blair having ended speaking, Messrs. Zachary Boyd, George Young, and Robert Baillie, who were in Glasgow while that affair happened, did declare that Mr. Blair had related it truly, and so the assembly rested fully satisfied.¹

Mr. Dickson fell next to be heard, who did speak to this effect: "I was admitted minister at Irvine six months before Perth assembly, and after the articles concluded there were begun to be imposed upon ministers, I studied the matter as I should answer to God; yet for two years' time I held myself quiet, till

¹ Journal. ² Ibid. and Baillie, p. 617

being overtaken with sickness, and dying in my own apprehension, I resolved to give my testimony to the truths which were oppressed; and though I did this in as modest terms as I could, purely for my own exoneration, the bishops got notice of it, and before I had been four years a settled minister I was summoned to answer before the high commission. When I read the summons, which contained a libel against me, with a short copy of citation subjoined, instead of James, by the grace of God king of Great Britain, &c. I found it began with John, by the mercy of God archbishop of St. Andrews, &c., and James, by the mercy of God archbishop of Glasgow, &c. After asking counsel of God concerning this matter, I became resolved, as a faithful member of the church of Scotland, to decline that judicatory; and when I made my compareance, I gave in a declinature of their jurisdiction, and offered to be judged by the first free general assembly. For reasons, I condescended on the act of parliament prohibiting all the king's lieges to give obedience to any judicatory not established by law, and added some things arising from the tenor of their summons. This declinature they made the ground of my quarrel, and for that alone they passed a sentence banishing me to Turiff. Upon this I returned home, and preached till the 20th day of April, the time set for my entering into ward, at which time, lest I had been mistaken as a contemner of authority, (the king's superscription being at their commission), I removed from Irvine to my confinement, where I remained for the space of nine months; after which I was, by the importunity of my lord Eglinton, and the town of Irvine, without my own knowledge, reponed to my flock without any restrictions; and for evidence of what I now say, here is the archbishop's letter to Eglinton, allowing his lordship to send for me, and an instrument of protest under the hands of a notary, which, for my exoneration, I took when I returned to Irvine, which I desire the clerk to read."

The clerk having read these papers, Mr. Samuel Rutherford was next called on,¹ who declared that he was summoned before the high commission, and roughly handled by them for two days, for writing against the arminians, and for nonconformity; and when they saw that they could gain little advantage of him on the first head, the third day they urged him with conformity, when he continuing obstinate, and they threatening to pass sentence against him, he gave in a written declination of their jurisdiction, for reasons much the same that Mr. Dickson had declared; whereupon they deprived him of his ministry at Anwoth, and confined him to Aberdeen: That he waited some time in Edinburgh for an extract of his sentence, but could get none, owing, as the clerk told him, to the bishop of Galloway's causing add, at his own hand, a clause that he should exercise no ministerial function within the king's dominions; but that he, having at length procured a copy of that sentence, which he thereupon put into the clerk's hand, went to his confinement without any charge, where he remained near two years, till understanding that the privy council had received in a declination against the high commission, he adventured to return home.

At last Earlston was desired to speak, who declared, That for nonconformity he was called before the high commission at Wigton, and neglecting to compare, the bishops took the libel for granted, and as if he had added contumacy, they passed sentence confining him to Montrose, which was changed in the way he should leave to be reported by the earl of Argyle.² Whereupon his lordship did inform, that having returned from England the day before Earlston was to have gone to ward, he did deal with the bishop of Galloway, that Earlston being manager of Kenmure's affairs, might rather be fined than banished. This the bishop yielded to, and yet he did afterwards resile, which obliged Earlston to give in a bill to the privy-

¹ Baillie, p. 617.² Ibid.

council, who dispensed with his confinement upon payment of his fine.

And now the persons objected to being all heard, the moderator said, he verily believed that all, to whose ears the voice of the speakers had come, were fully satisfied with what had been said, as a full vindication of these worthy men from the calumnies cast upon them; yet, if any had ought farther to object, he desired they might bring it forth;³ and finding, after a pause, that nothing was to be added on that head, he said, "Another thing with which our adversaries do reproach us, is the admitting of lay-elders;" and desired such of the members as pleased, to speak to that head. Accordingly Messrs. Robert Wilkie, James Bruce, and Andrew Ramsay, ministers, with the lords Johnston, Loudon, and Cranston, and the laird of Keir, elders, did justify that office to the satisfaction of the assembly;⁴ but none of my authors condescend on particulars.

The same day, for the more speedy dispatch of business, and preventing confusion in public, three committees were appointed to ripen and prepare some of the most important affairs which were to be brought before the assembly.⁵

At Argyle's desire, the first thing taken to consideration, was the explication of the confession of faith or covenant, in which his lordship wished the assembly might proceed with great deliberation, lest they should bring any, who had sworn it in the sense he had done, under the suspicion of perjury.⁶

On this occasion the moderator said,⁷ "Although we do not compare the confession of any reformed church with the word of God, and are far from reckoning our confession a rule of faith, but only a form of confession, yet we have great reason to account honourably of it. Other churches give a large testimony thereto, and it were a shame for us not to have the same good opinion of it; and, that we may have this, it is necessary that we clearly understand

³ Baillie, p. 617.⁶ Baillie, p. 617.⁶ Journal. Baillie, p. 617.⁴ Journal.⁷ Journal.

the particular articles contained in the same, especially such as have been controverted. Ye all know what a great ado hath been made about this matter, some subscribing with an interpretation exclusive of the service-book and canons, and others subscribing the short confession of faith, with the general bond lately urged by his majesty, without the application made by the council to the sense in which it was originally sworn; therefore he hoped that what should be now offered would administer light that should shine to others; but, because it would take a long time to hear and peruse all the acts and books necessary for clearing that confession, he proposed that a committee might be named for that purpose, which the assembly agreed to; and on that committee were named Messrs. David Lindsay, Andrew Cant, James Martin, Henry Rollock, Thomas Mitchell, Walter Balcanqual, David Dickson, Thomas Wilkie, and Robert Henderson, ministers; with the earl of Rothes, the lords Loudon, Balmerino, and Burleigh; the lairds of Auldbar, Keir, and Cavers-Douglas, and dean of guild Cochrane, with the provosts of Glasgow and Dundee; and the earl of Argyle was requested to attend them, which he did most punctually. "Upon this committee," says Mr. Baillie, "the ministers named were not among the fittest;" (by which, I suppose, he means they were all of a side; and he wishes that Mr. Andrew Ramsay, Mr. Henry Rollock, and himself had been with them;) "for here alone," says he, "my mind was, but the elders were men fit enough."¹

Another committee was appointed for consideration of the service-book, the book of canons and ordination, and the high-commission, that it might be known to posterity what great mercy the Lord had shewed in delivering us from them:² As also that it might be known to the world that the supplications against these books had been just, and that some monuments of their wickedness might be left to the generations follow-

¹ Collect. p. 618. ² Ibid. and Journal.

ing; and on this committee were named Messrs. Andrew Ramsay, John Adamson, Robert Baillie, Edward Wright, Alexander Petrie, William Menzies, John Oswald, Samuel Rutherford, Alexander Carse, John Hay, and William Douglas, ministers, several of whom had wrote against these pieces; but when they met, Mr. Baillie says, the multitude of spectators put them in such disorder, that they were obliged to subdivide, and that even then he could do nothing in such a company, but that, out of his former writs, he drew up a paper which was afterwards read in the assembly and approved.

Next, the lord Montgomery, in name of the complainers against the bishops, did urge that their complaints might be heard; whereupon the moderator said, "The bishops were summoned in the best way that could be thought on, and now, since the assembly is fully constituted, and hath answered all the objections that they knew of any moment, against them, let us hear what is said of one of the bishops, and remit the rest to a committee."³ Whereupon it was agreed that the libel against Mr. Thomas Sydserf, bishop of Galloway, should be first read; and he having been called on by the officer, the libel against him was read, containing not only all the articles common to the whole, but a number of particulars peculiar to himself, as errors in doctrine, sabbath-breaking, oppression, and other things related at great length; and, for shortening this and other processes of the kind, a committee was appointed, to consist of the members who were already on the committee of bills, with one other minister from the bounds of every diocese, and the lords Eglinton, Wemyss, and Johnston, the lairds of Tarbet, Wedderburn, Lawers, and Kin-hilt, Mr. George Gordon, brother to Sutherland, and Mr. Robert Cunninghame, provost of Kinghorn, the bailie of Inverness, and the town-clerks of Haddington and Pittenweem, elders; and, because the forms requisite on such occasions were necessary to be observed here, Mr.

³ Journal, and Baillie p. 619.

Robert Hamilton, who formerly sisted himself, and produced a procuratory from the bishops, was called, that he might plead their cause, but he compeared not.

SESSION IX.—The moderator began with resuming the appointment of some committees to prepare affairs for the assembly, when London, in name of the committee on the confession, reported, that they had looked into the old registers and books of assembly, which were of such importance to their purpose, that without them it had been hard, if not impossible, ever to attain to a solution of the point: That, in general, they found a great harmony and cohesion in these acts to exclude both popery and episcopacy; but, the matter committed to their care being of so great importance, they were not ready to give out their judgment fully, and therefore craved the assembly's patience to do it accurately, which was granted.¹

The moderator added, "That it were better not to touch that matter at all, than to do it slightly; yet," said he, "we allow not the committees to determine anything, but only to ripen matters for the judgment of the assembly."²

The committee on the complaint against the bishops was next called on, and Mr. Robert Murray, their moderator, declared that they were of opinion every prelate believed to be separately tried, and desired, if any had ought farther to inform the committee of, they might do it, and that the moderator would intimate this from the chair. The motion for information was agreed to, but touching the order of trying the bishops the moderator suggested, that some of the complaints were common to all the bishops, such as the breach of the caveats and limitations put on them by the assembly, when they were first admitted to vote in parliament, which was so notorious, that the committee needed not to trouble themselves with much proof; others of them were more personal, such as errors in their doctrine,

and blemishes in their conversation, which, to be sure, required a special proof, and he wished that the bishops would answer for themselves. The sheriff of Teviotdale added, that though the transgressions of the caveats were known to them, yet not to strangers to whose ears the relation of their proceedings might come, and therefore it were necessary that all should be proven upon which the assembly were to found any sentence: And to this the assembly agreed, in regard *abundantia juris non nocet*.³

Then the committee of bills was called on, and Mr. David Lindsay, their moderator, reported that they had read and examined several particulars which came before them; that there were two sorts of processes against a number of ministers; one sort which were closed before the several presbyteries where the delinquents live, who examined the witnesses, and took down the proof; there the committee were of opinion that nothing was left to the assembly but to inflict the censures due to their transgressions: And another sort were those against whom processes were begun, but no proof yet led; here they desiderated whether it were more expedient to try these before the assembly, or remit them to their presbyteries or some special commission; and in end the latter was gone into, with an exception of some, as Dr. Robert Hamilton, in respect it was reported that he was about to leave the country.⁴

The committee for examining the service-book, &c. was next called on, but neither were they ready. Mr. Andrew Ramsay, their moderator, said that their task was tedious; a papal service-book, antichristian constitutions, and a superstitious book of ordination, the consideration of which would take them eight days at least. The moderator answered, that they needed not be so minute as if they were to dispute against an adversary, but only make such an abridgment of the errors contained in them as were worthy of that grave assembly.⁵

¹ Journal.² Ibid.³ Journal. ⁴ Ibid. and Baillie. ⁵ Journal.

And so none of the committees having concluded anything, the assembly, entered on the trial of the six assemblies, viz. at Linlithgow, annis 1606 and 1603, at Glasgow, anno 1610, at Aberdeen, anno 1616, at St. Andrews, 1617, and at Perth anno 1618, who brought in all the innovations, and were the causers of all the divisions and other evils then lying upon them. Of these assemblies every man did speak what he pleased, and full charges were brought out against the most of them.¹

Concerning the assembly 1606, the moderator observed, that eight of the most worthy of the ministry were purposely called up to the court, that the course of conformity might receive no opposition from them; that the acts of that assembly were framed at court, and, when they came home, there was an act wimpled in among them, that bishops, *ratione officii*, should be constant moderators of provincial assemblies; and some other present members, who were also present at the assembly 1606, did bear witness that they never heard that act voted.²

Of the assembly 1608, Mr. John Kerr informed that the nobles and barons were directed thither by the king, and voted without any other commission, and that though there were no less than four or five members from several presbyteries, besides the thirteen bishops, who had no commission, yet they had no elders; for proof whereof he appealed to several presbytery books.

Against the assembly 1610, bribery and corrupting of members was fully instructed. Mr. John Row witnessed, that, he having been moderator of the presbytery of Dunfermline at that time, Mr. George Gladstones brought the king's letter for naming Mr. John Stuart, Mr. Andrew Forrester, and Mr. William Paton, (to whom he also brought letters,) commissioners to that assembly;³ and that though they submitted to this order, he, with the assent of the presbytery, made these three ministers solemnly swear, as they should answer to Jesus

Christ, that they would admit of no alteration in the government of our church, nor consent to anything that might derogate from her former authority; notwithstanding two of them acted treacherously, and the God of heaven made it evident to others that they had done so; for Mr. Forrester was convicted taking silver out of the poor's box with false keys; and, having afterward fallen into a fearful distemper, "I," says Mr. Row, "was sent for to comfort him. When I came, I found, that by some word chancellor Seton said to him, as, that he should be hanged for his conduct at that assembly, he was impressed with a notion that he would be presently taken and executed.¹ I endeavoured to persuade him to the contrary, and that it was only his own conscience accusing him for dealing treacherously in the matters of God, and advised him to acknowledge the truth to the glory of God. This he promised; and then I said to him, Brother, are you persuaded in your heart that God called you to the ministry? He answered, Nay, nay, I ever sought the world, and so is seen on me. Next, I asked what he got at Glasgow for selling the liberty of the church of Scotland? To which he made answer, that he got fifty merks; and, having so said, his horror recurred, and he apprehended that he was instantly to be executed. I besought him to pray; but he answered that he could not pray, and desired me to pray for him; and while I was praying, the buttons did burst of his breast, and the blood gushed terribly both from mouth and nose. After prayer I asked if he was prepared for death: He answered, no, woe is me! and importuned me to deal for his life. Next day I made him a visit, and found him senselessly stupid, so I left him. At length being still haunted with fears and terrors of conscience, he deserted his calling, and demitted his office in favour of Mr. John Murray." "And," added the same reverend father, "Mr. Paton, who got other fifty merks, fell under great poverty and infamy; and the poor's box

¹ Journal, and Baillie. ² Ibid. ³ Ibid.

¹ Journal, and Row, p. 208, 229.

being broken in his house, the bishop caused him replace other fifty merks there; so he made little by that shift."

Dr. Guild and Mr. David Dickson declared that they knew a minister who owned to them that he had got L.40 Scots at that assembly, but as this man seemed under deep remorse on that account, they would not name him. Mr. John Kerr said, he knew one Mr. John Lauder, who came to the earl of Dunbar, his patron, for his bribe; but, being too late he got only L.9, 18s. 2d. Scots for his share; and several other brethren arose, and named ministers who to their knowledge got money at that assembly.¹

Touching the assembly 1616, the moderator said, that the archbishop of St. Andrews changed the acts of assembly, by adding and deleting at his pleasure, which was known to several members, who offered to prove it on the hazard of their lives; and that the bishop of Murray alleging they would lose the field, he, the archbishop, said, he would give idle ministers an errand; and thereupon he sent for thirty-six ministers, who were not commissioners, and substituted them in the place of others who were lawfully chosen.²

Little was said concerning the assembly 1617, in regard the legality thereof was not stuck to by the king nor bishops; but to the assembly 1618 it was objected, that it was not legally indicted; that the archbishop of St. Andrews assumed the chair as moderator, without election; that some members duly elected, but who were suspected to be opposite to the court measures, were struck out, as Mr. Walter Kinnier, to make way for others who were expected to be more pliable. Mr. David Dalgliesh declared that the bishops suppressed reasoning against the articles, and that there was neither book nor Bible opened, but the king's letter, which was read in every session immediately before voting, and, in the time of voting, the moderator cried still, Remember the king! Mr. James Bonnar declared that all those whom the bishops expected to vote

for them had a mark of distinction prefixed to their names, and were first called on, to discourage the rest from voting otherwise, and the moderator declared, that the votes of the rest should not prevent the proclaiming of the articles by sound of trumpet. Mr. James Cunningham declared that he having quoted Zanchius as against these innovations, the moderator said, that the king was wiser than a thousand of him. That the archbishop taking off his hat, which he kept on all the time of his preaching, called God to witness that he never knew of the five articles till the king sent them down with orders to engross them in the assembly-books; and, when these articles came to be voted, they were all put together, and the members commanded either to grant all, or deny all, and the question was artfully stated, Whether, in respect of the king's commandment, the five articles shall pass into an act or not? And the same grave divine added, that, to induce the members more easily to consent to the articles being inserted in the assembly-books, the archbishop assured that the members should never be urged with the practice of them, and so, for the king's pleasure, many gave way to the inserting that act in the book, who, for conscience' sake, would never practise them.

For putting the nullities of all these assemblies into a formal act, the following committee were named, viz. Ministers: Messrs. James Sharp, Richard Inglis, Gilbert Murray, William Mackenzie, John Row, John Robertson, and John Ker. Elders: the earl of Home, the lords Sinclair, Yester, Balmerino, Cupar, and Cranston, Mr. George Gordon, brother to Sutherland, Sir Thomas Ker, Lammington, Mr. Robert Barclay, James Sword, George Jamieson, and Andrew Baird; and thereupon the assembly closed that sederunt, that the committees might have more time to prepare business for the next.³

SESSION X.—This day having been ap-

¹ Journal. ² Ibid.

³ Journal, and Baillie.

pointed for pronouncing sentence against some ministers who had been tried before their respective presbyteries, found guilty, and suspended, but remitted for a higher censure to the judgment of the assembly, the moderator discoursed gravely on the power of the church, to this effect,¹ "We should do nothing without a warrant. I doubt not ye are better acquainted with the grounds whereupon we ought to proceed than I can express; yet, seeing I am in this place, I judge it my duty to suggest to you, in all humility, that no family, incorporation, city, republic, or kingdom, can subsist without order; and in the midst of the world, where the devil is opposing, and corruption working mightily, we may be assured, that the word of God cannot be preserved from perverse and impure mixtures, without government and ecclesiastical discipline. To this our Lord giveth the name of 'the keys of the kingdom of heaven,' a glorious name indeed! and the apostle, 1 Cor. v. call-eth it a power committed to the church. The end of it is not destruction, but edification, and the nature of it is ministerial. Though the power be great, it is principally in his hand who is the Master and Lord of the house. The Son of God hath indeed absolute power, but we are only his ministers and servants. Ye know it is required in a servant, and especially in a steward, (and we are called stewards and dispensers of the mysteries of God) that they be found faithful, and therefore we must strive to approve ourselves in his sight who is set over the house. The power committed to us as ministers is very great, if we consider the effects of it, recorded Matth. xviii: There we find, that, if we go on in censuring an obstinate delinquent, though it were the length of excommunication, he against whom the sentence is so pronounced is accounted a publican; or, if ye think the apostle's words more, he is given over to the hands of the devil; he is put out of the church into Satan's bounds, for Satan's kingdom is without the

¹ Journal.

church; and although it be horrible to think of such a thing, yet it is necessary the word and sacraments be purged of inventions which men pester them with, and the house of God should be purged of scandal and leaven. Hereby also God is glorified, as, in despite of the devil and the world, 'he will be sanctified in all those who draw near to him.' The terrible example of Nadab and Abihu is a sufficient document of this; and if those against whom the sentence passeth be not in a damnable case and incorrigible, it serveth for the subduing of the flesh and awakening of the Spirit, but this is the last and most extreme remedy; therefore it is necessary that we, who are here assembled in Christ's name, go on with his authority; remembering that, though we are weak and unworthy instruments, the keys he hath put into our hands are 'the keys of the house of David, who shutteth and no man openeth, and openeth and no man shutteth.' And I may give you assurance in the name of our Lord, that if we go on as we are warranted, without partiality or respect to men, but sincerely looking to the glory of God and the welfare of his church, 'that which we do on earth he shall ratify in heaven.'" And then he desired, if there were any complaints, that they might be presented and read.

Upon this Mr. David Lindsay, who had the chief charge of the bills, and had such dexterity in that kind of employment, that to the end of the assembly the preparing of such business lay chiefly on him, did present a process which was closed before the presbytery of Edinburgh, against Mr. David Mitchell, minister in Edinburgh, and two processes which were closed before the presbytery of St. Andrews, the one against Dr. Panther, professor of divinity in the new college there, and the other against Mr. Alexander Gladstones, one of the ministers of St. Andrews, and archdean of that see.²

The reading of these processes was interrupted with an observation by the

² Baillie.

moderator, that they ought to be heard with a feeling sense of compassion towards the persons guilty, and yet with joy, that the Lord was putting hand to the purging of his own house.¹

Then the process against Mr. Mitchell was read, and it was found proven by several witnesses, that he had for a long time grieved the whole land with the doctrine of the party, viz. arminianism in all the heads of it, and several points of popery, beside his declining of the assembly, which, *per se*, was accounted relevant to infer deposition. While the lord commissioner abode with the assembly, Mr. Mitchell attended the bishop of Ross at Hamilton, and was greatly carressed there, though such were his manifold avowed errors, that, without serious repentance, no person of integrity could have kept communion with him.²

While his case was in agitation, Mr. Andrew Ramsay having commended him as a man of good natural parts, Rothes, in a smart repartee, observed, that Bel-larmine was a man of fine parts, but he would have made a bad member of the church of Scotland; which having been thought by Mr. Andrew a little too severe, the moderator took occasion to observe, "That there were two sorts of arminianism,—one that troubled the churches in the Low countries, which was nothing else but the way of socinianism, and *socinianismus inchoatus est arminianismus consociatus*; and there is another sort of arminianism maintained by some in England and Scotland, which pointeth to popery, and is *inchoatus papismus*. And, if we consider how our doctrine, taught since the reformation, began to be depraved by arminianism, and next, that the external worship of God was changed by the service-book, how can we but admire the Lord's goodness in his appearing so seasonably for us, that, if adversaries to the truth had not been stopped in their career, our case had been miserable beyond conception."³

Dr. Panther's process was next read, in which it was proven, that, beside recommending Canterbury's method of

study to our youth, viz. to begin with the popish schoolmen and fathers, and to close with protestants, a most unhappy and dangerous order, he had, in his notes, turned aside to the popish justification, and, in his discourses on original sin, to the grossest pelagianism, beside other points of arminianism. On which Mr. Baillie observes, "That, though they (the ministers) were dumb, the heavens did cry for vengeance against the bishops, for suffering the church to be undermined with such instruments of their own making and maintaining."⁴

And then archdean Gladstones's process was read, which exposed him for such a monster of drunkenness and atheistical profanity, that Rome could not, even while living in paganism, have suffered such a beastly man to be a priest to Bacchus; and what made his case the more remarkable, was, that in his youth he was a handsome genteel man, had a competent estate, was a pretty scholar, very eloquent, wise, and discreet, free of all vice, and was in favour with the king, court, and country; but, having cast away the fear of God long before this, all these gifts of body, estate, and mind, had evidently left him.⁵

These processes being all read, the moderator desired that the assembly might defer pronouncing judgment till they explained arminianism, the error whereof especially these men were convicted; for, added he, though there hath been a great and lamentable schism for many years, yet few points of heresy could be objected to any till of late years; so that it was no wonder that many, both ministers and elders, were not so fully acquainted with those differences as otherways they might have been; and, for their information, he proposed, that some ministers of known ability, and best acquainted with that controversy, might be appointed to clear it; which motion having been agreed to, the moderator named for that purpose Mr. David Dickson and Mr. Baillie, to whom he recommended to be ready against next sederunt, and then closed with prayer.⁶

¹ Journal.² Baillie.³ Journal.⁴ Baillie, p. 621.⁵ Ibid.⁶ Journal.

SESSION XI.—The first action of this day was the appointment of preachers for the week, for every day except Saturday.¹ There were morning exercises in two of the churches, by which the people were much edified; and in one thing only the worse, that after this they were in hazard of undervaluing some of their own ministers; and yet these sermons did not always escape censure: for this same morning, Mr. George Gillespie having, with great learning and judgment, explained these words, "The king's heart is in the hand of the Lord," &c., the earl of Argyle thought it touched the royal prerogative too near, and he gravely admonished the assembly to let authority alone, which all took in good part, and the moderator did support what his lordship had said, in the following off-hand easy discourse:

"We are obliged to the good providence of God, who hath given us so wise and honourable a monitor, perhaps rather to prevent that which might ensue, than to censure any thing that is done; and surely we ought to consider, that although the church of Christ, and especially in such a council as this, have very great power, yet they have great need to observe the limits of their power. Our power is not autocratical, but ministerial and subordinate. We ought to give the Lord his own sovereignty, and next to give every one their own place: honour to whom honour. Let the Lord have the first place, who will not give his glory to another, and let Cesar have his own place. Surely he did think and speak distinctly of this purpose, who said, God, or his Spirit speaking in the scripture, is *judex*, the church the *index*, and the Christian magistrate the *vindex*: and so give every one his own place. The judgment of sovereignty and absolute jurisdiction belongeth to God only, and this is that which must keep us in the right way, and without which, our weak wits would wander into the by-paths of error. Seeing then it hath pleased God to manifest his will in his word, we should, as if he were among us, and

¹ Baillie.

as if we heard his voice, study to discern his voice, and to govern our proceedings thereby, and to content ourselves with the interpretation of the scripture, or with the indications of it, as that word which I have already used doth signify; and next, the magistrate being the keeper of both tables, and an avenger on the breakers of both, we ought to judge charitably, and speak reverentially and modestly of him in his absence, like a late worthy minister, well known to many of us, who having often preached in the presence of king James, used then to give free warning against what he judged amiss in his majesty's conduct; but, when he was absent, none recommended subjection and loyalty more than he; therefore, let us carry ourselves as in the sight of God, and next as in his majesty's sight; and then, if matters are not made worse by report, we shall at least have the testimony of our own consciences, that we have behaved as becomes good subjects; and I hope the spirit of wisdom and piety will so conduct us, as no man may justly censure us."²

Then Mr. David Dickson was called to discourse on the errors for which Mr. Mitchell and others were to be condemned; and, after prefacing that error should be held in as great detestation as any vice, and that, if our eyes were open to see the beauty of truth, and the good fruits of it, and the vileness of error, and the fearful consequences thereof, we would need no exhortation of that sort. He laid out the arminian errors in four heads; next, he explained their doctrine in other four; thirdly, he exposed the colours which they used instead of probation; fourthly, he condescended on some of the chief reasons and grounds, in respect whereof the dispute was wrong on the arminian side; fifthly, he shewed the bulwark, (for I use his own words,) upon which the orthodox stand; and then concluded with answering some objections.³ But though he acquitted himself so well, that Mr. Baillie was made to admire his wit and dexterous way of expressing himself, yet his speech is so long, and so much

² Journal.

³ Ibid.

laid in the form of a sermon, that I am afraid his otherwise valuable discourse would not suit the taste of the present age.

After him Mr. Andrew Ramsay had an extempore discourse to the same purpose, and then the moderator said, "We have reason to bless the Lord that, before this error spread very far, he hath nipped it in the bud, and raised up some spirits to acquaint themselves therewith so fully, that they are able to refute it;"¹ and then, with respect to the error itself, he added, "I have sometimes heard that there be two very small points wherein this error seems to consist: They are like two grammarians disputing whether the word *elect*, or in Latin, *electi*, be *nomen* or *participium*. The arminians make it *nomen*, and we hold it to be *participium*. The question is, whether we believe because we are chosen, or whether we are chosen because we believe? We say that our election proceedeth from God's free grace, and that we are chosen to faith; they say, that God chooses men because they believe. Again, there is another word, the meaning whereof hath been much disputed betwixt the arminians and us, and that is about the signification of the word *pro*. They take it that Christ died *pro omnibus*, for the behoof and benefit of all men; but we say, that it means, *vice omnium*, that is, as scripture taketh it, for some of all sorts; and if it be taken *vice electorum*, those must be saved in whose place Christ died."

And now, the way being thus far paved, Mr. Mitchell's process was read, with the acts of assembly relative to deprivation; at which time the moderator was pleased, for explication of that high censure, to observe,² "That there is a difference betwixt the censures of the church of England and ours; they make a difference betwixt deprivation, deposition, and degradation; they say deprivation taketh away one's benefice, deposition his office, and according to the Book of Martyrs, the priests of old were degraded when they made apostacy from

the Roman religion; and they maintain with the papists, that, notwithstanding of all their censures, there remains something which they call *character indelibilis*, a certain impression, they know not what, put upon the soul of a man when he receiveth ordination; but censures used on our ministers, beside admonition, are suspension for a time, and deprivation or deposition, two names which have one and the same meaning, and include both office and benefice: Now one of these censures hath been already inflicted on Mr. David Mitchell, for the reasons specified in his process, which ye have heard read; and to these he hath since added the highest contumacy in declining the assembly, contrary to act of the general assembly 1595; therefore speak your minds."

Upon this several members gave their opinion, that Mr. Mitchell was clearly convicted of arminianism and many points of popery, contrary to the doctrine of the reformed churches, particularly of the church of Scotland;³ that he had even gloried in teaching universal grace, and universal efficacy of Christ's death, resistibility of grace, and apostacy of the saints, &c.; that, by means of the bishops, he procured an order to stop his trial before the presbytery, and that he had declined this assembly; therefore all were of opinion that he merited to be cast out of the church; and the roll having been called, the whole assembly did unanimously vote his deprivation, which, after an apology by the moderator, that none present were more averse to use severity than he who never did the like before, he did pronounce sentence in these words: "In the name of Jesus Christ our Lord and Saviour, and in the name of this assembly, convened in his name, I declare that Mr. David Mitchell, minister at Edinburgh, shall no more exercise the function of the ministry; and for that which is laid to his charge, and proven against him, he is not worthy of any ministration of the word and sacraments in the church of God, and declare his place to be vacant,

¹ Journal.² Ibid.³ Journal.

and ordain the presbytery of Edinburgh to make intimation of it in their churches.”

The last business at this sederunt was the reading of a letter from the bishop of Orkney, presented by his son, bearing that old age, sickness, and the length of the journey, were the only causes of his non-compearance, and submitting himself *simpliciter* to the judgment of the assembly; and it was believed that the most part of the other bishops were holden back from complying by their fear of the king's wrath, and hopes of relief from his forces.¹

SESSION XII.—After prayer Mr. Bailie was called to discourse on the errors of the arminians, which he did, and according to the Journal, the same was both long and learned; he got thanks from the moderator, and was often importuned to allow copies to be taken of it.² Of that speech we have seen no copy; but this learned man's mind on arminianism may be seen in his *Diatribæ Tres*. 1. De hæreticorum auto-cratricis. 2. An quicquid in Deo est Deus sit. 3. De prædestinatione; and in his *Laudensium autocratricis*; *i. e.* The *Canterburians' Self-conviction*; or a *Demonstration of the arminianism, popery, and tyranny of that faction*; which were both published.

Then the commissioners from Edinburgh gave in grievances against Mr. Hanna, the dean of the chapel-royal, and Mr. Alexander Thomson, and Mr. Fletcher, for practising the service-book, and declining the assembly, and against Dr. Elliot, as having been obtruded on them by Sir John Hay, as too weak for that ministry, and for having read the liturgy in a diocesan synod; but the assembly not having time to spend on all the particulars of that kind which might be offered to their consideration, they nominated the moderator, with Messrs. John Ker, Andrew Blackhall, James Fleming, John Oswald, James Porteous, Robert Douglas, Richard Dickson, Robert Cranston, Frederick Carmichael,

¹ Journal, and Baillie.

² Journal.

and James Simpson, ministers; and Rother, Montrose, Lothian, Lindsay, Loudon, Balmerino, Oldbar, Waughton, Cavers-Douglas, Mr. George Gray, and Mr. Robert Cunningham, elders, or any thirteen of them, seven being ministers, as a committee, to sit at Edinburgh the end of January then next, and to these they gave full power and commission to hear all complaints given in against the above ministers, and any others which should be remitted by the assembly to their cognizance, and to proceed the length of deposition, if it were found their crimes deserved that censure, according to the acts and practice of the church in like cases.³

The same day complaints were given in against Mr. William Maxwell, minister at Dunbar, and Mr. George Sydsersf, minister at Cockburnspath, for very corrupt doctrine, tyrannous compulsion of their parishioners to conform to Perth articles, and for declining both the assembly and their presbytery, and appealing to the king; and they were referred to the committee of Edinburgh, by whom they were deposed.⁴

At the same time the town of St. Andrews gave in a complaint against Dr. Wishart for deserting his ministry during the space of eight months; but though wilful desertion for so long a time might infer deposition by the rules of the church, the assembly thought fit to put off any present consideration of that affair.⁵

Upon a complaint of the provost of Dundee, and the gentlemen of Angus, against some ministers in that town and country, who had declined the assembly, and behaved as back-friends to the cause, there was a committee named to try these, with the same powers as that of Edinburgh.⁶

Next, the assembly resumed the affair of Dr. Gladstones, and with one mouth they deposed him, which sentence was pronounced by the moderator;⁷ and Dr. Panther, his coadjutor in these courses, was afterward referred

³ Journal.

⁴ Ibid.

⁵ Baillie.

⁶ Journal.

⁷ Baillie.

to a committee, by whom he was also deposed.

And then Mr. John Robertson, who had the chief charge of drawing up reasons for disannulling the six corrupt assemblies, gave a good account of that task; and the reasons he produced were, after a full hearing, long reasoning, and invitation by the moderator to all to propose their objections, if they had any, unanimously approved by the assembly.¹ As they are amongst their printed acts, it were unnecessary to swell this history with repeating them; we only notice, that in the act condemning these corrupt conventions, this assembly say that these reasons were confirmed by the registers of the assembly, the presbytery books, the king's letters, and by the testimony of several old ministers, the last of which we have already related under the ninth session, and only add the moderator's observation on this affair: "This assembly," says he, "have unanimously condemned these assemblies, and I hope they shall be looked on as so many beacons, that we strike not again on such rocks; *pathemata mathemata, nocumenta documenta.*"

SESSION XIII.—From the condemnation of the unlawful assemblies, which was the work of the preceding diet, the moderator inferred these clear consequences,—that all who entered to the ministry under the bishops were now free of their oath for conformity; and that presbyteries, and other church judicatures, having been unjustly and violently obstructed by the bishops, had done well in throwing off their yoke as soon as they could, and in exerting the powers competent to them, by deposing unworthy ministers, and admitting others which had been refused by the bishops, though more worthy of that holy vocation; and he exhorted that the several judicatures should now use that power faithfully which the Lord had committed to them freely.²

This argument was well supported by Mr. David Dickson of the ministers, and

¹ Journal.

² Baillie.

Loudon of the elders; and at their desire an act was extended upon it, declaring the oaths imposed by the bishops upon entrants into the ministry, to have been from the beginning unlawful; and that the power of presbyteries and provincial and general assemblies had been unjustly suppressed; and therefore that it was most lawful to them to admit, suspend, or deprive ministers *respectivè* within their bounds, upon relevant complaints sufficiently proven, to choose their own moderators, and to execute all the parts of ecclesiastical jurisdiction according to the powers committed to them.³

The rest of this diet was taken up in the trial and censure of delinquents. The witnesses adduced against the bishops of Galloway, St. Andrews, and Brechin, made oath in presence of the assembly, and were remitted for examination to the committee of bills; for, according to principal Baillie,⁴ that was the constant course in all processes which came before this assembly.

Next, there was a complaint moved against Mr. George Hanna, and the minister of Dirleton, which was referred to the committee at Edinburgh.⁵

After this, the process against Dr. Hamilton, procurator for the bishops, was called, and some of his foul stains exposed.⁶ Beside his open contempt of the assembly when he gave in the bishops' declination, and bidding the officer who summoned him go hang himself, adding that he was not a traitor to compare before rebels, and that he was an honest man than any among them, it was clearly proved against him, that he frequently deserted his flock, and stayed from them, three, four, and sometimes five months at a time; that he was a great profaner of the Sabbath, and an adviser and encourager of his people to dance and play at the foot-ball on that day; that he was an ordinary adorning of his speech with such phrases as these,—I protest to God; by my conscience; on my soul; and sometimes would have

³ Journal, and Baillie.

⁴ Collect. p. 626.

⁶ Journal, and Baillie.

⁵ Journal.

cleared himself of puritanism by higher asseverations than these; and that he was a violent persecutor, even to excommunication, and denying of marriage and baptism to those of his parishioners who would not communicate kneeling. For these things he was unanimously deposed by the assembly; nevertheless he continued obstinately to exercise his ministerial function for a few weeks, till, being put in fear of excommunication, and of being insulted by the people, he fled to England, where, by the favour of archbishop Laud, he was afterwards preferred to the bishopric of Caithness; but God never suffered him to enjoy that unsanctified morsel.

After this there was another process read against Mr. John Creighton, minister at Paisley, and no fewer than forty-eight points of popery and arminianism, beside several scandals in his life and conversation, proven against him; for which the assembly unanimously deposed him from all function of the ministry, and declared his place vacant.

And then the complaint against the archbishop of St. Andrews was read. The moderator recommended accuracy in the trial, and urged this from the hazard they were in of having their actions sifted to the uttermost; and then, considering the accusations against the bishops were of two sorts, the one common to all, viz. the breach of the caveats, and the other of particular crimes peculiar to some, he proposed that they might begin with the first, and proceed in it, so as to make their procedure with one a rule for the rest; and so they fell on archbishop Spotswood's breach of the caveats, but had proceeded short length till the ordinary time of their being together was exhausted.¹

SESSION XIV.—This day four treatises against the service-book, the book of canons, the book of ordination, and the high-commission, composed by so many members of the committee named in the eighth session, were read and approved;

¹ Journal.

and it was resolved to have put them all in print, but the multitude of public affairs which thereafter occurred, did disappoint them of that honour, unless it was Mr. Baillie, whose Parallel betwixt the Service-Book and the Mass-Book was afterward published; however, by these the assembly were determined to make the four following decrees, viz.

1. That the service-book, both as to manner and matter, had been devised and brought in by the bishops, without direction from the church, and been imposed upon ministers, without warrant from the church, under the highest pains: That, beside the popish frame of it, the same contained many popish errors and ceremonies, and the seeds of gross superstition and idolatry, for which the assembly rejected and condemned it.

2. That the book of canons had been devised by the bishops, without warrant or direction from the general assembly, and did establish a tyrannical power in the persons of the bishops over the worship of God, men's conscience, liberties, and goods, and overthrew the whole discipline and government of the church, for which the assembly did also reject and condemn it.

3. That the book of consecration and ordination was framed by the bishops, and introduced and practised without warrant of civil or ecclesiastical authority; that it established offices in the church of God which are not warranted by his word; that it is repugnant to the discipline and constitutions of our church, a bār in the entry of worthy men to the ministry, and impeded the discharge of ministerial duties, for which they also rejected and condemned it.

4. That the high-commission court had been erected without the consent of the church or estates of parliament; that it subverted the jurisdiction of the church; that it was not regulated by laws, civil or ecclesiastic, but at the discretion and will of the commissioners: and that it gave to ecclesiastical persons the power of both the swords, and to persons merely civil the power of the keys and church-censures. For all which

the assembly disallowed and condemned the same, as unlawful, and prejudicial to the liberties of the church and kingdom, &c.

By this time, the day being far spent, the assembly had only time to take the oaths of certain reverend and honourable members, adduced as witnesses against the bishops, who were remitted for examination to the committee of bills; and intimation was made by the moderator, that these persons were not to be admitted as judges in this affair.¹

SESSION XV.—In this session, there was produced a letter from Mr. Alexander Lindsay, bishop of Dunkeld, wherein he submitted himself *simpliciter* to the judgment of the assembly;² and it was pled in his favour, that he had admitted several ministers in his diocese, without taking them bound to conformity; and that he had not subscribed the declinature, which no doubt had influence with the assembly, to mitigate their censure with respect to him, as may be noticed when we overtake his process.

At the same time the lord Lindsay brought in some heavy complaints against Mr. George Haliburton, minister at Crail. But it appearing to the assembly that the matter was exaggerated, they referred the same to the presbytery of St. Andrews; who passed him with a reproof for negligence in accounting for some money which belonged to the poor.

Mr. James Auchinleck, a minister in the presbytery of Dundee, was like to have met with a more severe measure. A complaint was made on him for defending the doctrine of universal grace, and a committee was named for inquiring into that matter; but, after much private conference, and some public agitation, he disclaimed that doctrine, and satisfied the assembly of his orthodoxy.

And now the processes against the bishops were resumed; and three of them, viz. those against Mr. Thomas Sydserf, bishop of Galloway; Mr. John Spotiswood, archbishop of St. Andrews; and Mr. Walter Whitefoord, bishop of Bre-

chin, were this day finished. The breach of the caveats was common to them all; and for personal crimes, it was found, clearly proved,

That the bishop of Galloway taught arminian tenets; that he kept a crucifix in his closet, and defended the use of it by his own comfortable experience; that he, at his own hand, indicted two anniversary fasts in his diocese; that, at his diocesan synod, he compelled the ministers to receive the sacrament of the Supper kneeling; that he had deposed and procured the banishment of some of the most eminent of the ministry, merely for nonconformity, and fined and confined some gentlemen for no better reason; that he had embraced excommunicated papists, and professed more love to them than to puritans; that he condemned the exercise of family-prayer; and that he was an open profaner of the Sabbath, by buying horses, and doing his other secular affairs thereon.³

Against the archbishop of St. Andrews personally, it was found proven, that he was a flagrant profaner of the Sabbath, by playing at cards and dice in time of divine service, and sometimes riding through the country the whole day; that he was a tippler in taverns, sometimes till midnight; a falsifier, with his own hand, of the acts of Aberdeen assembly, and an avowed reproacher and slanderer of our old assemblies, and of the national covenant. And, besides all these, it was publicly undertaken, if the assembly would name a committee, to take a proof near to the place where the witnesses lived, that he, the archbishop, was guilty of adultery, sacrilege, and frequent simony. But the assembly judged what was already proved against him sufficient to infer the highest censures which they could inflict.⁴

And the bishop of Brechin was found guilty of several acts of adultery and excessive drinking, using of a crucifix in his closet, and preaching of arminian and popish tenets, and of being universally infamous for several other offences.⁴

For these crimes *respectivè*, (which we

¹ Journal, and Baillie.

² Journal.

³ Journal, and Baillie, p. 629.

⁴ Ibid.

have the rather repeated, because the Large Declaration doth artfully conceal them, and condemn this assembly for accusing the bishops of personal crimes, as if no such thing had been proved against any of them), the three bishops before named were severally deposed and excommunicated in the order their processes came in, without a contrary voice, except Messrs. Robert Baillie, our author, Andrew Ramsay, Sylvester Lammie, Andrew Keir, and provost Bell, who voted depose, but not excommunicate; which last sentence they stuck at, in regard they were of opinion that admonition ought to have preceded the same. But after deliberate consideration of the many aggravating circumstances in the case, and that the bishops had, in a most contemptuous manner, declined that lawful assembly, they did next day testify their assent to that censure also.¹

Before sentence was given against the bishop of Galloway, the moderator had a speech to the assembly to reconcile their minds to the step intended; the inserting whereof may be of use for justifying that high censure.² "We must not," said he, "account of men's faults according to the estimation of the world; for many think, if a man be not a drunkard, a thief, or otherwise hurtful to civil society, that he is a good man, whatever faults he be guilty of. But we ought to think otherwise. Not that I would extenuate the foresaid crimes; but we ought to consider that the habitual and ordinary transgression of a public law by churchmen is a still greater crime: For, as schoolmen speak, *spiritualia peccata* are greater than *temporalia peccata*; so say I. The preaching of false doctrine and venomous poison of that kind, to seduce the people from their profession, to popery and idolatry, must have a great censure; and this man's breach of the caveats, bringing in of the service-book, which you have already condemned for the great guilt involved in it, and declining of this lawful assembly, abstracting from his personal faults, deserveth no less than excommunication.

I remember to have heard of a sort of excommunication in the church of England, which they call excommunication *ipso facto*; but this is not practised here. And there is an excommunication which the papists call *excommunicatio lata sententia, quasi jam sententia esset lata*; that is, when a man committeth a crime meriting excommunication, the church shall declare him excommunicated. And with us there are two kinds of excommunication practised: The one is, when a person, though guilty of a crime meriting excommunication, doth not add contumacy; there admonition must precede the pronouncing of the sentence. And the other is called summary excommunication, and is only used when a person, guilty of some gross crime, doth obstinately persist in and justify the same, as this pretended bishop hath done in his declinature. It is known to you, that the church of Scotland hath been in use to excommunicate papists, and persons disobedient to the discipline of the church, from partaking of the holy communion; and seeing the bishops are guilty in both these respects, why should not that high censure be inflicted on them? What a reverend father, Mr. Andrew Melville, said of archbishop Adamson, viz. 'That the old serpent had so stung him with avarice, and he swelled so exorbitantly with pride, as threatened the destruction of the whole body, if he were not cut off,' doth evidently hold of the present pretended bishops; and therefore it seems necessary that the last mean be essayed; and let us solicit God to make his ordinance effectual for the destruction of the flesh, that the spirit may be saved in the day of the Lord Jesus."

SESSION XVI.—So soon as the assembly were met, the earl of Wemyss represented, that the archbishop of Glasgow had intreated his lordship to deal for favour toward him;³ and alleged, that he was urged by the lord commissioner, and the bishop of Ross, to subscribe the declinature, and had done it for his

¹ Baillie, and Journal.

² Ibid.

³ Baillie.

grace's pleasure, much contrary to his own inclination. Upon which the assembly sent some of their number to converse with the bishop: But though he seemed oft not far from submitting simply to the assembly, he still hesitated, so that they left him as they found him; and it was believed, that his hope of obtaining a pension of L.5000 promised to him by the court, did overbalance any fear he was in of the censures of the church. Notwithstanding, both the higher excommunication, and the disappointment of his pension, fell upon him at once, and he was nigh reduced to as great misery as ever archbishop Adamson was.

After the affair concerning the bishop of Glasgow was ended, the earl of Argyle urged the necessity and expediency of clearing the doubts, which were now grown frequent, concerning subscription of the national covenant, viz. whether episcopacy was abjured by that covenant, as understood in the year 1580;¹ and this his lordship did the rather desire now, because he was obliged to go to Edinburgh, and attend the privy-council, which was to sit there, and it was feared for no good end, which was soon discovered to be the case: For the lord commissioner, fearing lest it should be found that the covenant, as sworn in the year 1580, when there were no bishops, nor other rites of episcopacy in force among us, did really and materially exclude and reject episcopacy and ceremonies, caused Dr. Balcanquhal draw up a declaration, explaining that covenant in a way which did not abjure episcopacy and Perth articles, &c. which was published in his grace's name, and to this a full answer was given in February thereafter. But both these long papers have been printed by themselves, and being likewise inserted in the Large Declaration, it were impertinent to make any farther digression concerning them in this place.²

Argyle's motion having been account-

ed highly expedient, a compliance with it was immediately entered upon; and the committee which had been named for ripening that matter, were called upon to report their diligence; whereupon the noble lord Loudon made the following speech in their name.³ "It is sufficiently known to this reverend and honourable assembly, what great straits this church was reduced to by the bishops, by the enjoining of the books of service, canons, &c. now justly condemned for their popery and superstition, as the only form of God's public worship; and that some of the most sincere ministers, and faithful servants of God, were charged, under pain of rebellion, to receive these books, until, by a bill of suspension, they obtained some breathing time, during which many of all ranks found it their duty to concur in a supplication against these evils. It is also known to you, that, by the malice of the bishops, and their wrong information of our prince, an answer was delayed; and when it was at length made by the proclamation at Stirling, it amounted to no better than a discharging us, under pain of treason, from presuming any more to prosecute our desires: So that we were driven to such extremity, that we behoved either to forsake the way of truth, and the true religion, and violate our national covenant with God, on the one hand, or, on the other, fall under the danger of rebellion and excommunication. And when we were so shut up, that we knew not what hand to turn to, it pleased God, on whom our eyes were set, to lead us by his Spirit to the renovation of our confession of faith, which ye know was heartily sworn through the kingdom; and that solemn work was, in many places, accompanied with remarkable power and efficacy. And ye know likewise, that no means have been left un-essay'd which might enervate this covenant: For, first, an attempt was made to rescind the same; next, it was taxed to be an unlawful combination, whereof we did sufficiently clear it; and, thirdly, it

¹ Baillie, and Journal.
² Row, p. 339. Large Declaration, p. 327, &c.

³ Journal.

was urged, that our explication of it should be left out, that it might be more ambiguous, and admit of a contrary interpretation; and therefore the explication of it at this time is most necessary and expedient: And, for accomplishing this, the committee have, first, drawn up some reasons, shewing the necessity of an explanation; and then, instead of entering on the unnecessary dispute of episcopacy *in abstracto*, and of those corruptions which were introduced after episcopacy was expelled out of this church, we thought it more proper to state the question thus, Whether episcopacy, and these corruptions, be compatible with the doctrine and discipline of this church, as it was professed and established in the years 1580 and 1581? which we think is the level whereto we are sworn to adhere. For this purpose, we have, from the book of policy and the records of the church, which are now, in God's providence, brought to our hand, excerpted a number of passages, which being examined, will clear all the scruples that any have about the confession of faith: And these being cleared, we hope that we shall all return to our former purity; and, by doing so, we shall give testimony of our obedience to God, loyalty to our king, and happy conjunction amongst ourselves."

Loudon having ended his discourse, Mr. Johnston the clerk read the papers his lordship had mentioned, which, according to Mr. Baillie,¹ had been drawn by the clerk, assisted by Mr. David Calderwood and some others; and the second of these, containing a number of passages out of the assembly-books, betwixt the years 1576 and 1596, and out of the book of discipline, all clearing the meaning of the church of Scotland concerning episcopacy at that time, was engrossed in the act after mentioned.

These papers being read, the moderator intreated, that if any member desiderated proof, they would call for the reading of any act that might clear their minds. And, to remove all hesitation, the clerk read the acts themselves, from which

¹ Journal.

the paragraphs were excerpted; and observed, that they were the fruit of much prayer, as appeared by the acts of the assemblies 1577 and 1578, appointing two national fasts for seeking direction in this matter. And no person having objected anything farther, the moderator desired the clerk to read the act of council the 22d of September, wherein his majesty's commissioner, and lords of privy council, declared, that they subscribed the confession of faith, as it was professed and established in the years 1580 and 1581: And then he requested the earl of Argyle to inform the assembly, whether he had now obtained satisfaction of his scruples; whereupon his lordship confessed his former ignorance of those things, and that the pains taken by the committee had satisfied him fully.

And now all difficulties being removed, the moderator did put the question, Whether, according to the confession of faith, as it was professed in the years 1580, 1581, and 1590, (for, says he, I keep the words of the act of council, because it is a cause of the present explanation), there be any other bishop but a pastor over a particular flock, having no pre-eminence nor power over his brethren? Whether, by the confession, as it was then professed, all other episcopacy is abjured, and ought to be removed out of this church? And the roll being called, the whole assembly, with the hesitation of one member only, did vote, That all episcopacy, different from that of a pastor over a particular flock, was abjured in this kirk, and is to be removed out of it.² And an act containing the substance of the committee's report, was extended upon the whole; which being published among the printed acts of this assembly, there is no need for repeating it here.

This decree having been so unanimous, it may seem to some unnecessary, to notice any particulars as to the person who hesitated; but it being the duty of every historian to relate the truth fairly, whoever it reflect upon;

² Journal.

we observe, that the person here spoken of was Mr. Robert Baillie;¹ and we shall give the relation of his disagreement in his own words, and then leave it with the reader, whether the discrepance was at all material. "The question about the abjuration of all kinds of episcopacy, was formed in such terms, as I profess," says our author, "I did not well understand at the time; and thought these terms so intricate, that I could hardly give any answer, either *Ita* or *Non*. To make any public dispute I accounted unsafe, being alone, and fearing above all evils to be the occasion of any division. The farthest I aimed at, was to declare my mind briefly at voting; and so, when all were invited to propone what doubts they had, I was as dumb as a fish. But when my vote was called for, I said, that, according to the express words of the assemblies 1580 and 1581, episcopacy was to be distinguished; I thought, with them, that episcopacy, as used and taken in the church of Scotland, ought to be removed; yea, that it was a popish error, against both scripture and antiquity, and consequently was abjured; but episcopacy *simpliciter*, such as was in the ancient church, and in our church, during the existence of superintendents, was for many reasons to be removed, but not abjured in our confession of faith. I added no more. But if I had considered the moderator's stating of the question, as now it stands in print, I would, without any hesitation, have said as my voice, that it did seem to me to be *πολυς ξητησις*, consisting at least of three very different questions, which required different answers. But now I will not enter into dispute. I have delivered my mind freely in my treatise, which ye saw, and to that I stand. In voting, many, to the number of fifty and above, as some who curiously remarked did avow, gave their voice for removing episcopacy, but said nothing of abjuring it; and several prime men who were there, do avow that they never thought all episcopacy abjured in our church.

¹ Collect. p. 635.

Notwithstanding, all were taken for abjurers by the clerk: and very justly; for answering *affirmative* to one part of the question, and *negative* to none, they ought to be taken as affirming the whole. Yea, when the question of abjuring came over again, as it did twice thereafter, not another would be plain; but all were content to be accounted abjurers, except poor I."

This diet was concluded with hearty thanksgiving for so great harmony, where no small disagreement was feared. "It resteth now," said the moderator, "that we be thankful to our Lord for the same; and I trust there are none of us who are come here with an honest mind, but would have bought this day, and the harmony we have seen, at a dear rate. God hath wrought this for us, far beyond our desert or expectation. And yet none need say that the votes of elders carried it; but blessed be God, that ministers, as well as elders, have concurred with great unanimity; which is a matter of admiration, and a benefit for which we know not what we shall render to our gracious Lord; therefore we will not enter upon any other purpose at present, but join all together in giving hearty thanks to our Lord for this great harmony."²

SESSION XVII.—In prosecution of what was done at the former session, the condemnation of the five articles concluded in the assembly at Perth was set on foot.³ Some were of opinion, that the said assembly having been already condemned, there needed no condemnation of the acts of it; and others, that episcopacy being removed and abjured, these articles, as appertaining thereto, fell with it. But others were of opinion that these articles having been the occasion of trouble to multitudes, too much could not be said against the same. And so a large paper, whereof the substance is contained in the act after mentioned, was read against it. The moderator, with Mr. David Dickson and Mr. Andrew Ramsay, had speeches to the same pur-

² Journal.

³ Journal, and Baillie.

pose. And then the question being stated, Whether the five articles of Perth ought by the confession of faith, as it was meant and professed in the years 1580, 1581, 1590, and 1591, to be removed out of this kirk? the member first called did by his vote declare them both abjured and removed; and all the rest followed him except Mr. Baillie, who voted them removed but not abjured.¹ Whereupon an act was extended, which is to be found amongst the printed acts of this assembly.

After this matter was concluded, the moderator moved, that as many of the honest and faithful servants of Jesus Christ had, for not complying with the foresaid innovations, been put from their ministry, and were reduced to very hard shifts; and as several of them were not yet admitted, that special notice might be taken of them; for, added he, in all halcyon times, notice hath still been taken of those who suffered for righteousness' sake.¹

That day the laird of Oldbar made a worthy motion, that as we had removed many abuses and corruptions, it were also necessary to make positive conclusions for good order and discipline in time coming. And accordingly Messrs. John Adamson, John Row, James Sibbald, and John Moncrieff, ministers, with the learned gentleman who made the motion, the lord Balmerino, Keir, provost Cochran, and Gilbert Gourlay, elders, were named as a committee for that effect.² But after they had received several overtures to that purpose, and amongst others one from Mr. Baillie, our author, they fell upon a better course; and that was the search of our old registers, to see what acts of that kind had been made already, where they did find so many as superseded the necessity of making more. But as that was a work of time, the further relation of it shall be deferred till we overtake the report of that committee.

The processes against other four of the bishops being now prepared by the committee who had been named for that

effect, were this day reported in the assembly, and brought to a conclusion.

Against Mr. David Lindsay, pretended bishop of Edinburgh, it was found proven, that beside the breach of the caveats, and subscription of the declination, he had been an urger of all the late innovations, especially of the liturgy; that he refused to admit any to the ministry who would not first take the order of a preaching deacon; that he was a bower to the altar, a wearer of the rotchet, a consecrator of churches after the popish manner, a domineerer over presbyteries, a licenser of marriages without proclamation of banns, to the prejudice of severals, a countenancer of the preaching of corrupt doctrine in Edinburgh, an elevator of the elements at consecration, and a defender of ubiquity.³ For all which the assembly did depose and excommunicate him.

Mr. Baillie adds, that a little before the bishop's downfall, he was witness to bishop Lindsay's ordination of a presbyter in the chapel-royal, where he, and the ministers about him, did perform that service in as graceless a manner as if it had been a comedy; that he was bitter against presbyterians, made no bonds against swearing and cursing, and avowed his neglect of lecturing, in which he was mean beyond all expectation. And as a reason for his being with the bishop on that occasion, he observes that his estimation of him before this was great, but afterwards stark nought.⁴

The next, who came to be sentenced was Mr. Adam Ballantyne, bishop of Aberdeen. Against him were proven frequent acts of simony, great forwardness in pressing the canons and liturgy, suspending ministers for fasting on Sabbath, and enacting public fasts to be kept on Wednesday only; as also, that he had consecrated the chapel of the lady Wardhouse, an infamous woman, after the popish manner, and stopped processes against papists and incestuous persons, and his singularly malicious apostacy; for he was a subscriber of the pro-

¹ Journal, and Baillie.

² Baillie.

³ Baillie, p. 639, and Journal.

⁴ Collect. p. 640.

testation against the bishops, anno 1606, and an urger of excommunication against bishop Grahame, whom he subverted, and got his bishopric. For these, and his breach of the caveats, he was deposed and excommunicated.¹

The process against Mr. John Maxwell, pretended bishop of Ross, was next concluded. The long legend of his erroneous tenets was quite omitted:¹ It had been committed to the laird of Durie to find out proper witnesses for proving these; but though it was well known to every one, that this bishop gloried in such errors, the proof came not in time. However, it was proved against him, that, beside the breach of the caveats, he was a public reader of the liturgy in his house and cathedral; that he was a bower at the altar, a wearer of the cap and rochet, a deposer of godly ministers, an admitter of fornicators to the communion, a companion to papists, an usual player at cards on Sabbath and once on a communion-day; that he had often given absolution to persons in distress, consecrated deacons, robbed his vassals of above 40,000 merks, kept fasts each Friday, journeyed ordinarily on Sabbath; and that he had been a chief decliner of the assembly, and a prime instrument of all the troubles which befel both church and state: and therefore the whole assembly did, without the smallest hesitation in any, depose and excommunicate him.

In the next place, the process against Mr. James Wedderburn, pretended bishop of Dumblane, was read; and though he had not subscribed the declinature, nor was personally summoned, having before that fled to England, he was both deposed and excommunicated, without a contrary voice, except the laird of Keir's:² For it was found clearly proved, that he had been a chief instrument of all the mischief that had fallen out, especially of the spreading of arminianism, and other perverse errors, through the kingdom, by his discourses and lectures to the students at St. Andrews; and that

he had been one of the chief compilers, practisers, and urgers of the service-book, and other innovations; and, being set in the chapel-royal, did bear hand to the archbishop of Canterbury in all his innovations.

Mr. James Forsyth, minister at Kilpatrick, did bear up the bishop's train that day.³ Against him it was found proved, that, upon a communion Sabbath, betwixt the sermon and serving of the first table, he brought a messenger at arms to the end of the communion table, and caused him to read letters of horning in the presence of the communicants, charging them for his teinds, &c.; that he taught the lawfulness of bowing at the name of Jesus, and that those who kneeled not at receiving the elements, received no good by the communion; that he accused the covenant as seditious, treasonable, and jesuitical; that he gave money for being admitted to his place; and that he was a decliner of his presbytery, and of the assembly. For these things he had been suspended by his presbytery, and now was deposed by the assembly. Mr. Baillie adds, that to his knowledge, he was a passionate defender of all that was in the liturgy, canons, &c. and a palliater of whatever the Canterburian faction had printed of arminianism; that his great companions, Mr. John Rae and Mr. Patrick Maxwell, were the same way inclined; and that Mr. John Corbet, whom he accounted one of the most modest of that fraternity, had gone to Ireland, and printed a most poor but bitter pamphlet against the covenanters, as any of their most furious and enraged enemies could wish.⁴

The work of this sederunt was finished with reading a letter from the bishop of Caithness; wherein he declared, that he had willingly subscribed the covenant; and that he acknowledged the lawfulness of the assembly; but that by sickness he was hindered from attending them.⁵

SESSION XVIII.—At this diet the as-

¹ Collect. and Journal.

² Baillie, p. 649, and Journal.

³ Journal and Baillie, p. 641.

⁴ Collect. p. 642. ⁵ Journal.

sembly went on with the rest of the processes against the bishops; and that of Mr. John Graham, pretended bishop of Orkney, came first to hand.¹ It was found proven, that he was a transgressor of all the caveats, and guilty of tyrannical usurpation over the ministers in his diocese; that he was an open profaner of the Sabbath, by curling on the ice that day, &c.; that he dilapidated part of the church revenues to his friends, and withheld from the ministers a part of their stipend for building his cathedral; that he overlooked adulterers and charmers, and neglected preaching: yet, in respect he professed a dislike of the late innovations, and submitted himself to the assembly, he was only deposed, and ordained to give evidence of his repentance against a certain day, under the pain of excommunication.

Next, the process against Mr. John Guthrie, pretended bishop of Murray, was read; and it was found, that he had transgressed all the caveats, and that he had the boldness to be the first who avowed conformity to the English popish ceremonies; that he was so mad upon dancing, that, at his daughter's marriage, he danced in his shirt; that he conveyed some women barefoot to a chapel to make penance; and that he was a common profaner of the Sabbath by riding, and had the impiety, when one recommended him to stay within doors on that day, to say that he would borrow a piece of the day from God, and make it up some other way.² For these things many accounted him worthy of excommunication; but the moderator alleged, that the assembly could not proceed against him, in respect he was not personally summoned. To this the clerk answered, That he was summoned at the church of Edinburgh and the pier of Leith, the usual places of citation for delinquents out of the kingdom: That, by the second caveat, he was obliged to have compeared, to have made account of his doings; and the protestations, that the bishops might compear, and an-

swer for their proceedings, was equal to a summons. And therefore the assembly overruled the objection. About a dozen voted for his deposition and excommunication; but the majority carried it for deposition only.

Mr. Patrick Lindsay, archbishop of Glasgow, was next called on, and his process read; from which it appeared, that beside the breach of all the caveats, and declining this assembly, he was chargeable with urging the practice of the book of canons and liturgy, under the pain of horning; that he exacted from all his clergy a pound Scots for each chaldier of victual, towards defraying his charges at court; that he denied to the ministers of Glasgow the privilege of feu-holding, and kept them out of their stipends; that he sold commissariots; that he was a grievous oppressor of his vassals; and that he discharged all expectants or probationers to preach till they had subscribed idle oaths of his own invention.³ For all which he was deposed, and ordained to be excommunicated, except he prevented the sentence by satisfaction against a certain short day. The Journal adds, that a new committee were appointed to intimate this unto him; but that, though the archbishop was so affected that he fainted in their company, and besought them for God's sake to use lenity towards him, he could not be brought to any due conviction of his guilt, so that the larger censure behoved to be passed on him as one of the chief offenders.

The assembly fell next on the process against Mr. James Fairlie, bishop of Argyle, called in the printed acts bishop of Lismoir; who seemed as worthy of censure as any. In his short time, he had shewed good-will to go the worst ways of the Canterburian faction, far contrary to the good opinion most men had of his orthodoxy: he was an urger of the wicked oaths on intrants, and of the liturgy, an oppressor of his vassals, a preacher of arminianism, and a profaner of the Sabbath. When it came to the voting, Mr. Alexander Carse, first called

¹ Journal, and Baillie, p. 643.

² Ibid. p. 644.

³ Journal, and Baillie, p. 644.

on, answered wittily according to his custom: "It is said of one of the Roman consuls, that he was so vigilant, that he slept none all his time; for he entered on his office in the morning, and was put from it ere night. So was it with this prelate; for he was not well warmed in his cathedral chair, till both chair and cushion were taken from him: therefore depose him only; and if he submit not, let him be excommunicated." And after him all the assembly voted the same way. Mr. Baillie adds, "If a bishopric be so unhappy an enchantment, let it never come in my good friend's hand again."¹

Against Mr. Neil Campbell, pretended bishop of the Isles, nothing was libelled but the breach of the caveats; which having been proved against him, he was deposed, and a certification was given out, that if he and the bishop of Argyle did not, against a certain day, give tokens of repentance, they were to be excommunicated.

The same day several scandalous ministers were sent in convoy with the bishops. Mr. John Macmath, minister at Churnside, having been found guilty by his presbytery, of teaching all the arminian errors,—prayers for the dead, invocation of saints, Christ's local descent into hell, the damnation of children without baptism, regeneration *ex opere operato* by baptism; declaring he would say mass if the king commanded it; and for deserting his flock, and declining his presbytery, was deposed by the presbytery, and their sentence was approved and ratified by the assembly.¹

Mr. Francis Harvey, for erecting an altar with rails, profaning of the Sabbath by drinking and playing at cards, and marrying without proclamation the archbishop of Glasgow's son with lord Blantyre's daughter, was referred to the committee of Edinburgh, who deposed him.¹

A process of adultery against Mr. Chrystal Knolls, was referred to the presbytery.² "But of all our monstrous

fellows," saith Mr. Baillie, "Mr. Thomas Forrester at Melrose was the chief, being composed of contraries, superstition and profanity. More particularly, his crimes were, avowing that read service was better than preaching; that preaching was no essential part of God's worship; that all prayers should be read. He made an altar and rails himself, and stood within, and reached the elements to those who were without. He avowed Christ's presence there; but whether sacramentally, or by way of consubstantiation or transubstantiation, he knew not; but thought it a curiosity to dispute the same. He maintained Christ's universal redemption; that all in the service-book was good; that to observe the Sabbath was judaizing; that it was lawful to work on that day, and that he caused lead in his corn on it. He used to sit at preaching and prayer, and to baptize in his own house; he made a way through the church itself for his cows and sheep, and made a waggon of the communion table to lead his peats in; he kept no thanksgiving after the communion; he asserted that our confession of faith was faithless, and abjured many things better than those we did swear to; and affirmed that our reformers brought more damage to the church in one age, than the pope and his faction had done in a thousand years. For these things this monster was justly deposed." And to be sure little enough for him.

The same author, speaking of the misery they were in before the remarkable era in July 1637, adds,³ "We were brought to this point, that a man might have done what he would without possibility of restraint, if he had been fully episcopal; but blessed be the Lord who has looked upon our oppression, and made the wickedness of the bishops a remedy for itself, and a potion to bring about a purgation of our whole church."

SESSION XIX.—At this sederunt the assembly concluded their tedious processes against the bishops. The two now

¹ Journal, and Baillie, p. 644.

² Collect, p. 645.

³ Collect, p. 446.

remaining undiscussed, were Mr. Alexander Lindsay, pretended bishop of Dunkeld, and Mr. John Abernethy, pretended bishop of Caithness. Both had submitted themselves to the assembly, and requested to be continued in the ministry. And this their submission did procure them favour: for, beside the common faults, as foul pranks of simony and avarice were alleged against them as any of the other bishops. And so the assembly rested with deposing them, not from the office of the ministry, but of their episcopal function, and power of representing the church in parliament; and suspended the exercise of their pastoral office only, till they gave tokens of sincere repentance; after which Mr. Lindsay was continued in the ministry of St. Madoze, and Mr. Abernethy declared capable of admission to a particular flock; but in case they did not reverence the said act, they were to be excommunicated.¹

Before concluding, the assembly agreed that the sentences of deposition and excommunication should next day be pronounced by the moderator in presence of the assembly, after a sermon to be preached by him suitable to the occasion. This part he was very averse to, but all laid it on him, and would take no refusal.²

SESSION XX.—After a learned and pious sermon preached by the moderator, to a very great auditory, from Psal. cx. 1. “The Lord said to my Lord, sit thou at my right hand, until I make thine enemies thy footstool,” he did in a very dreadful and grave manner pronounce the sentences of deposition and excommunication against the bishops, according as they are published amongst the printed acts of this assembly.³

“My heart,” says Mr. Baillie, “was filled with admiration of the power and justice of God, who can bring down the highest, and suddenly pour shame on them who sin against him proudly, and with an uplifted hand: And at the same

time I heartily pitied those who were excommunicated; remembering the great gifts of some of them, and eminent places of all, from whence their ambition and avarice had thrown them down to the dunghill of contempt. We have many arguments daily to work out our salvation with fear and trembling; to walk lowly, and to desire to pass our lives in obscurity, that so we may eschew many snares of the devil, and occasions of a shameful ruin.”⁴

And yet, to shew that the assembly were not without hopes of the bishops' recovery, at least were desirous of it, they laid down the order to be observed by them in giving public satisfaction, if so be it should please God to incline their hearts to give it. But we find not, that either of them did ever profess their repentance in the manner prescribed.⁵

The rest of this diet was exhausted in concluding processes against some of the bishops' accomplices. Mr. William Annan at Ayr was deposed that day. He had exceeding great gifts, says Mr. Baillie; but profaneness, and opposition to all things which he accounted puritanism, rendered those gifts useless to his people. His crimes were, that in a common head, *de invocatione sanctorum*, he had maintained the lawfulness of observing days to their memory; that he had in a sermon preached before the synod of Glasgow, defended the liturgy, and poured out many invectives against extempore prayers; that he was frequently drunk, and was a common swearer; that he had deserted his flock above eight months, and had resiled from the covenant, which he swore with others.⁶

Mr. Thomas Mackenzie, archdean of Ross, was also deposed for many foul crimes; as, fornication, drunkenness, marrying of adulterers, &c.⁷

The like censure was strongly urged against Dr. Scrimzeour at St. Andrews. He had been suspended by his presbytery for reading of the service-book, urging of conformity, and for fornication, drun-

¹ Journal. Baillie, p. 647.

² Baillie, p. 648.

³ Journal.

⁴ Baillie, p. 648.

⁵ Journal.

⁶ Baillie, p. 649.

⁷ Journal.

kenness, and playing at cards on Sabbath: For which reasons he was referred to the assembly for a higher censure. But, in respect he gave in a humble confession and supplication to the assembly, they thought fit to refer that whole affair back to the presbytery.¹

The only other thing meriting a place here, was a supplication of Mr. Andrew Rollock, minister at Dunse. He had been a subscriber of the bishops' declinature; but now he pled, that as he had been brought up in England, and was ignorant of the constitutions in Scotland, which made him the more easily comply with the subscribers of the declinature, he might be allowed to delete his name. This the assembly granted, on condition he would make a public declaration of his recantation in his parish church, (which he willingly condescended to,) and that their lenity to him should not be a precedent for shewing the like favour to temporizers among ourselves.²

SESSION XXI.—The assembly having done so much for removing the rubbish of former defection, and ease particularly to church judicatures of the burdens lying upon them, thought proper, as a mean to revive religion and secure it against episcopal usurpation, by an express act to restore kirk-sessions, presbyteries, and provincial and national assemblies, to their full integrity, in their members, privileges, liberties, powers, and jurisdictions, as they were constituted by the book of policy.²

The rest of this diet was mostly spent on things more private. A new commissioner from Caithness was received; and upon his regret that want of money for so long a journey had hitherto impeded his upcoming, care was taken to supply the like defect in time coming.³

According as Montrose had foretold, the earl of Wigton compeared in the assembly, and declared his meaning in subscribing the covenant along with the council to have excluded the innovations

imposed under episcopacy, and promised a constant adherence to the doctrine and discipline presently professed, and for that purpose, the assembly wished his lordship the aid of God's grace.⁴

Mr. Andrew Shepherd, a minister about Dundee, came also in that day; confessed, that he subscribed the bishops' declinature through ignorance; and intreated, that he might have liberty to cancel his name, which was granted, upon his assurance that he was ready to make public confession of his repentance.⁵

At this diet likewise a supplication from St. Andrews, for liberty to transport Mr. Alexander Henderson from Leuchars, was opposed by the commissioners from Edinburgh; who told he was their elected minister, and pled their privilege of transporting from any part of the kingdom. The moderator himself was unwilling to remove from Leuchars, where he had been minister above eighteen years; and pled, that he was too old a plant to take root in another soil, and that he might be more useful there than in a more public station. Yet, after much contest betwixt the two cities for some days, Edinburgh carried it by seventy-five votes, much against Mr. Henderson's inclination. Yet he submitted, upon promise, that when the infirmities of old age should overtake him, he might be transported to a country charge.⁶

That day also, a process against Mr. Robert Hamilton at Leshmahago, before the presbytery of Lanark, was read; and it was found, that, beside declining the assembly, he had taught universal redemption and other arminian errors; that he profaned the Sabbath, was a common brawler, and prosecuted his parishioners for conformity, banishing some, taking bonds from others, and exacting the penalties in cases where the bond was transgressed. For these he was deposed; but he contemned the sentence for some time, till, finding he was like to have little peace at home, he fled to England with the rest of that faction.⁶

And as the greater part of Lanark

¹ Baillie. ² Journal. ³ Baillie.

⁴ Journal. ⁵ Baillie. ⁶ Ibid. and Journal.

presbytery had distinguished themselves in vexing those who could not conform to the corruptions of the time, they were in God's righteous judgment as eminently punished : For beside Mr. Hamilton just now mentioned, Mr. John Lindsay at Carstairs was, for the like reasons, deposed in the next provincial synod ; Mr. John Lindsay at Carluke, being drowned in debt, fled to Ireland, so that his flock being deserted, his place was declared vacant ; and Mr. Robert Nairn, minister at Carmichael, was smitten with an incurable phrenzy, for which the parish insisted that his place should be declared vacant, and his case was referred to the presbytery.¹

SESSION XXII.—The reference of Dr. Panther's process to the committee named for St. Andrews, began the procedure of this day.

Next, in regard provincial assemblies were not yet ordered according to the old plan, and that there was little probability of their meeting in every province where there were delinquencies, before the time to which the parliament was called ; it was thought fit, that in the mean time commissions should be named for discussing all affairs not overtaken or concluded by the assembly :² And for that purpose were named, a committee to sit at Edinburgh the 26th of December ; another to sit at Jedburgh the 2d of January ; another to sit at Irvine, January 15th ; another to sit at Kircudbright, February 6th ; another at Dundee, February 5th ; another at Canony of Ross, and another at Forres, both on the 19th of March. In like manner, upon a representation from Mr. John Lundie, that the bishop of Aberdeen had, for consuming the rents of the New College there, imposed canonries, prebendaries, and professions of the canon law on them, there was a visitation appointed for that university likewise.

Then there was a committee named to inspect the registers of the church, to find in what places the provincial assemblies were holden, which they did ;

¹ Baillie, p. 952. ² Journal, and Baillie.

and the roll they made up was next day reported to the assembly, approved by them, and engrossed amongst their printed acts.³

Other affairs handled at this sederunt were more private ; as the hearing of a petition from the borough of Kinghorn, that in respect Mr. John Skinner, their faithful pastor, had been removed^a by episcopal tyranny, and an old infirm man substituted in his place, they might obtain an helper ; which was allowed.³

A petition in name of the church of Carsphern, a church erected by the liberality of some gentlemen, in respect of their great distance from any place of worship, but without a competent stipend, craving the assembly's aid, was remitted to a committee ; and on their report a recommendation was made in their favour, for a contribution through all the congregations on the south of Tay.³

SESSION XXIII.—Many things passed through hands this day ; and indeed, considering the many committees who generally had matters well prepared for the assembly, few days passed without discussing several affairs.

At this sederunt there was an index of the whole acts that had been formed in the assembly read by the clerk, and the assent of the assembly granted to them.³

And then the committee who were appointed to bring in an overture what new acts ought to be made, or what old acts revived, brought in their overture, containing a list of twenty-four acts, which were in this and the following session read and allowed by the assembly, except a few, which were referred to the presbyteries. These are all to be found amongst the printed acts of this assembly. Such of them as were then revived, were—The 1st. Ratifying the presbyteries erected since the year 1586, and erecting some more in Argyleshire. The 2d. That presbyteries be holden weekly, that they have an exercise and addition, and that some controverted point of

³ Journal.

doctrine be publicly disputed amongst the brethren. The 3d. That the presbyteries visit all the kirks within their bounds once a-year, and, among other things, try how family worship is discharged, and take care that the youth be instructed. The 4th. That kirks, schools, and colleges be visited, and that masters, &c. be tried concerning the soundness of their judgment in matters of religion, their ability for discharge of their calling, and the honesty of their conversation. The 5th. That no minister be absent from his parish above forty days without liberty. The 6th. That schools be planted in landward places; and that the teacher shall, among other things, catechise the common people. The 7th. That presbyteries had the power of admission of ministers, and choosing their moderators, and ratifying what had of late been done by them of that kind. The 9th. That the conversation of ministers be found, before their entry, agreeable to act of the assembly, March 26, 1596, concerning the enormities and corruptions in the ministry, and remeid thereof; and ratifying the said act, and ordaining it to be put in execution. The 12th. That the Lord's Supper be more frequently administered. The 13th. That ministers be twenty-five years of age before their admission, except the case be extraordinary. The 14th. Against markets on Monday and Saturday. The 15th. Against profanation of the Sabbath. The 16th. That those be excommunicated who, after due admonition, will not refrain from the company of excommunicated persons. The 17th. That no person speak or write against the covenant, or this assembly, or any act of it, under the pain of incurring the censures of the church; which many think was overstretching church power. The 19th. That all titles of dignity, as abbots, deans, &c. be banished. The 20th. That in the presenting of pastors, readers, and schoolmasters to particular congregations, respect be had to the congregation; that no person be intruded into any office of the kirk contrary to the will of

the congregation to which they are appointed. The 21st. Against marriage without regular proclamation of banns, in regard, the same had of late years produced many dangerous effects. The 22d. Against funeral sermons, as savouring of superstition. The 23d. Concerning the trial of expectants for the ministry. And the 24th. Containing a platform of the provincial assemblies, and that the synods lying nearest to others correspond together.

Then there was a petition given in by old Mr. John Bell, at Glasgow, for the transportation of Mr. David Dickson from Irvine. But he, with the lord Eglinton and Mr. Baillie, made so great opposition, that the motion was got crushed for that time; yet next year, his transportation to Glasgow was found necessary.¹

This affair being ended, the moderator said, "Seeing we are urged with transportations, let us think of providing those, who either were put out for not conforming to Perth articles, or who were refused licence, because they would not fall in with the course of conformity, and were therefore obliged to betake themselves to another way of life, waiting for better days."² Whereupon a list was given in of the following persons, as ready to supply vacancies, viz. Mr. David Calderwood, Thomas Hogg, Andrew Stevenson, Thomas Lamb, Eleazer Borthwick, James Guthrie, Andrew Martin, Thomas Garven, Thomas Gilbert, John M'Gill, Robert Traill, George Dick, Hugh Archibald, and John Weir; whom the assembly recommended as meriting to be regarded in the first place. And in the next session, a list of fifty-six expectants more was given in; and the persons named in it, being also well recommended, were distributed amongst the presbyteries.

SESSION XXIV.—A part of the time of this sederunt having been spent on the overtures, which are noticed in the narrative of the last, there was only time for the particulars following.

¹ Baillie.

² Journal, and Baillie.

Upon a motion from Dr. Guild, who had done much for suppressing the profanation of the Sabbath by fishing in Aberdeen, the assembly recommended to the several presbyteries, to see to the execution of some old acts of assembly, against the breach of that day, by the going of mills, salt-pans, salmon-fishing, or the like, and revived an act of assembly holden at Holyrood-house in the year 1602.¹

In this session also there was an act made, ordaining presbyteries to excommunicate those ministers, who, being deposed by this assembly, acquiesce not in their censure.¹

It may also deserve notice, that Mr. William Scott minister at Cupar, having a large authentic register of the church, the assembly judged it their property, and ordained their clerk to write for the same in their name; which he did, and obtained an answer to his mind.¹

The same day, being the 18th of December, there was read over the cross of Edinburgh, a proclamation, dated the 8th of that month, extolling his majesty's condescension; vindicating the conduct of his commissioner, particularly in this assembly; and loading the covenanters with a number of disorderly, disloyal, and unjustifiable actions.² But the assembly having had due information of that design, had a protestation in readiness; and as soon as the proclamation was read, the commissioners from the assembly, and from the nobility, barons, gentlemen, ministers, burgesses, and commons, subscribers of the covenant, read their protestation and took instruments upon it. Both these papers were printed by themselves; and the curious may find a copy of them in the Large Declaration. In respect whereof, and that they agree in substance with the proclamation and protestation which were made at Glasgow the 29th of November, we shall only trouble the reader with resuming two or three particulars, which were not in the former, and seem now to have been purposely added by

the court as a pretext for declaring our countrymen rebels, which fell out shortly thereafter; such as,

1. It was alleged in the proclamation, that the covenanters guarded the castle of Edinburgh, suffering nothing to be imported thither but at their discretion, and stopping the importation of ammunition to any of the king's houses within the kingdom; denying that liberty to their sovereign, which the meanest of them assumed to themselves.

In answer thereto, the protesters confidently affirmed, that they were unjustly challenged of all the said points, except that, for preventing dangers evidently threatened to them by the importation of ammunition for furnishing the castle of Edinburgh, they had circumspectly watched that castle; which they justified from the common maxim, That the safety of the public is the supreme law and end of all lawful power; and supported acting up to that principle in the present case, by act 3, parl. 2, James II.; act 25, parl. 6, James II.; act 41, parl. 11, James II.; act 10, parl. 1, James VI.; act 125, parl. 7, James VI.; act 9, parl. 9, James VI.; and act 121, parl. 12, James VI. The import of all which acts, in so far as made use of for the present purpose, seems to be this, That the forts of the nation are to be kept for the welfare of the realm, as well as for the king's behoof: That they are the keys of the nation, and therefore ought to be used for keeping together, and not for dispersing and destroying the lieges; and that where there is a presumption of spoiling the country by garrisons, the lieutenant ought to raise the country, pass to such garrisons, and take surety of those who are in them, that the country and all the king's lieges be kept harmless. From all which, and the following clause in the commission given to the house of Mar, for keeping the castle of Edinburgh, viz. "*hac lege expressa et conditione, ut nulli nisi conventui ordinum repositenti traderent,*" they inferred, that seeing there were not only violent presumptions, but great threatenings by

¹ Journal.

² Large Decl. p. 388.

the adversaries of the truth against the country, especially of the town of Edinburgh, they, being the collective body of the realm, might, in default of the king's prime officers of state, provide for their own safety, and keep themselves unharmed by that castle, or any inhabitant thereof.

2. The proclamation did likewise charge the assembly's innocence in repairing to Glasgow furnished with forbidden arms in contempt of a preceding proclamation.

To this the protesters answered, That they went to Glasgow in the most peaceable and quiet way that might serve for their security against the outlawed clan Gregors, and their followers; who, before the meeting of the assembly, had committed many insolencies and outrages both privately, and by exacting money at public markets near Glasgow, as they had been advertised by their friends in those places: That their sole motive for carrying some offensive weapons with them was to defend themselves against the affronts or threatenings of those rebels; and in this they were justified by the example of those who attended the lord commissioner to Glasgow, who were provided with the like weapons.

3. In the said proclamation the strain of the protestation is taxed, because the protesters presumed to cite those of his majesty's privy council, who procured, subscribed, or ratified this proclamation, to answer to his majesty and three estates of parliament. But the protesters alleged, "That the same could not be justly quarrelled, because it is grounded upon the law of the kingdom, and warranted by act 12, parl. 2, James IV.; which act is founded upon good reason; for it were strange to think, that counsellors giving bad counsel, to the evident prejudice and ruin of the country, should not be accountable therefor: And it is not without a precedent, that perverse counsel hath been given in misguiding the king's and common good of this realm, as is evident from act 6, parl. 1, James IV.; which is also acknowledged

by the reduction of grants made by kings to these perverse counsellors, act 3, parl. 4, and act 5, parl. 1, James IV. The perverseness of which misguiding counsel, hath been assuredly the cause why in the next parliament the king's council was chosen in parliament, and sworn in presence of the king and three estates, and ordained to be responsible and accusable to the king and three estates for their counsel: which cleareth, that both evil counsel may be given, and that the council may be accused before the king and parliament for malversation in their charge. Likeas, his majesty in the proclamation makes all persons liable to the parliament and general assembly, and so giveth way to this previous citation, which may serve for a forewarning and intimation, that they may be accused if they be guilty, as we know all are not, and wish that none were.

All which heavy objections and imputations are premised in the proclamation to the conclusion and command thereof; which resolveth into a discharging obedience to the acts of assembly; liberating all who shall disobey, from censure; promising protection to the disobeyers; inhibiting all presbyteries, sessions of kirks, and ministers in their sermons, sessions, and meetings, or any otherwise, to authorise, approve, or allow this assembly, or do any deed which may countenance the same, under pain of being punished with all rigour; and commanding all who shall hear them to delate the same, under pain of the like punishments; likewise straitly charging all judges, clerks, and writers, from passing any bill, summons, or letters, upon any act or deed proceeding from the said assembly; and all keepers of the signet from signeting thereof, under all highest pain.—All which is, we find, so far repugnant to the word of God, practice of the primitive kirk, laws civil and canonical, the custom of all nations, the constitutions of our general assemblies, acts of parliaments, practice of other judicatories within this kingdom, and the confession of faith, and

discipline of this kirk, as we cannot believe any such commandment hath proceeded from our gracious king, but from the malice and misinformation of our adversaries, the consciousness of whose guilt affrighteth them to undergo their deserved censure. 1. We say, that the same is contrary to the law of God, from Matth. xviii. wherein the church is commanded absolutely to inflict censures; and 1 Cor. v. wherein the church did execute that commandment. And the churches of Pergamos and Thyatira are reprov'd for not executing ecclesiastical censures against those who held the doctrine of Balaam, or of Jezebel, Rev. ii; so that the power of the keys in ecclesiastical censures is so intrinsically and essentially competent to the church and general assembly *juro divino*, as obedience to her decrees and execution thereof cannot be suspended, far less taken away and discharged, by human authority, more than the power of preaching and administration of the sacraments. 2. It is contrary to the practice of the apostolic and primitive churches, whose constant practice was to execute the spiritual functions and censures; and, notwithstanding human prohibitions, to obey God rather than man. 3. It is contrary to the civil law, 'Si contra jus vel utilitatem publicam, vel per mendacium, fuerit aliquid postulatum vel impetratum ab imperatore. Et titulo de diversis rescriptis et pragmaticis sanctionibus.' 4. The same is contrary to the canon law, 'Decret. decretal. extravagan. titulo de rescriptis.' 5. It is contrary to the universal custom of all nations, ordaining their judicatories to do justice, notwithstanding their princes' prohibition; as is clear by Convarnuvia in Spain, Pappin in France, Suedwyne in Germany, &c. upon the title, 'de rescriptis aut constitutionibus principum.' 6. To the constitutions of general assemblies; because in several assemblies, upon complaints made that the king's majesty, by his council, and their letters, offer'd some stop to the church from going on in her ecclesiastical censures, especially by act of the

general assembly convened in the new college of St. Andrews, 20th April 1582, it is ordained, that none being received to any ecclesiastical function, office, or benefice, seek any way by the civil power to exempt and withdraw themselves from the jurisdiction of the church, or procure, obtain, or use any letters or charges, either by themselves, or any other in their name, or at their command and instance, to impair, hurt, or stop the said jurisdiction, discipline, correction of manners, or punishment of their offences and enormities; or to make any appeal from the general assembly, to stop the discipline and order of the ecclesiastical policy and jurisdiction granted by God's word to the office-bearers within the said church, under the pain of summary excommunication, to be pronounced by the judgment of the presbytery, by the minister or ministers which shall be appointed by them, so soon as it is known that any of the said heads are transgressed. Likewise, both the king's majesty and his council promised, that none thereafter should have that cause to complain; as is manifest by the act of assembly at Montrose, in July 1597. And the assembly holden at St. Andrews, 24th April 1582, being charged with letters of horning not to proceed against Mr. Robert Montgomery, did write to his majesty, that this discharge was extraordinary, a thing that was never heard nor seen since the world began, and was directly against the word of God, and laws of the kingdom. And yet, notwithstanding of the said charge, the assembly did proceed and excommunicate the said Mr. Robert. Further, in the assembly at Edinburgh, the 27th of June 1582, session 7, amongst the grievances presented by the church to the king, the first is, That his majesty, by advice of some councillors, is moved to take upon him that spiritual power and authority which properly belongeth to Christ, as only king and head of his church, the ministry and execution whereof is only given to such as bear office in the ecclesiastical government of

the same ; so that in his majesty's person some men press to erect a popedom, as though his majesty could not be full king and head of this commonwealth, unless as well the spiritual as temporal sword be put in his hand ; unless Christ be robbed of his authority, and the two jurisdictions confounded, which God hath divided, which directly tends to the wreck and overthrow of all true religion, &c. And in the assembly holden at Edinburgh in October 1582, sess. 15, summonses are directed by the general assembly against the king's advocate, for drawing up the king's proclamation of that strain. 7. The foresaid command is also contrary to the acts of parliament ; because, as they appoint every matter for its own judicatory, and to all judicatories their own freedom, so much more doth this liberty belong to the national assembly, being the supreme judicatory ecclesiastic of this church, and only competent judge in matters so important, and so nearly concerning God's honour and worship immediately, the salvation of the people's souls, the settling of the purity of God's worship, the purging away the corruptions thereof, and right constitutions of the kirk ; whose liberties and privileges are confirmed, parl. 12, king James VI. ; and parl. 1, king Charles. Likeas, by act 114, parl. 12, king James VI. anno 1592, the liberty and discipline of the church, especially in her presbyteries and assemblies, are fully and firmly ratified, with declaration that the act of the king's majesty's prerogative royal over all estates and persons, shall no ways be prejudicial to the privileges which God hath given to the spiritual office-bearers in the church, concerning heads of religion, matters of heresy, excommunication, collation, and deprivation of ministers, or any such like essential censures, specially grounded upon the word of God, with full power even to the particular presbyteries, to put order to all matters and causes ecclesiastical within their bounds, according to the discipline of the kirk. 8. The lords

6, king James VI. are ordained to proceed in all civil causes intended or depending before them, or to be intended, and to cause execute their decrees, notwithstanding any private writing, charge, or command from the king's majesty or his council, in the contrary. As also, by act 47, parl. 11, king James VI. all licences or supersederes purchased from his majesty, are discharged as a contempt done to the law, as prejudicial to the lieges, and contrary to justice ; and declareth the same to be null in law, and not effectual to the purchaser any ways ; and ordaineth all judges within this realm to proceed and do justice, in the same manner as if the said supersederes and licences never had been purchased nor produced. And by the 106th act, parl. 7, king James VI. all licences granted by his majesty to hinder the execution of acts against papists, and other adversaries of the true religion, are discharged and declared to be of no force. According to which it hath been the ordinary custom, both in civil and ecclesiastical judicatories, (notwithstanding of private warrants or prohibitions contrary to law, which commonly are impetrated from his majesty upon misinformation), to proceed and minister justice. 9. To discharge obedience to the acts of the assembly, stop the execution thereof, and protect and defend such as are delinquents, and under the censure of the church, is directly repugnant to the large confession of faith, wherein, cap. xix. the third mark of the true church is affirmed to be upright ministration of ecclesiastical discipline, as God's word prescribes, for establishing good order, and repressing of vice ; and so no more can be impeded nor justly taken from the kirk, than any of her other two marks, viz. the right preaching of the word, and ministration of the sacrament : And, therefore, in the oath at the king's coronation, he sweareth to maintain this confession, and these three marks of the church ; and particularly, that he shall be careful to root out of his empire all heretics, and enemies to the worship of God, that shall be convicted by the true

kirk of God of the foresaid crimes. 10. In the short confession of faith, sworn 1580 and 1590, and renewed by the greatest and best part of this kirk and kingdom, with an explication renewed also at his majesty's command by his council, all are bound to continue in obedience to the doctrine and discipline of the church, and defend the same according to their vocation and power. So that, seeing this general assembly hath proceeded in their constitution, acts, and whole proceedings, according to the discipline of this church, annis 1580 and 1590, contained in the second book of discipline, which in both of these years were ordained to be registered, and sworn to by all the ministers of this church, as the discipline thereof, and wherein the civil and ecclesiastical jurisdiction are so clearly distinguished, book ii. chap. I, as the power of the sword may no ways stop or impede the power of the keys; and in chap. vii. the eldership [*i. e.* the presbyteries] and assemblies have power to execute the ecclesiastical punishment upon all transgressors and proud contemners of the kirk; and in chap. x. the office of the Christian magistrate in ecclesiastical matters, is said to consist in assisting and maintaining the discipline of the church, and punishing those civilly who will not obey the censures thereof, without confounding the one with the other; and this order of the ecclesiastical discipline, condescended upon in general assemblies, as warranted by divine authority to be executed, notwithstanding any human inhibition, is set down before the psalms in metre; and therefore we can never expect, that his majesty, who, out of his pious inclination to justice, hath declared and ordained, by his proclamation the 22d of September last, that all his subjects, both ecclesiastical and civil, shall be liable to the trial and censure of the general assembly, or any other judicatory competent, will now stop the execution of the lawful and grave sentences of this national church, so comfortable to us, and so necessary for maintaining the purity of religion,

which his majesty, in the end of the articles before mentioned, hath promised to defend, and his subjects in the profession thereof, which is incompatible with the defence of excommunicated and obstinate persons. But therefore we are assured, that his gracious majesty will be pleased to allow that reverence, and all ready obedience may be given to the whole acts, constitutions, and censures of the said general assembly, by all his subjects, who undoubtedly and necessarily are obliged to the obedience of all the lawful commands and injunctions of the church, if they would be accounted members or sons thereof."

SESSION XXV.—In this session there was a number of petitions for transportations heard and answered; as, for Mr. Andrew Cant to Pitsligo, Messrs. James Sharp and John Hamilton to Paisley, Mr. Robert Douglas to Kirkcaldy, Mr. Robert Blair to St. Andrews, and Mr. Samuel Rutherford to be professor of divinity in the New College there.

Mr. Rutherford opposed his transportation to the utmost of his power; but his objections turned out rather to be reasons why he should comply with the call given. Yet in one thing the assembly behoved to give him his will. He said, the high commission never did him a worse turn than to stop his mouth from preaching, that there was a woe unto him if he preached not the gospel, and that he knew not who could go betwixt him and that woe. And so he was permitted as well to be colleague to Mr. Blair in preaching, as to teach. And under his care were brought up a great number of the most eminent ministers which hath at any time been in the church of Scotland.¹

But of all the opposition, that of Mr. Blair's was the most moving. The success of his ministry in Ayr, and their liberality towards him, had engaged his affection strongly to them; and the difficulty of discharging his office with comfort in St. Andrews, did greatly discourage him from complying with such a

¹ Journal.

call: so that he did most earnestly oppose it; and the town of Ayr did, by John Stewart their provost, deprecate that oppression.¹ Yet the earnestness of St. Andrews, the importunity of the nobility of Fife to have that seminary well provided, and the knowledge many had of Mr. Blair's dexterity to recommend the fear of God to the hearts of young ones, prevailed with the assembly, against his own prayers, and provost Stewart's tears, to carry his transportation by a small majority.

At the same time, they gave a commission to Mr. Archibald Johnston, their clerk, to be also their procurator, and to Mr. William Dalgliesh to be their agent.

The rest of their work that day was of a more public nature. After the moderator and several other members had sufficiently exposed the evil of civil power in churchmen, and their incapacity for a place in parliament; the assembly did all, except two, harmoniously vote for, and pass the act against the civil places and power of churchmen, which is published amongst their printed acts.¹

Nevertheless, the assembly thought needful, in respect they wanted a ratification of their acts in parliament, &c. to solicit the good offices of as many of the elders as should have vote in parliament, to attend the same with their requests.¹

On this occasion also they thought needful, in respect the office of the ruling elder had been controverted, to ascribe much of their harmony in reformation-work to them; and with great unanimity they declared their approbation of that office, as a divine institution.²

SESSION XXVI.—Thursday, the 20th of December, was the last session of this famous assembly, and a glad day to all the members.

The draught of an excellent and well-penned supplication from the assembly to the king, which had been presented by the moderator at their former sederunt, was approved in this, and sent up to his majesty in the manner we shall

afterward relate. Of this there is a copy in the printed acts.³

Several others passed this day, and are to be found amongst their printed acts, such as,

1. An act allowing to Mr. Archibald Johnston, their clerk, the inspection of all treatises or papers that concerned the church, and prohibiting all printers from publishing any thing of that sort not licensed by him;³ which was thought giving too much credit to any one man: but it was then the fashion of supreme courts; and, according to Mr. Baillie, who knew him as well as any other, the clerk understood no more by that, than the inspecting of such treatises as concerned the church.

2. An act ordaining presbyteries and synods to convene before them such as were scandalous and malicious, and would not acknowledge the assembly, nor acquiesce in her acts, and to censure them for their malice and contempt according to the acts of the church.

3. An act ordaining every presbytery to take from the clerk the index of the acts of this assembly in the mean time, and the said acts themselves so soon as printed.

4. An act approving of the national covenant sworn in February preceding, in all its heads and articles; and ordaining all ministers, masters of universities, colleges, and schools, and all others who had not already subscribed the said covenant, to subscribe the same with these words. "The article of this covenant, which was at the first subscription referred to the determination of the general assembly, and now, being determined, and thereby the five articles of Perth, the government of the kirk by bishops, being declared to be abjured and removed, and the civil places and power of kirkmen, upon the reasons and grounds contained in the acts of the general assembly, declared to be unlawful within this kirk, we subscribe according to the determination foresaid."⁴

According to Mr. Baillie, his difficulty, whether episcopacy and Perth articles

¹ Baillie, p. 658.

² Journal.

³ Journal.

⁴ Ibid. and Baillie.

were abjured in the covenant 1580, did yet remain so heavy on him, that he could not positively vote with the assembly; but, that he having signified the same to the earl of Loudon, Mr. Archibald Johnston, and some others, he thinks it was owing to this, that an agreement was gone into, that those only should be required to subscribe of new, who had not already done it, and that when the votes were called, Loudon being afraid of his contrary voice, caused the clerk pass his name in calling the roll; and, adds the same author, "This passage came to dean Balcanqual's ears by some of his creatures, who were still lurking among us, which he related to the king, disguised with a number of untruths; yea, that unhappy man, to prove himself thankful to Canterbury, has made the king believe upon his trust and print in his own name, a declaration consisting of 430 pages folio, stuffed with falsehoods and silly fables invented for our disgrace. But I hope his majesty will soon be persuaded to the contrary, and that he will take order with those who lay on his back the burden of all their crimes."

Next, the assembly made an act humbly supplicating the king to approve of their interpretation of the covenant sworn in the year 1580; and whereas his majesty's commissioner had declared, that the intention of imposing that covenant was noways to abjure, but to defend episcopacy, and requiring that none take it in another sense, they by their ecclesiastic authority prohibited all the members of this church from swearing the said covenant, so wrested to a contrary meaning, under pain of ecclesiastic censures.¹

The only other act of this assembly was an act declaring that by divine, ecclesiastical, and civil warrants, this national church hath power and liberty to assemble, and convene in her general assembly yearly and oftener, *pro re nata*, as occasion and necessity shall require, and appointing the next general assembly to meet at Edinburgh, the third

Wednesday of July 1639. But, if in the mean time it should please the king's majesty to indict a general assembly, they ordained all presbyteries, universities, and burghs, to send their commissioners for keeping the time and place which should be appointed by his majesty.

After this the assembly appointed that there should be a thankful commemoration, by all their members, in their families, congregations, and presbyteries, of all the great and good things which God had done for them; and particularly, that the first Sabbath after their return home, they should intimate the conclusions of this assembly, and exhort their people to prepare against the next Sabbath thereafter, not for a carnal festival, as had been the practice formerly, but for a humble thanksgiving, as becometh saints.²

And now, all matters considerable being discussed, the moderator had a speech to the following effect:

"I suppose none here expect any discourse from me, worthy either of the time appointed for so great affairs, or of such a noble, learned, and wise auditory as this is; yet, seeing it is expected of me, I shall say something concerning myself, and next a word to others.

"Concerning myself I would say, 1. That the evil that I shunned is come upon me, and I would have avoided it because of that aversion which I had to expose my own weakness and infirmities; yet I would not call it an evil absolutely, because the charge I have borne these days past, was laid on me by you, and I am sure that God hath done good to me by it; and for the omissions or mismanagements wherewith I am chargeable in the discharge of that trust, which are many, I crave pardon of the God of heaven, and of this honourable assembly. And, 2. Another thing I would notice, wherein I am some way concerned, is, that I observe the beginning and conclusion of the works of God to be very answerable. The beginnings of this work were by weak instruments,

¹ Journal.

² Journal.

and so has the conclusion been, by reason of my weakness who have been employed in it, and this is, that the Lord may, as is due, get the glory of his own power.

“But why do I say that I have been an instrument? Nay, you have been the instruments raised by God, who have been honoured to bring this work to pass, by your piety, prudence, and pains; and I must acknowledge all ranks have been diligent, faithful, and zealous in every point, even to my admiration. Nevertheless, ye must not rest here, but ascend higher, and consider the goodness of our gracious sovereign toward us; for ye know this assembly was indicted by his majesty’s authority, and his commissioner was present here till it was fully constituted; and therefore let us pray that his majesty may reign long and prosperously over us.

“Yet, after all, we must not rest upon the king, but ascend yet higher, to God himself, and give him his own praise: Surely the name of God is worthy of all praise. He had an eternal love to Scotland, and gave his only Son our Lord Jesus Christ, to redeem us by his blood, and to purchase the Holy Spirit unto us. And when the time of the promise drew near, that the isles should wait for his law, he was pleased to call our fathers out of antichristian darkness, and to make them a people near to him, both in privileges and attainments.

“What shall I further intreat you, honourable, reverend, and well-beloved, but to consider the great and singular mercy vouchsafed to us, in our late deliverance from popish and arminian errors, episcopal tyranny and superstition, and a languishing state and condition? Our adversaries were the head and we only the tail: they only would have the name of learning, prudence, and policy, and we were accounted poor, filthy, ignorant fools, in comparison of them. Our sun was almost set at noon, and we surely would have died in darkness, unless the Lord had appeared graciously for us, and made his light to shine.

“Next, I would have you to consider, beloved, that the beginnings of this great

work were small, weak, and obscure; and yet, by the Lord’s touching the hearts of all ranks in the country, we became like a nation born at once. The Lord wrought sensibly with multitudes, light filled their minds, and heat warmed their souls. This was especially observable in many of our old men, who having, through want of devotion, been frozen with cold, when they set about renewing our covenant with God, his Spirit breathed on these dry bones, and their hearts glowed with the heat of it; and since that time we have found his presence remarkably in all our meetings.

“Nor would I have it overlooked, that our adversaries themselves have contributed to our conclusions, (thanks be to the Lord who overrules all the actions of men) for they have wrought more for our purpose than our own prudence hath done; and when our wits failed us, their courses opened a new scene for action. Surely this was the extraordinary providence of God, that works not only by means, but sometimes also without means, and at other times contrary to means, and to the wicked intentions of our enemies. The fruits of this work, which have appeared in the lives of many, ought also to be thankfully remembered. Since the same began we have seen greater piety, more religious exercise in families, greater sobriety, temperance, and chastity, more care taken to perform the duties of righteousness, and less deceit, cruelty, oppression, and falsehood in the land, than before this work began.

“And surely, beloved, the mercies vouchsafed in our constitution and conclusions will draw out our gratitude to our gracious Lord. This assembly was indicted by our sacred sovereign, and countenanced by his majesty’s commissioner, till fully constituted; and notwithstanding we were deprived of the assistance of civil authority, we have been kept together with an amazing harmony, and I trust also in a close adherence to truth against manifold fears, and beyond the expectations of all. Surely this should make us wonder at the goodness

of God toward us, especially considering our comfortable proceedings. Now, we are freed of the service-book, which was a book of slavery indeed; of the book of canons, which tied us in spiritual bondage; of the book of ordination, which was a yoke put on the neck of faithful ministers; of the high-commission, which was a guard to keep us all under that slavery; and of the civil places of churchmen, which was the splendour of all these evils; and the Lord has led captivity captive, and made lords slaves.

“Seeing then that the Lord has granted us liberty, what should we do less than labour to be sensible of our liberty? We are like a man that has lain long in irons, who, after they are off, and he redeemed, feels not his liberty for a time; but the smart of them makes him apprehend that they are on him still. So is it with us,—we do not yet feel our liberty, therefore it were good for us to keep the bounds of our liberty wherewith Christ has made us free, and not be entangled again with the yoke of bondage; for ye know that in logic, a privatione ad habitum non datur regressus, holds true in politics, a courtier being once degraded, doth scarcely ever regain his credit; and it doth specially hold true in spiritual things. I grant the Lord can miraculously give eyes to the blind, and raise the dead, as we are witnesses this day, having ourselves been brought back to him, after we had run far on in a course of defection; but take heed of a second defection, and rather endure the greatest extremity, than be entangled again with the yoke of bondage. I grant the cross is hard to look upon; but if we get strength from our Lord, it shall be an easy yoke. Remember the plague of Laodicea for lukewarmness, and beware of her sin; for ye know the Lord threatens to spue them out of his mouth; which imports, 1. That he will take delight in executing judgment upon us, as a man takes delight to empty his oppressed stomach. 2. That it shall have reproach with it, as a man goes to a secret place with his vomit. And, 3. That whom the Lord thus spues out, he

will never return to them again, as a man never returns to his vomit; and therefore, let us know our liberty. Next, esteem reverently of it, and then use it diligently. I shall have done, after I have mentioned a few persons, to whom it becomes us to be especially thankful.

“First, We ought to testify our gratitude to the king’s majesty, under whom we have had the liberty to convene together; and this we would do two ways. 1. We should not cease to continue our fervent prayers for our king, that it would please God to bless him with all royal blessings. And, 2. In our preachings, we should be careful to recommend his authority to the people, and, next unto Christ, let him have the highest place; for however the fifth commandment be a precept of the second table, yet it is next to the first table, teaching us, that next unto our duty to God, we owe due reverence to those who are in place above us; therefore, when ye hear evil reported of his majesty, attribute the same to misinformation. We find in Numbers xxii., that what God did speak to Balaam, he diminished the same; and what Balaam said to the servants of Balak, they also diminished it; for, though Balaam said so far true, that the Lord would not give him liberty to go and curse Israel, he concealed that the Lord did expressly forbid him, ‘because they were a blessed people;’ and the servants of Balak did also misrepresent that soothsayer’s message: for, whereas he told them, that the Lord refused to give him leave to go, they reported that Balaam refused to come with them, as if he had said so from his own proper motive. So it is at this day: many run to the king with reports against us, saying, these rebellious persons will not do this or that, and to be sure his majesty cannot understand but what he hears; therefore we should pray to Him who hath the hearts of kings in his hand, that he would convey knowledge to our royal sovereign, to understand matters aright; and we put no question, that when he understands our proceedings have been upright,

with respect to religion, and loyal to him, he will think well of them, and vouchsafe his royal approbation and ratification thereto, which we pray the Lord to grant in his own time.

“Secondly, Concerning the nobles, barons, and burgesses, who have attended here, I must say, and may say it confidently from the Lord’s word, ‘Those who honour God he will honour them.’ You who have been honouring God, by giving ample testimony of your love to religion this time bygone, may, if ye go on, expect the Lord’s protection, and your faith shall be found at the revelation of Jesus Christ, unto praise, honour, and glory; nay, even in this world your faith, devotion, and zeal, shall be found unto praise, honour, and glory, the Lord shall recompense to you an hundred-fold more in this life, and in the world to come life everlasting; and I dare not dissemble, that in a special manner my heart is toward these nobles, whose hearts the Lord hath moved to be chief instruments in this work. Ye know they, like the tops of the mountains, were first discovered in this deluge, which made the little valleys hope to be delivered from it also; and so it is come to pass. I remember to have read that in the eastern countries, where they worship the sun, a multitude being assembled in the morning for that effect, and striving who should first see their mistaken deity, a servant turned his face to the west, which all the rest accounted foolish; yet he got the first sight of the sun shining on the top of the western mountains: so truly he would have been thought a foolish man, who a few years ago would have looked for such things of our nobles as we now see; yet our Lord Jesus hath nobilitated them: so that, contrary to their station, which is subject to manifold temptations, and the age of several of them, which uses not to see much beauty or contentment in such affairs, they have taken part in our trials, and had a chief hand in all the conclusions we have brought to pass, and their liberality hath abounded to many on this occasion. The Sun of

righteousness has been pleased to shine forth on these mountains, and long, long, may he shine on them, for the comfort of the hills, and refreshing of the valleys; may the blessing of God be on them and their families, and we trust it shall be seen to be so to the generations following.

“Next, For us of the ministry, we have cause to praise the Lord, for giving us a meeting here with so much peace and truth—there hath been no difference amongst us worthy of the naming. It is a wonder to find so much harmony among us in such circumstances as we are; and scarcely hath the like been seen in a national assembly at any time.

“Lastly, The part which this city hath acted on this occasion, in accommodating us so well here with seats and lodgings, and the countenance and assistance given to us by their chief magistrate, deserves our gratitude. The best recompense we can make them is to pray for the blessing of God to them, and to give them a taste of our labours, by visiting their university, and any other thing that is in our power, without prejudice to the church of God; that so the kingdom of our Lord Jesus may be established amongst them, and that the name of this city may from henceforth be, Jehovah Shammah, the Lord is there.”

After the moderator had done with speaking, he desired Mr. David Dickson, Mr. Andrew Ramsay, and some of the nobles, to supply what he had omitted; and accordingly the two above named had discourses to the same purpose with himself. But as we observe nothing substantially new therein, we shall pass these, and give place to an extempore speech delivered by the earl of Argyle.

For, the moderator judging, after all, that the countenance given to their meeting by that noble peer deserved a particular acknowledgment, he made mention of him with approbation, and wished that his lordship had joined them sooner; but he hoped God had reserved him for the best time, and that he would honour him here and hereafter; whereupon his lordship said, “Since it hath

pleased you, moderator, to mention my name, you give me occasion to thank you for putting so favourable a construction on my carriage; and whereas you wish I had joined with you sooner, truly, it was not want of affection to the good of religion, and my own country, which detained me, but a desire and hope, that by staying with the court I might have been able to bring about a redress of grievances: And when I saw that I could not stay longer, without proving unfaithful to my God and my country, I thought good to do as I have done. And now, since I am up, one thing I would remind you of, who have been purging the church of corruptions and evil instruments, and that is, that ye would learn a lesson at their expense. "Felix quem faciunt aliena pericula cautum." I remember I told some of them upon one occasion, that pride and avarice are two evils, which have wrought much woe to the church of Christ; and as they are grievous faults in any man, they are especially so in churchmen. I repeat it with reverence of their learning, and I hope every man here shall walk by the square and rule which is now set before him, observing duty—1. To superiors; 2. To equals; and, 3. To inferiors. Touching our duty to superiors, there need be nothing added to what hath been wisely said by the moderator; only, let us all beware, since we are freed of many yokes of bondage, not to abuse our christian liberty; for this were to make our profession evil spoken of. Next, concerning our equals: There is a case much spoken of in this church, and that is the power of ruling-elders; some ministers apprehending it to be a curbing of their power. Truly, it may be that some elders be not so wise as need were; and if any such strive to make use of their power, otherwise than for the good of the church, they may be sure of their judgment. If ought of that sort fall out, let it not breed a distemper in the church; but as unity ought to be the endeavour of us all, let neighbouring parishes or presbyteries meet together

for settling the same, that no dissension of this kind come to a height, otherwise it may do much evil to the church of God. And thirdly, for inferiors, I hope ministers will study to discharge their duty to their flocks, and that people will have a due regard to those who are set over them, to watch for their souls; and not think, that because they want bishops they may live as they will. And if all of us shall thus deport ourselves, and go on constantly in the defence of our religion, and of the authority of our royal master, although our gracious sovereign do not every thing at first as we would wish, yet time may work many things; and I pray that his majesty may reign long and prosperously over us."

Argyle having made an end of speaking, the moderator gave thanks to his lordship for that speech, craved pardon for mentioning his name, and supported what he had said in a short discourse, and then concluded that long and very solemn assembly with prayer, singing of Psal. cxxxiii. and pronouncing of the apostolical blessing.

The assembly being thus happily concluded, Mr. Henderson said, "We have now cast down the walls of Jericho: Let him that rebuildeth them beware of the curse of Hiel the Bethelite;" and so all the members departed with great comfort and humble joy, casting themselves and the church, over which the Holy Ghost had made them overseers, into the arms of their gracious God.

CHAPTER IV.

Containing the history of the mutual preparations for war betwixt the king and his subjects of Scotland, and other commotions in that kingdom, from the rising of the Assembly at Glasgow to the concluding of the treaty of peace at Birks.

By this time the king might have seen that he had not to do with an inconsiderable party, but with a whole nation, seeking nothing more than the peaceable enjoyment of their religion and liberty, under the protection of his majesty, a blessing they preferred to their very lives, and there-

fore that he stated himself not merely as a party against them, but against God on their side, whose word and Spirit did comfortably conduct them, and whose providence was signally engaged for the success of their cause. Nevertheless, his heart was hardened still: And rather than our ancestors should escape from under the yoke of his despotic will, and the whip of these cruel taskmasters, the bishops and their faction, he would pursue them with fire and sword, to get his cruel lust satisfied in their destruction, as will appear from the sequel. Howbeit, the counsel of the Lord turned out otherwise, and made arbitrary power, the snare which king Charles had made for others, the pit wherein himself fell at last. But before we enter into this large field, we will, following our former resolution of narrating matters, rather in the order of time than of purpose, hint at a few things which fell out in the meantime.

The members of the late assembly returning to their several habitations, were careful to intimate her conclusions everywhere, except at Aberdeen,¹ where the opposite faction being the strongest, Dr. Guild was afraid to do his work; and Mr. Lundie, commissioner from the Old-Town college, was convened before the rector and regents, sharply rebuked for staying with the assembly after the lord-commissioner left them, and threatened with deprivation on that account: But they thought fit to defer this till they saw what issue affairs should have. Nevertheless, which was as bold a step, they made an act, That when the committee for visitation of their university should come thither, the gates should be shut against them; and that none of the members should acknowledge the same, under the pain of deprivation. And upon the 24th of December, the marquis of Huntly published the before-mentioned proclamation, against the assembly of Glasgow, at the cross of Aberdeen, and his resolution of keeping that city and county for the king's service. Whereupon the town of Aberdeen appointed a watch,

¹ Row, p. 340.

and a council of war, made catbands to hold off horses, and placed cannon for defence of the several entries to the city. But to return to the main business.

Before the marquis of Hamilton set out for the court, the 5th of January 1639, the chiefs of the covenanters came to wait on him, and solicit his good offices for them with their sovereign; but were received with such menaces as these—You must not think to use your kings now as you did formerly, when they were only kings of rebels: the king now has another royal and warlike nation at his command, and you shall soon feel it to your cost, &c.²

This hard usage did not however discourage them from acting the part of loyal subjects. But according as it had been decreed in the assembly, they resolved on sending up their supplication to the king;³ and even this was a matter of some difficulty: for if in peaceable times it be dangerous for any subject to play the ambassador with the prince in state affairs, without being called for by the sovereign, or sent up by his council, it was become much more so now. Nevertheless, Mr. George Winram of Liberton, a gentleman of the marquis's acquaintance, undertook to be the bearer on all hazards; and he was no worse than his word. He went to court and shewed his errand to the marquis, who acquainted the king of it; and to make the Scotch somewhat secure, his majesty yielded, much contrary to his inclination,—being resolved, says bishop Burnet,⁴ neither to think nor talk of treating, till he should appear in a more formidable posture,—that the supplication should be received. So the council for Scottish affairs being called together the 15th of January, Hamilton read the supplication on his knees; and according to bishop Guthrie, the council were of opinion, that it was a most humble and well penned letter. Nevertheless, the best answer the king gave to it, was the Scotch proverb, “when they have broken my head, they will put on my coul.” Mr. Winram waited

² Mem. Ch. of Scot. p. 188.

³ Baillie, p. 749.

⁴ Mem. p. 51.

on till the middle of March, in hopes of a better answer; during which stay he did his country good service by his intelligence, but received no answer, the king having other fish to fry.¹

For as soon as it was known at court, that the general assembly at Glasgow continued to sit after they were discharged, and that the people approved their conduct, the king meditated revenge, and resolved to levy an army to bring them to their duty. He knew that his party in Scotland was extremely weak, and that he behoved to make use of the aid of his English and Irish forces; and therefore the design laid down, says Burnet,² was this, "His majesty was to raise an army in England of 6000 horse, and 30,000 foot, and to lead them in person towards Scotland. He was to write to all the nobility of England to wait upon him to the campaign, with their attendants, who should be maintained by his majesty's pay. He was to put 2000 men in Berwick, and 500 in Carlisle. He was at the same time, to send a fleet to ply from the Frith northward, for stopping of trade, and guarding the coast. He was also to send an army of 5000 men under the marquis's command, to land in the north, and join with Huntly's forces, all which should be under his command, he retaining still the character of commissioner, with the addition of general of the forces in Scotland: And with these he was, first, to make the north sure, and then to move southward, which might both make a great diversion, and encourage such as wished well to his majesty's service, who were the greatest in those parts. Next, the earl of Antrim was to land in Argyleshire, upon his pretensions to Kintyre, and the old feuds betwixt the Macdonalds and Campbells; and he promised to bring with him 10,000 or 12,000 men. And, last of all, the earl of Strafford was to draw together such forces as could be levied and spared out of Ireland, and come with another fleet into Dumbrition Frith: And for his encouragement, the marquis of

Hamilton desired him to touch at Arran, and he would be sure of all his naked rogues there." And, adds Mr. Whitlock, by the advice of Archbishop Laud, the king hastened his levies of men and money, without consent of parliament. And because this was the bishops' war, it was held fit that they should contribute largely towards the preservation of their own hierarchy. Accordingly orders were issued from the council, to the archbishops of Canterbury and York, to the other bishops to give largely, which they did, and about L.1000 was raised in each diocese by a medium; the doctors of the commons gave L.700, and the papists, by direction from the queen, contributed largely. Thus was the design laid for swallowing up our church; and so very promising like did it look, that a desponding heart would have been ready to anticipate its own certain destruction, and to turn the old infidel boast into a prediction, That the dust of Scotland would not suffice for handfuls to all the people who were to come against it.

Of these devices the Scotch were not ignorant; for, though according to the bishop of Salisbury, none were privy to the first concoction of this affair, except the archbishop of Canterbury, the marquis of Hamilton, the earls of Strafford and Arundel, and Sir Henry Vane;³ yet it was not kept a secret long,—several informations were sent of the preparations making against the Scotch. The first assurance they had of this conclusion was the oath exacted of our countrymen at court, to renounce the covenant and the assembly, and to assist the king against their country whenever required.⁴ The next was the king's letter, published the 26th of January, commanding the English nobility and gentry to attend his royal standard, with all their forces, at York, against the first of April, under pretence that the Scotch were arming to invade them, and to root out episcopacy in England, as well as Scotland, and to amend their

¹ Baillie, p. 750.

² Mem. Dukes of Hamilton, p. 113.

³ Mem. Dukes of Hamilton, p. 114.

⁴ Baillie, p. 750, 751.

broken fortunes ; and a third evidence was a commission of lieutenancy to the marquis of Huntly for the north of Scotland.

These alarms put our country out of all doubt of their enemies' intentions, and yet they still persisted in the duty of their stations, and, like Nehemiah's builders, they were furnished both for building and fighting ; for, on the one hand, the several committees appointed by the assembly held their meetings, and as by warrant of the assembly the delinquents given up to them, were summoned before their respective committees. All who appeared were allowed to plead their own defence as strongly as they pleased ; those of them who, in the judgment of charity, gave evidence of real penitence for their misdemeanours were received, and such as remained obstinate in their scandals were deposed, how justly, the reports of these committees to the next assembly will clear.¹ And, on the other hand, they failed not to vindicate and defend themselves by such means and methods as were competent and warrantable for them ; for deputies having, about the middle of February, been sent to Edinburgh, from all estates of men in the several parts of the kingdom, they knowing that the success of the war depended upon the assistance which the English should freely give the king, and not upon the aid he should extort by virtue of his prerogative, they were careful to clear themselves of rebellion against the king, or of any intention of an offensive war. And for that purpose they published a paper, intitled, An Information to all good Christians within the kingdom of England, for vindicating their intentions and actions from the unjust calumnies of their enemies : In which they take God to witness, that religion was the only subject, conscience the motive, and reformation the aim of their designs ; that they never had the least intention to cast off their dutiful obedience to his majesty's lawful authority ; and they clear themselves of that

¹ Baillie, p. 750, 751.

vile calumny of intending to invade England, or molest their brotherly nation, unless obliged to it in their own defence. This short piece, bearing date the 4th of February, and supposed to have been chiefly penned by the old laird of Durie, did them good service, and satisfied the minds of many of the English nation of the uprightness of their intentions.

The excommunicated bishops, and their friends in England, being galled with the credit given to the above information, they moved the king to make a counter-declaration ;² and accordingly, his majesty issued a proclamation and declaration, to inform the kingdom of England of the seditious practices of some in Scotland, seeking to overthrow his regal power, under the false pretence of religion ; which paper printed by itself, and to be found in Rusworth's Collections, vol. ii. p. 330, was published by his majesty's order in all the parish-churches in England, and therein our reformers were declared as foul traitors and rebels as ever breathed.

But the Scotch lost nothing by that injurious dealing ; for, on a sudden, Mr. Henderson, by order of the deputies, did draw up a paper, intitled, The remonstrance of the nobility, barons, burghesses, ministers, and commons, within the kingdom of Scotland, vindicating them and their proceedings, from the crimes wherewith they are charged by the late proclamation in England, February 27, 1639.² Which paper was revised and approved by the deputies ; and the same having been published, and industriously spread by their friends over all England, they began to be much more pitied than before ; and their enraged party, the bishops, and their accomplices, to be the more detested.

“Our next care,” saith Mr. Baillie,³ “was to have all our minds cleared of the lawfulness of our defence ; no man doubted more of this than myself, yea, at my subscribing of the covenant I did not dissemble my contrary sentiments ;

² Baillie, p. 751, &c.

³ Collect. p. 530, 752.

for I had, in my youth, drunk in from Dr. Cameron that slavish tenet, that all resistance to the supreme magistrate, in any case, was simply unlawful; but, having set myself to diligent reading and prayer for light in that question, which the times required peremptorily to be determined without delay, I found many doubts loosed, especially by Bilson, *de Subjectione*; where he defends the practice of all Europe, Germany, Spain, France, Flanders, England, Scotland, Denmark, and Sweden, who at several times, and for sundry causes, opposed their princes; Crocius also and Rivet have contributed to my solution; and I am somewhat confirmed by the last duply of the doctors at Aberdeen: They will have us to believe, that though our whole estates were to be killed in a day, or led to Constantinople to be spoiled of liberty, goods, religion, and everything valuable, yet we may make no resistance; but their conclusion is so horrible, and their proof so weak, notwithstanding all their learning and diligence, that I love their cause much worse than I did. I see the reformers of *our* church are all to the contrary: Luther, Melancthon, Bucer, Martyr, Beza, Abbots, and Whittaker, do also allow subjects to defend themselves in some cases, as when the prince is absolute, and turns an enemy to the laws of church and state, to which he is sworn."

The earl of Cassilis having drunk of the same fountain, did, for a time, obstinately refuse to join in any course tending to a forcible resistance of the sovereign, and thereby gave great offence to many. Nothing was more discouraging to others than that noble lord's withdrawing from the rest out of mere conscience;¹ yet, at length, our author being recovered, he was by God's grace the means of reclaiming Cassilis likewise; and his lordship became as forward in the defence of his country, as any of his neighbours.

Upon this question several papers were written and spread abroad, some of which were not void of scandal; and,

¹ Baillie, p. 752.

for a remedy against this inconveniency, it was laid on Mr. Henderson to draw up one for public view.² This he did somewhat against his inclination, and more quickly than his custom was, and therefore it fell short of his wonted accuracy, yet it was read out of many pulpits: And as the same, affording both a distinct state of the grounds of that war, and reasons for a defensive war, had considerable influence with the people, and yet was never printed that I know, the reader will probably welcome the annexed copy of the same.*

² Baillie, p. 753.

* *Instructions for Defensive Arms.*—"The times require that the points following be pressed upon the people, both by the preachers in public, and by intelligent and well-affected professors in private.

"I. Because our chiefest adversaries, who are enemies to the gospel of Christ, to the salvation of the people's souls, and to the peace of the kirk and kingdom, have, from the beginning, advanced their ungodly and antichristian course, by lies and persecution, by craft and cruelty, which have been their most subtle and strongest arguments; and now when by excommunication they that are given over unto Satan, who hath been a liar and a murderer from the beginning, have put away all conscience, countenance, and natural affection to their country, the people would be dealt with, that their fraudulent lies and crafty devices be not believed, nor their force and threatened violence be feared by the people of God, remembering their hellish maxim—

"Flectere si nequeo superos, Acheronta movebo.

"II. That unity be earnestly recommended, as that which strengtheneth the cause, and which being fast holden with verity will make us invincible; and, on the contrary, that division is by all means to be avoided, as that which from the beginning has been principally intended, and many ways sought for by our enemies, and which once having place will bring us to certain ruin, and make us of all people most contemptible and miserable, exposing ourselves and our posterity to the wrath of God, for our perfidious dealing in his covenant, to the merciless cruelty of our enemies, to be a hissing and reproach to all nations about us, and to be a grief to all the godly who have continued in their prayers and praises to God for us all the time past.

"III. That it be frequently remembered, how the finger and power of God, and the love and mercy of God, by many admirable evidences, hath been manifested in this great work of reformation; and how the Lord, either by blowing upon all the devices of our enemies, or by turning them back upon themselves, hath turned all their wisdom into foolishness, that we may have confidence for the time to come, believing and saying,

Our reformers having, with diligence, informed the English, and made sure the courage of their friends at home,

with the prophet, Isa. xxv. 12, 'Lord, thou wilt ordain peace for us; for thou also hast wrought all our works for us.'

"IV. That the people of God be not troubled, when they hear of wars or rumours of wars; and that they neither be afraid of shadows, deceived with promises, nor moved with remonstrances were they never so specious; but that they denounce war against their own sins as their greatest enemies, and submit themselves obediently to follow their leaders, whom God at this time hath raised up, and furnished largely with counsel and courage, for the good of this kirk and kingdom.

"V. That it be remembered, what hath been our manifold defection in discipline, sacraments, worship, and doctrine, through the want of lawful national assemblies, and through the usurpation of the prelates, these many years past; and that a greater mercy could not be showed to this land than a free and full national assembly, such as that which was indicted by his majesty, and holden at Glasgow, ridding this kirk of the prelates, the authors and executioners of all our woes: That they may be earnest in their prayers with God, that as he hath been pleased to set up our reformation again with an outstretched hand, he may be graciously pleased to uphold his own work, and make the king's majesty a nursing-father to the kirk in this land.

"VI. That ministers and professors acquaint themselves with the acts of the assembly, especially that against episcopacy, with the protestation, and with the answers to the declaration made by the lord commissioner, and the declination of the assembly by the bishops; that from these they may be able promptly, both to answer the objections of the adversaries, and to remove scruples at the work; and that, where need is, both the information for England, and the last supplication, be read in public, that the commons may see how falsely we are traduced, and how reasonable our desires are.

"VII. That the state of the question, at this time, betwixt the king and his kingdom, be cleared to the people, that all men may know how unjustly we are invaded, and how just and necessary our defence shall be. The question is not, Whether we shall honour the king? for we acknowledge him to be God's deputy and vicegerent; or, Whether we ought to obey the king, for God hath given him power and authority to command and govern; or, Whether we ought to render unto Caesar that which is Caesar's, for that we desire to do most cheerfully; or, Whether we ought to fear the king, for he is set over us to do justice; and we ought not only to fear him, but also to be afraid lest any hurt should come to him, as the people were afraid of David, 2 Sam. xviii. 3. Here is the question, Whether honour should be given to evil and wicked superiors in an evil thing? For as our adversaries, by moving such questions at this time, under pretext of duty, do wrong and dishonour the king's gracious ma-

they next took course for making a real opposition to their enemies. It was debated if any help should be sought

for, so we profess in the general, that the wickedness of man cannot make void God's ordinance; and therefore, although we had superiors wicked in themselves, yet obedience and honour is to be given to them, as being set up of God as it were in his wrath, Hos. xiii. 11; Jer. xxvii. Neither is this the question, Whether we owe absolute obedience to wicked magistrates? for our adversaries, whatever be their judgment and practice, do not affirm, that *in malo malis ad malum est obediendum*, that we must obey an evil man in an evil thing; but that kings are to be obeyed, so far as their commandments are not contrary to God's commandments; and if God command one thing, and they command the contrary, in this case it is better to obey God than man, Acts iv. 19. Neither is the question about the invasion of the king, or any of his kingdom, (which is the spiteful calumny of the declared enemies of this kirk and kingdom), against which our consciences, and all our actions, are witnesses, as is at large expressed in our Information for England. But the question is merely and simply about our own defence and safety. And in this also we would put a difference between the king resident in the kingdom, opening his ears to both parties, and rightly informed; and the king far from us, in another kingdom, hearing the one party, and misinformed by our adversaries in the other:—between the king as king, proceeding royally according to the laws of the kingdom against rebels, and the king as a man, coming down from his throne, (at the foot whereof the humble supplications of the subjects do yet lie unanswered), and marching furiously against his loyal and well-disposed people;—between a king who is a stranger to religion, and tied no further but according to his own pleasure to the professors of religion living within his dominions; and our king, professing with us the same religion, and obliged by his father's deed, and his own oath, to defend us his own subjects, our lives, religion, liberties, and laws.—Again, difference would be put between some private persons taking arms for resistance, and inferior magistrates, counsellors, nobles, peers of the land, parliament-men, barons, burgesses, and the whole body of the kingdom (except some few courtiers, statesmen, papists, and popishly-affected, and their adherents) standing to their own defence;—betwixt subjects rising, or standing out against law and reason, that they may be freed from the yoke of their obedience, and a people holding fast the allegiance to their sovereign, and in all humility supplicating for religion and justice;—between a prince labouring by arms to introduce innovations in religion contrary to the laws, and a people seeking nothing so much as, against all innovations, to have the same religion ratified which hath been professed since the reformation, and hath not only been solemnly sworn long since by the king's majesty and the whole kingdom, both of old and of late, but also

from foreigners, and it was expected that the French king, with the queen of Sweden, and the Dutch, would have been

commanded by the king's majesty to be sworn by his counsellors and all the people as it was professed at first;—between a people pleading for their own fancies or inventions, and a people suspending their judgment and practice about things controverted, till they should be determined by a national assembly, the only proper and competent judicatory, and after determination receiving and standing by the acts of the assembly. The question then is, Whether in this case, and matters so standing betwixt the king and the kingdom, a defensive war be lawful? or, Whether the people ought to defend themselves against extreme violence and oppression, bringing utter ruin and desolation on the kirk and kingdom, upon themselves and their posterity?

“That it is lawful for us to take arms for our defence against such unjust violence is manifest,

“1. From the unreasonableness and absurdity of such court-parasites, as, for their own base ends, maintain the absolute sovereignty and unlimited authority of princes, to the great hurt both of princes and people, by loosing all the bonds of civil society; that princes, against the strongest bonds of oaths and laws, may do what they please, to the ruin of religion, the kirk, the kingdom, the lives and liberties of some, or of all the subjects; and that the people shall do nothing, but either flee, which is impossible, or suffer themselves to be massacred, and cut to pieces.

“2. From that line and order of subordination wherein both magistrates and people are placed. The magistrate is placed under God the great Superior; and the subjects are placed under God the great, and under the magistrate the less superior. When the magistrate commandeth contrary to God, and goeth out of his order and line, especially so far as to invade by arms if they obey not, the subjects keeping their own line and order, and defending themselves, is no disobedience to the magistrate, but obedience to God, who in this point, so long as the magistrate walketh in this course, becometh their immediate superior; and as under the magistrate they ought to defend themselves against all violence from without, so in this abuse of God's ordinance, from all violence from within, otherwise they sin against God and their own souls. An inferior officer ought to keep his own station in the army, even when his captain goes out of his line and order, and taketh part with his enemy; and in this case he is bound no less than when he was under his general, to fight for himself, and for the safety of the whole army against him. It were against sense and reason to say, that he must give his neck to the sword of his captain, without regard to his general, the whole army, and his own life; yea, every soldier ought to defend the whole army against the general himself, if he turn an enemy.

“3. From Rom. xiii. 1. “Let every soul be

ready to befriend them; but a confederacy with Lutherans, and much more with papists, was by many reckoned a

subject unto the higher powers. Whosoever resisteth the power, resisteth the ordinance of God. Rulers are not a terror to good works, but to the evil. He is the minister of God for good, wherefore we must needs be subject, not only for wrath, but also for conscience sake.” But, on the contrary, tyranny and unjust violence is not the ordinance of God. He that resisteth it, resisteth not the ordinance of God. Such rulers are a terror to good works, not to evil; they are not the ministers of God for our good; neither in this can we be subject to them for conscience sake. The whole course of the apostle's argument runneth against the resistance of lawful power commanding things good and lawful. We must either acknowledge tyranny to be the ordinance of God, and for our good, or exclude it from the apostle's argument, admitting the resistance thereof to be lawful, at least by the shield for defence, if not by the sword for invasion.

“4. From the end of magistracy. The Lord hath ordained magistrates to be his ministers for the good of his people, and their defence, whence have proceeded these common principles of policy, “Princes principally are for the people and their defence, and not the people principally for them: The safety and good of the people is the supreme law.” Magistracy is the inferior and subordinate law. The people make the magistrate, but the magistrate maketh not the people. The people may be without the magistrate, for the world was governed in another way, till Cain, building a city, made the godly first take this order for their defence; but the magistrate cannot be without the people. The body of the magistrate is mortal, but the people as a society is immortal. And therefore it were a direct overturning of all the foundations of policy and government, to prefer subjection to the prince to the preservation of the commonwealth, or to expose the public, wherein every man's person, family and private estate are contained, to be a prey to the fury of the prince, rather than by all our power to defend and preserve the commonwealth.

“5. From the covenant betwixt the people and God. For the people and the magistrate are jointly bound in covenant with God, for observing and preserving the commandments of the first and second table, as may be seen in the books of Samuel, Kings, and Chronicles. As the fault of the people will not excuse the magistrate's negligence, so the fault of the king will not excuse the people, if they resist not his violence, pressing them against the covenant of God. This argument is strongly pressed by sound and religious politicians.

“6. From the subordination of powers appointed by God. The same law and order that appointeth to obey the supreme magistrate rather than his deputy and inferior, appointeth us all to obey God rather than man; and that same law and order that

leaning to the rotten reed of Egypt, and they hoped, by God's assistance, to make good their plea without such help; and

biddeth us defend the supreme magistrate against the unjust invasion of his deputy and inferior, commandeth us also to defend God's right, and to preserve the people's peace against the unjust invasion of the supreme magistrate, who can be thought no less subordinate to God than his viceregent or inferior is to him.

"7. If a private man be found by the law of nature entitled to defend himself *cum moderamine inculpata tutele*, against the prince or judge as a private man, invading him by violence, and not pursuing him judicially, and by order of law, and may repel violence by violence; if a chaste woman may defend her own body, that it be not defiled by the adulterer, were his place never so great; if children may resist the violent invasion of their parents against themselves, their mother, or the family, notwithstanding the strict obligation betwixt parents and children; if servants may hold the hands of their masters seeking to kill them in a rage; if the mariners and passengers may save themselves by resisting him, who, sitting at the helm, would drive the ship against a rock, or by hindering the prince himself, not only by supplication of mouth, but by the strength of hand, to govern the ship to their certain shipwreck; then, much more may the whole body defend themselves against all invasions whatsoever.

"8. From examples in scripture, as 1 Sam. xiv. 45; 2 Chron. xxvi. 17—20; 2 Kings i.; and 1 Sam. xxviii. where David hath 600 men for his defence, and would have kept Keilah against the king, neither himself nor the high-priest doubting of the lawfulness thereof, only suspecting the treachery of the Keilites; and from the example of the reformed kirks in France, Germany, the Low Countries, and that of our own reformers.

"9. From the testimonies not only of popish writers, but of divines of the reformed churches, even such as be strong plunders for monarchy; (neither is Calvin against us but for us); and from the testimonies of the most judicious lawyers and learned men, who have written *contra monarchimachos*.

"10. From the mutual contract between the king and the people; as may be seen in the acts of parliament, and order of the coronation.

"11. From acts of parliament, ratifying the authority of the three estates, and from our own ecclesiastical and civil history.

"12. From our covenant lately sworn and subscribed, binding us to defend the king's majesty's person, in defence of the true religion, and to defend the true religion against all persons whatsoever.

"*Obj.* It is objected, That although, upon the former and the like reasons, it cannot be denied but it must be lawful in some cases, for subjects to defend themselves by arms against the unjust invasion or oppression of the magistrate; yet the matters presently debated betwixt the king and his people, are neither fundamental in religion, nor of that importance that we should enter into a bloody war, which bringeth with it so many

therefore, the furthest that was resolved on was, to send over Mr. Colvil, a gentleman of Fife, with a letter from the certain evils, and whereof the event is so uncertain.

"*Ans.* 1. No matter of religion hath so great weight in the minds of worldly men, that they will hazard their worldly estate for any thing of that kind. Gallio careth for none of these things. Festus saith, that the Jews had certain questions against Paul of their own superstition, and of one Jesus who was dead, whom Paul affirmed to be alive. 'If we receive him, the Romans will come and destroy our place and our city,' hath been a prevailing maxim in policy.

"2. The greatest questions in religion carry sometimes a very small show. Witness the words, *θεωλατρίαι* and *θεολατρία*; *ἕκ* and *δύο*, *εὐστοκας* and *εὐδοκας*, where the difference did stand betwixt the heretics and orthodox of old; *electi*, *nomen*, and *electi*, *participium*; *pro* signifying *vice*, and signifying *in bonum*, which doth contain the difference betwixt us and the arminians of late. Matters controverted may be small in appearance, but great in substance.

"3. There is a great mistaking about matters fundamental in religion; for if we call that fundamental the knowledge whereof is necessary for salvation, a point may be fundamental and necessary to be known at one time, or in one kirk, which at another time, and in another kirk, is not thus necessary; for although the foundation be necessary for the edification of every soul, yet of things fundamental and necessary to salvation, we must judge according to the different degrees and measures of revelation.

"4. There is also a mistaking about the smallest matters of religion; for ignorance of some points is simple, and in other matters sinful; so obstinacy in resisting the light, and following darkness rather than the known light in the smallest matters, bringeth certain condemnation. It was too audaciously enacted by the council of Constance, *non obstante Christi institutione*. The kirk of Scotland having, from the certain knowledge of the unlawfulness of episcopal government, (were it of never so little moment), abjured it divers times, and spued it out, we must not return to our vomit.

"Though the question were about the name of a bishop to be retained in this kirk, as the crafty, without any warrant from authority, give out, and the simple believe; yet were it most important: for the question must be taken either of the naked name, which no man is either so silly or so uncharitable to imagine, since we acknowledge it to be common to all the ministers of the gospel; or the question is, about the place and office signified by the name, which is to be a pastor without a particular flock,—to be a pastor of pastors, and of all the flocks in the whole diocese,—to have the authority of ordination and jurisdiction,—to be a lord of parliament, council, convention, exchequer, and session, which either the bishops must be, or, as themselves affirm, they cannot serve the king's turn. He is willingly blinded who seeth not how material this is; for, beside the sin in the office itself, it bringeth with

nobles to the French king, and another to the States, and to the prince of Orange in his way, to intercede with their sovereign king Charles, that he might be pleased to hear their supplications; and the laird of Meldrum with other two letters, one to the queen of Sweden, and another to the king of Denmark, in his way, for the same purpose; but though copies of some of these were made out, and that to the king of France became afterwards a bane of contention betwixt king Charles and them, and was like to have been the occasion of a violent death to the noble Lord Loudon, as may be shewed at more length in its own place, yet this necessary resolution was never prosecuted farther, which proved a considerable loss to them; for king Charles failed not, by his ministers, to point them out amongst foreign princes, as desperate rebels; and though the Swedes and Dutch were more in our interest than to give ready credit to those calumnies, yet others took them for granted; and the king of Denmark seized arms which some were bringing to Scotland, and did otherwise break through the laws of friendship with them, which he afterwards repented, when he heard by the lord Cochrane the true state of their affairs.¹

But the less design the reformers had to solicit foreign aid, their diligence was the greater to make use of instruments

at home; and so the deputies having convened in a full meeting at Edinburgh the 7th of March, they chose a committee of the nobles, barons, and burghesses, with two of the senators of the college of justice, making twenty-six in all, whereof thirteen to be a quorum, to attend at Edinburgh for giving out orders, and receiving intelligence, &c.; and appointed that there should be a committee in every shire for raising forces, and providing arms and money; that a regiment of 2000 foot should be raised with diligence in the country on the south of Tay, under colonel Monro's command, to be a seminary for training the rest of the country, and be ready either for stopping any incursion from England, or commotion amongst themselves; and for their pay, the nobles borrowed from Mr. William Dick of Priestfield 200,000 merks, and gave their joint bond for that sum, till money could be otherwise raised; and it was agreed that 400 more should be raised within the shire of Argyle, which their noble lord undertook to maintain on his own expense.²

In that meeting it was much agitated, whether it were expedient to seize on the places and persons amongst them, wherein the great confidence of their enemies was placed; and it was not doubted that this would contribute for their safety, but they made much doubt

it the ruin of all religion, by denuding the city of all her walls, and the vineyard of her hedges. It is either ignorance or deceit to speak of caveats; for if the office be of divine institution, why should it be limited more than any other office, or further than the word of God does require? and if it be a human invention, it ought to be rejected as a presumptuous usurpation upon the kingdom of Christ, in appointing the chiefest office-bearer of his house, without warrant from himself; and an intolerable derogation to his full and perfect wisdom, as if he had not furnished his house with offices and office-bearers, but left them to the determination of the wisdom of man, which, not only in the mystery of godliness, but in the matters of ecclesiastical government, is enmity against the wisdom of God. We have already had experience of caveats; and now to hazard shipwreck the second time, by making such pilots again to be ours, were desperate madness.

¹ Baillie, p. 754.

"6. The proclamation tells us, that there are other matters of difference than episcopacy.

"*Lastly*, The question is now, Whether we shall have a free national kirk, or any other religion hereafter, but such as is commanded by arms,—the only medium and argument now used for that which is intended; and whether we shall any longer enjoy our civil liberty? for if base slaves be advanced to honour, they will labour to please the corrupt humour of such as advanced them—the creatures must serve their maker. The time was when the pope was master, and then they served him; this time past they have been agents of popery; and as they have given lamentable proof that they too well know the way to Rome, so we may look no less than that being ready advanced, they shall carry home again both prince and people to their old master. Except we stand fast to our liberty we can look for nothing but miserable and perpetual slavery."

² Baillie, p. 755.

of the lawfulness of beginning the course of violence ; and in end they agreed to attempt nothing of that sort till their affairs were more desperate, only to be busy in preparing for the worst against its coming.¹

Their greatest want was of proper officers and arms ; but good general Leslie, who sat constantly with the general committee, and was very assisting to them with his advice, supplied these defects, by calling home our Scots gentlemen who served under him in Germany, and writing to Holland, Sweden, and Hamburgh, &c. for powder, muskets, pikes, and cannon, which were sent in great abundance before the king's fleet were got ready for guarding the coast.²

In prosecution of the same purpose, the earl of Argyle contributed much by his wisdom and diligence to preserve the peace of the north, and of the highlands and islands. At his call the noblemen and gentlemen of the north convened at Perth, and concerted measures for preserving the peace as far north as Sutherland.³ To this meeting his lordship invited Huntly his brother-in-law, for whom especially it was intended, but that nobleman was too much embarked with the bishops to concur in any such design, so he met not with them ; and from that meeting Argyle went to Lorn, and took security of the Macdonalds and other clans supposed to be disaffected, that they should live peaceably. In like manner, being provoked to it by Strafford the lord-deputy of Ireland, he justified his country's cause and conduct in several letters to that acute man ; and being called up to court, his lordship, by his answer to the king, and his letters to some chief courtiers, excused his absence, by the necessity of his attending his father's funeral, and putting in order his own secular affairs ; and at the same time, he gave a bold and true account of the proceedings of the assembly. This, his freedom, was not, it seems, taken in good part, for his servant who went to England with his express was searched for his letters, and he

was commanded either to go to court and answer for his miscarriages, or to go to ward in some of his own houses in Argyleshire ; but he excused his disobedience to these very unreasonable commands, by the extreme danger of his country, and of the king's interest there, which might suffer by his absence.

By this time the clouds began to gather very thick,—our merchants, mariners, and travellers in England and Ireland, were every where used as rebels, their goods seized, and themselves made prisoners, unless they would disclaim the covenant and the assembly at Glasgow ; the English troops were gathering fast about York ; the Scottish courtiers were sent home, both to strengthen the king's party here, and to cut off the opportunities of intelligence, which their countrymen obtained through several of their hands ; the marquis of Huntly and the town of Aberdeen got home a ship with warlike ammunition ; their streets were chained, and cannon placed for clearing all the roads and avenues leading to their city ; and the friends of the reformation amongst them were much threatened. The earls of Airly and Southesk began also to arm for the king. In the south the papists were lifting up their head ; the lords Nithsdale and Herries with their followers, and a party of the English forces from Carlisle, were expected to have joined with the marquis of Douglas, who might have joined hands with the marquis of Hamilton's followers ; the town of Glasgow, through the perverseness of some, and the marquis's influence over them, was much doubted ; the earls of Galloway, Dumfries, and Queensberry, with the viscount of Dalziel, Traquair the treasurer, and Roxburgh the privy-seal, were suspected of too much willingness to join the opposition ; Antrim's boats were making ready on the Irish shore ; Sir Donald Gorm and others of the Macdonalds got over to Ireland, to take part with Antrim, in hopes of recovering Kintyre, which they claimed as their ancestors' patrimony, and were glad to see the day when, with the king's good will, they might avenge

¹ Baillie, p. 756. ² Ibid. ³ Ibid, p. 757.

themselves on the Campbells. The constable of the castle of Edinburgh was taken, sworn anew to be true to the king, and to the marquis of Hamilton as his commissioner; captain Stewart was sent from court to receive the command of Dumbarton castle, where the king's ships were expected to lay up ammunition, and bring in a garrison which might easily have infested all that country. The king and his forces were on their way toward Scotland, and Hamilton was left to hasten the navy for the coasts of Lothian and Fife. In a word, all was so prepared for the overthrow of the Scots on every quarter, that the bishops and their friends persuaded the king of victory without stroke of sword.¹

"Certainly," says Mr. Baillie,² "our dangers were greater than we might let our people conceive; but the truth is, we lived by faith in God, we knew the goodness of our cause, and we were resolved to stand to it on all hazards whatsoever, knowing the worst to be a glorious death for the cause of God and our dear country."

Accordingly, to piety they added diligence. The general committee ordered, 1. That every fourth man should be levied.³ 2. That there should be a committee in every shire, to consult upon all matters concerning the defence thereof, and for providing all necessary instruments of war. 3. That in the choice of commanders, no man have respect to his or others' pleasure or pre-eminence, but choose the best experienced gentlemen, and that all submit voluntarily to this order. 4. That every company should consist of 100 men, whereof forty to be pike-men, and the rest musqueteers. 5. That all commanders yet untrained, be careful to learn the discipline, and that the men be first taught to exercise in companies, and next in greater numbers, according to the rules of the Swedish discipline. 6. That no shire might want advertisement, it was thought fit, that beacons should be set up in all eminent places of the country, that so any

danger that appeared at sea, might be made known by the beacons running along the country; which beacons were a long and strong tree set up, with a long iron pole across the head of it, carrying on it an iron grate for holding a fire, and an iron brander fixed on a stalk in the middle of it, for holding a tar-barrel; and the manner of advertisement was thus—the first fire was upon the ground beside the beacon, on the sight whereof all were to provide themselves to stand to their arms, and set out watches to advertise others. The next advertisement was by two fires, the one on the ground, and the other in the large grate, on the sight whereof all were to come out, first to the rendezvous of their company, and then of their regiment; and if the danger was imminent, to the two former signs were added that of the burning tar-barrel. And lest, through rain or mist, or the people being at rest, these beacons should prove abortive of the end designed, the next adjacent gentlemen were to warn all betwixt that and the next beacon, going out one way and coming in another. 7. That the burghs of each county join with their county, allowing to chief burghs the choice of their own officers, which might consist partly of burgesses intermixed with gentlemen. 8. That counties or burghs, having plenty of warlike stores, furnish others worse provided. 9. That all expert smiths be set to making muskets, carrabines, pole-axes, Lochaber-axes, and halberts. 10. That the fittest arms for horsemen, in respect of the weakness of the horses, are jacks, steel-bonnets, plate-sleeves, and lances. 11. It was thought expedient, that there should be a magazine in each shire. 12. That boroughs provide abundance of iron.

In consequence of these instructions, the noblemen and chief gentlemen were nominated commanders; and because many of them were not expert in war, general Leslie distributed his brave officers amongst the shires, where they were made lieutenants, or ensigns, as there was need of them. All who could

¹ Baillie. p. 758.

² *Ibid.* p. 760.

³ *Ibid.* p. 606.

bear arms were put to exercising them, and every one, women as well as men, encouraged their neighbours; and frequent humiliations, both public and private, were observed before God, in whom was their only trust.

“We in Ayrshire,” says Mr. Baillie,¹ “had first sent out a double company, with their officers, under the command of the lord Montgomery, who, both for his birth and military skill, was put next in place to Monro; and now, when all were ordained to send out the fourth man, we, according to the common undervaluing which was in the country, sent out 1200 horse and foot; under the command of the earl of Loudon, with Mr. David Dickson as their minister. Eglinton being sheriff of Renfrew, that county made choice of lord Montgomery for their colonel. Clydesdale being so much under the influence of the marquises of Hamilton and Douglas were suspected; wherefore the general committee thought fit they should be divided as follows: viz. the highest quarter about Lanark were joined to lord Fleming’s regiment; the next quarter about Evandale and Lesmahago were joined to lord Loudon’s regiment; the quarter about Hamilton and Monkland were joined to lord Boyd’s regiment; and the town of Glasgow, and the north quarter of Clydesdale were joined to Renfrew, which accession, with a part of Cuningham to lord Montgomery, made his regiment among the strongest; and the piety and military discipline of his people were commended above all the rest, even publicly from the pulpits; yea none did doubt, that of all our army those of the west in general were the most praiseworthy; they came out most cheerfully, and in the greatest numbers; they made most conscience of the cause; their behaviour was an example to others, and the fear of them made others stand in awe, who sometimes were nigh turning mutinous.”

The general committee thought fit also to take a note of the names, disposition, and strength of all who had not

joined in the covenant, that they might take their measures accordingly.² In like manner, as hostilities were now commenced against them, they appointed that in one day the castles of Edinburgh and Dumbarton, with the houses of their chief adversaries should be attacked; that the earl of Montrose, after advising with the general, and taking the assistance of some of his officers, should march north with the forces of Fife, Perth, Angus, and Mearns, and take order with the marquis of Huntly and the town of Aberdeen; that Argyle should set strong guards on his coasts; and that Leith should be fortified; in all which it pleased God to give them extraordinary success.

On the evening of the 23d of March general Leslie, with the nobles in town, went up quietly to the gate of the castle of Edinburgh, supported by the town companies in arms,³ and parleyed a little with the deputy-governor to no purpose; but on a sudden the outer gate was pe-tarded and blown up; axes and hammers were next applied to the inner gate; but these not succeeding, scaling ladders were quickly applied, and the assailants went in, sword in hand, but met with no provocation to use them; for the garrison within were so struck with amazement at the suddenness of so improbable-like an attempt, that none of them had the courage to draw a sword; and in about half an hour that strong place was gained without the effusion of so much as a drop of blood, to the great mortification of the governor, who was suffered to retreat to the king. That night the general and nobles supped in the castle; and having the next day surveyed the whole, his excellency and colonel Hamilton gave their opinion for repairing the old fortifications, and adding several new ones, which were done at a great expense.

This great mercy was followed with the taking of the strong rock of Dumbarton, a place equally impregnable. Sir William Stuart, the governor, was a man of great vigilance, and had provided

¹ Baillie, p. 760.

² Baillie, p. 760.

the same well with men, ammunition, and victuals; yet God put it also into their hands without stroke of sword. That day being a day of public humiliation in the burgh of Dumbarton, which lies near half a mile from the castle, the governor foreseeing no danger, nor suspecting anything that came to pass, had gone thither to attend public worship, accompanied by many of the garrison; but, to his great surprise and disappointment, as they were returning home they were made prisoners by Mr. John Semple the provost, and the laird of Ardingale, with their followers; and the rest of the garrison, being few in number, and without a commander, thought fit, after a night's siege, to surrender that strong fort; and the same was committed in trust to the earl of Argyle, who took care to man and victual it sufficiently.¹

Stirling castle being in the hand of the earl of Mar, who was a sure friend to the reformers, they touched it not; but the castle of Dalkeith, at that time one of the king's houses, was sealed in Traquair's sight, and the ammunition seized which his lordship had carried thither last year; and there also were found the crown, sceptre, and sword, which Traquair had brought thither at his own hand. These the nobles carried thence with all reverence, and lodged in the castle of Edinburgh, where they used to lie, and the keys of the apartment were offered back to the treasurer.

The earl of Loudon, and the lords Montgomerie, Fleming, and Boyd, with the knights of Cunninghamhead, and Blair, gave also a good specimen of their diligence; for having convened a number of their friends and followers, they went as quietly as they could, and took in the castle of Strathaven, belonging to the marquis of Hamilton, and took security of all the gentlemen in Clydesdale whom they suspected; and, having succeeded so well there, they went next to the castle of Douglas, where they laid their account with blows, and were afraid, the house being strong, lest they had been repulsed with loss; but ere ever

¹ Baillie, p. 761.

they came up to it, the marquis's courage failed him; so he fled, with all his might, and ceded the possession to the assailants, which they fortified and made a garrison of. Bishop Burnet adds, that they also took in, and made a garrison of the marquis's house of Tantallon.²

In the south, lord Johnston attacked the castle of Carlawerock, but had not the like success; the house was strong and well supplied, and lay too near the English for being relieved; so after this faint attempt his lordship relinquished the same; yet, to repair that repulse, these noblemen and gentlemen went to Dumfries, and seized on all the houses of such as were not friends to the cause; so that all of them either joined in the covenant or fled to England.³ But to go a little farther west,

Argyle increased his forces to about 900, who were all well-armed alert fellows, one half of whom he set on Kintyre to wait on Antrim's designs, and the rest about the head of Lorn, to attend the motions of the inhabitants of Locheaber and the Western Isles; and from thence he went over in some boats to Arran, with some cannon, and took the castle of Brodiek belonging to Hamilton without resistance.

So soon as Montrose did arm, the earl of Marischal, and the bulk of the country from Fife northward to Aberdeen rose with him, to the number of seven or eight thousand men, all of them well-armed, and a goodly number of them horsemen, amongst whom were several of the cause of Gowrie and Angus-shire, gentlemen who till then had looked on as neutrals, or had been overawed by Airly and Southesk, but now behaved with as much resolution and bravery as any.⁴ With all these he marched straight to Aberdeen, where the marquis of Huntly then lay in Pitsoddel's lodging; but before Montrose came near the town, the marquis left it in a great panic, and retired northward; their bishop also, and doctors, with several of the most malicious of their bur-

² Burnet's Mem. p. 115. ³ Ibid. p. 762.

⁴ Baillie, p. 763.

gesses took shipping for England, so that the rest were obliged, for all their preparations, to surrender without conditions on the 30th of March. Orders for taking off their cat-bands, filling up the trenches which had been cast up in the links, giving up their cannon, and fortifying their block-house for the use of the country, were no sooner issued out than obeyed. A large sum was imposed as a fine upon that unnatural city; but through the discretion of Montrose all was forgiven; and his lordship having left the earl of Kinghorn with 1800 men to command the place till his return, marched northward in quest of the marquis, who had as little wisdom to flee now, as formerly he had courage to fight: He sent to parley with Montrose, but his lordship had no time to lose on speeches, and came upon the marquis in his own house, who, to escape the demerit of his crimes, offered all possible satisfaction, and subscribed a declaration, acknowledging the lawfulness of the assembly at Glasgow, and her constitutions, yet few trusted much either to his word or writ; and therefore, when in a few days after, his second son the lord Aboyne, made an elopement, and himself failed in giving sufficient security for the performance of his promises, he and the lord Gordon, his eldest son, were obliged to accompany Montrose to Edinburgh, where they were confined in the castle till the peace concluded with the king in summer following.

Before Montrose returned south, he would needs imitate the example of good king Josiah, who caused all Jerusalem and Benjamin stand to the covenant which he had made. In like manner our young hero urged the town of Aberdeen to subscribe the covenant, with the declaration appended thereto by the assembly, under the pain of confiscation of their goods.¹ At first the town pleaded conscience, and hesitated to obey; but finding that Montrose was in earnest, they dropped their scruples, and took the covenant the 10th of April; and on the 15th of that month they sent com-

missioners for the first time, to concur with the deputies at Edinburgh in the common cause.

The above instance is the first that I have found of violence used in this period, to extort an adherence to the covenant; but considering that town was in a state of war with the covenanters, the urging them in these circumstances cannot with reason be pleaded as the ordinary practice. I know bishop Guthrie, and after him bishop Burnet, and some of the English historians, say, that about this time, the Tables at Edinburgh went to the session to force the lords to take the covenant; but though, as they say also, the most of the lords refused it, they do not pretend that any violence was used against the recusants; yea, this had been a practical contradiction to what the covenanters had all alongst declared; and therefore, all that can be said with certainty concerning this matter seems to be this: The king urging, as we observed before, an abjuration of the covenant, and the conclusions of the assembly upon all Scotsmen in England, the covenanters being as fully persuaded of the duty of swearing the covenant, as king Charles was of abjuring it, they judged it seasonable, when necessity pointed out the duty of trying who were friends or foes, to make an offer of the covenant to those of the lords of session who had not already subscribed it; and it may be they let the recusants know, that it were just to serve them with the same sauce which their friends in England were served with; but they never made this half boast effectual.

And now to bring the foregoing directions of the general committee to an issue, the fortifications at Leith were all this time carrying on with great speed;² above a thousand hands were daily employed at them, who built up toward the sea several strong bastions, which were so well planted with cannon, that little was feared from any landing there; and all the towns along the coast of Fife made up sconces and fossees, and

¹ Row, p. 344.

² Row, p. 764.

erected batteries, upon which they placed ship cannon, and were able to make a tolerable defence.

Thus in a short time, by a signally divine assistance, the reformers did cut the main sinews of their adversaries' hopes; all the strengths of the land fell into their hands; their enemies were content either to feign submission, or to avoid this by their flight: The whole country was in a short time put in a posture of defence; and such a spirit of fortitude and magnanimity prevailed everywhere, that the hand of God might be seen sensibly going before them. When God ariseth his enemies are scattered; then they also that hate him flee before him.

This wonderful success did not, however, detract from that desire which the Scots had to give in all humility full satisfaction to the reasonable commands of their sovereign; they supposed this might have been a fit occasion for presenting a new supplication to his majesty, and made out one which they shewed to such of the lords of the secret council as remained in the country, who generously offered to send any of their number to present the same.¹ Accordingly, Lord Orbiston, justice-clerk, was sent up with it to York; but when he came there he could not get a hearing. Yet after him they made a new trial by Sir James Carmichael, the treasurer-depute; but his audience in that cause was no greater: The king's rage was augmented by the success and boldness of the Scottish attempts; his honour was engaged; and being on his way, there was nothing able to divert him from pursuing them with fire and sword, but the God of heaven; and considering the goodness of their cause, they did not despair of this celestial diversion; and they soon found that the Lord, in his gracious providence, did no less remarkably baffle the devices of their enemies than he had furthered themselves. For 5000 or 6000 Walloons and Irish intended against the Scots, were, by the Dutch admiral, driven back to Dun-

¹ Row, p. 765.

kirk, which belonged at that time to Britain.²

In like manner, the great assistance promised from Ireland dwindled to 1500 ragged Arabians; the grievances of that nation were so great, through the oppression of Strafford the deputy, and his bringing an inquisition little better than the Spanish upon the Scots there, who would not abandon our national covenant, that no more could be spared thence.³

And for the forces of England, they failed like the summer brooks; the country was filled with their own grievances: A parliament had for many years been denied to their passionate desires and evident necessities.³ They were now sufficiently informed, that the Scotch quarrel was much the same with their own, and began to suspect that their domineering metropolitan, by setting his emissaries on work in Scotland, intended to play the same pranks on themselves, if the Scots were once vanquished. So the hearts of all men might have been averse from this war; the very pages of the court could not refrain from reviling the fugitives from Scotland, as traitors to their country, and the procurers of so much trouble to their king. The king's guards gave out peremptorily, that they were not obliged to follow his majesty without the kingdom; so their employment was shifted. Many of the nobility scrupled the lawfulness of the war: they admitted, that such a method of raising troops had sometimes been practised in former times; but then, it was only when the kingdom was actually invaded; at least, when there was a war proclaimed, and an invasion imminent, neither of which was the present case; and the lords Sey and Brooks told in plain English, that they could not be answerable for concurring in an invasion of Scotland, undertaken without the parliament's advice. For this freedom these lords were committed at York; but others were so much displeased with the king's rashness, that it was thought best to dismiss them: Yea, what was

² Baillie, p. 766.

³ Ibid. p. 767.

more surprising, the very papists were nowise frank for the war. At first their offers were great, but after consulting with the pope, he ordered, by his instructions to Monsieur Conn, that unless open liberty of conscience, (a thing which the court judged impolitic at that time) were promised to them, they should withhold their assistance.¹

And it likewise deserves a remark, that after the fleet designed for Scotland were ready to sail, they were detained near two weeks in Yarmouth roads by contrary winds; during which space the marquis of Huntly, for whose assistance especially it was supposed that fleet was first intended, was apprehended; and the Scots imported the most part of their arms and warlike stores. Thus we see that there was such a concatenation of providences working for the Scots, as might have struck the greatest infidel amongst their invaders with amazement.²

Notwithstanding, the king being gallantly accompanied by his courtiers, and such others as were friends to the hierarchy, found on review, that he had an army of 19,614 men, beside the fleet, his own guards, and the garrison of Berwick and Carlisle. With these he hoped to correct the insolence of his Scottish subjects, and hastened his march to Newcastle before the beginning of May;³ and about the same time the marquis of Hamilton, and under him Sir John Pennington, arrived in Leith roads with a squadron of sixteen, or as some authors call them, twenty great ships of war, and with several smaller vessels, and 5000 land forces on board.

At this sight the Edinburghers, and inhabitants on both sides of the Frith were all aghast, expresses were sent off by the committee to all quarters for assistance; and, according to the directions given concerning beacons, fires were presently put upon the tops of the hills to alarm the country, and they came to Edinburgh in such numbers, that in a little space the fleet was pent up on both sides, and durst not set a foot on shore.

Of fresh provisions they could get none, and were reduced to the necessity of digging wells in Inchkeith and Incheolm for fresh water, by which straits many of them took the itch, a number of them died, the rest turned mutinous;³ and it was supposed, that if the Scots had fortified Inchkeith, as afterwards they did Inchgarvie, that the marquis would have been their neighbour much shorter than he was.

On this charge Eglinton, who, with Cassilis, had been appointed to wait at home, and prevent any surprise from Ireland, came to Edinburgh, with almost the whole west country at his back, and Mr. Robert Baillie as their minister; but by the time they came, there was so little need for them, that the most got liberty to return home, only Mr. Baillie was appointed to attend lord Montgomery's regiment, and a few others who desired to stay were joined to them.³

About this time Sir James Carmichael returned to Scotland, carrying with him a most injurious and despotie proclamation, dated the 25th of April, professing indeed great affection to the true religion, and promising to defend it, and to allow the covenanters all the benefit of his majesty's and his commissioner's promises and offers;⁴ and likewise proffering a gracious pardon to them, if they gave up his castles and forts, laid down their arms, and acquiesced in the above offers within eight days after that proclamation was published; but declaring traitors all such as should not within that space comply with, and submit to that proclamation; and that their estates should be given to their superiors or vassals *respectivè*, continuing loyal and contributing to suppress them: And with that proclamation the king, April 7, sent his commands to the marquis to use all manner of hostility against all those who would not submit themselves according to the tenor thereof; but that arbitrary way of forfeiture served only to enrage the Scotch; not a man of them

¹ Baillie, p. 810.

² Burnet's Mem. p. 122.

³ Baillie, p. 869.

⁵ Ibid. p. 771.

⁴ Ibid. p. 770.

regarded the favour promised, nor cared a fig for the illegal threatening.

Of this proclamation Hamilton sent a copy with a trumpeter to the provost of Edinburgh, with an order that the same should be published at the market-cross, and that the castle of Edinburgh, and the fortifications at Leith should be given up, and then he would come out and hold the parliament indicted;¹ but if ready obedience were not given, then he was to execute his royal master's other commandments; which commandments were, as appears by the above orders, and by his majesty's other letter to Hamilton, dated the 10th of April, to proceed with fire and sword against all those who should disobey the proclamation.²

To this order the town-council sent an answer praying to be excused from obedience to the same, till the estates, who were expected there in a few days, in obedience to their royal sovereign's proclamation for holding a parliament, should consider of his grace's demands.³ This excuse the marquis sustained, because the space allowed by proclamation, for proving their disobedience, was not elapsed.

When the estates met at Edinburgh, the 9th of May, this affair was laid before them; and thereupon they wrote to the marquis, that they had perused the proclamation, and found it carried a denunciation of the high crime of treason against all such as did not accept the offer therein contained, although it was only a writing printed without the kingdom, and not warranted by act and authority of the council, lawfully convened within this kingdom.⁴ That it could not stand with the laws, liberties, and customs of this kingdom, that a proclamation of so great and dangerous consequence, wanting the necessary solemnities, should be published there. That by the laws of the kingdom, treason, and forfeiture of the lands, life, and estate of the meanest subject within the

same, could not be declared, but either in parliament or in a supreme justice-court, after citation and lawful probation, much less of the whole peers and body of the kingdom, without either court proof, or trial. And since that proclamation did import in effect the renouncing of their covenant, and of the necessary means of their lawful defence, they could not give obedience thereto, without bringing a curse upon the church and kingdom, and ruin upon themselves and their posterity; and in end, they request that the parliament might be held according to his majesty's indiction; and that his grace would, in the mean time, open a safe way, whereby their supplications and informations might have free access to his majesty's ears.

The marquis would not deign to favour the whole subscribers with an answer, but next day he wrote to the earl of Rothes, the import of which may be sufficiently guessed at by the following return made by his lordship to the marquis.⁵

“I should have been far better content to have seen you here at the parliament, than with a navy and army to constrain us beyond the just limits of religion and lawful obedience, which we were always willing to perform. It was far beside my expectation, and your grace's oath and promise, that you should ever come in any chief command against your native country. Whereas your grace doth challenge our coming in such numbers to attend this parliament, I hope you conceive that this navy and army upon the borders, and the invasion threatened in the west, do sufficiently warrant our preparations to defend these places, and divert such dangers. That proclamation, that is said to carry so much good grace and goodness, is as destitute of that as your invasion is of a good warrant, which persuades me, that neither of the two proceeds from his majesty's own gracious disposition. I dare not be answerable to God Almighty, and to that duty I owe to my prince and country, if I do

¹ Baillie p. 771.

² Mem. Dukes of Hamilton, p. 123.

³ Baillie, p. 771.

⁴ Ibid. p. 818.

⁵ Burnet's Mem. p. 126.

not shew your grace, that your going a little further in this violent and unjust way, will put all from the hopes of recovery, for which both a great deal of blame from men, and judgment from above, shall attend you as the special instrument, which I wish you to labour to avoid. If our destruction be intended, we are confident in that Majesty who owns this cause, and is able to defend it: and if only terrors to fright and prepare us to accept of any conditions will be offered, that intention is already as far disappointed as any of these many former. But as we are ready to defend, so ever to insist in supplicating, and using all humble and lawful means as becomes us. Mr. Borthwick will deliver to your grace our supplication to his majesty," &c.¹

This letter the marquis accounted very malignant, a phrase extremely common in those days; and yet, that he might not be behind even in that respect, he, by a letter to Rothes, dated May 17, gives it under his hand, "That he would by God's grace die at his master's feet, and that he would prove an enemy to the uttermost of his power to this kingdom, if his countrymen continued in their obstinacy."²

Yet, notwithstanding this sanguine threatening, Hamilton proved no great enemy to his country, at least not so much as the king's friends have wished. It is true, he inspected all the vessels which came within his reach; he also imposed the English oath on the masters, abjuring these two great eye-sores,—the covenant and the assembly at Glasgow, and declaring their adherence to the king against the rebels; and sent what soldiers and ammunition he found in their ships to the royal camp, but he never used any farther hostility; and what provisions he took from any vessel was only for ready money. To the north he sent not the smallest assistance, though he had the king's orders to aid the lord Aboyne and the laird of Banff, who had raised their friends in the

north, but he employed his interest with his majesty to dissuade him from hostilities, and dispose him for a treaty with the Scots.³

By this time it was the 15th of May, the day to which the parliament was indicted; the bishops and their party gave out very confidently, that the covenanters would hold a parliament without either the king or his commissioner, and that they would erect some new kind of government; but in this they were found liars: for when the king, fearing lest they had taken advantage of that indication, sent to prorogate the parliament, all agreed that the court being once fenced should be prorogued to any day his majesty pleased, which was done without opposition.⁴

Only at that time the members gave a very ample commission to general Leslie, to be commander-in-chief over all their forces by sea and land, with this proviso, that he should be answerable for his conduct to the supreme courts of the nation, civil and ecclesiastic; and because the governor of the castle was objected against, as a person of no such authority as that place did require, the charge of it was entrusted to lord Balmerino.

With general Leslie's promotion it was afterward suspected that Montrose was not well-pleased. Notwithstanding, as lord Aboyne and Ogilvie of Banff, two rash youths, inflamed one another, and gathered their friends in the north, repossessed Aberdeen, and even dissipated a meeting of the reformers, headed by the master of Forbes and lord Fraser at Turriff, the 14th of May,⁵ Montrose was sent against them a second time, and with the assistance of these two nobles, and the lords Marshall, Dunfermline, and Kinghorn, with the town of Dundee, and all the other friends they could gather, he had the town of Aberdeen surrendered to him on a sudden; and Aboyne and Banff disbanded their forces, and shifted for themselves the

¹ Mem. Dukes of Hamilton, p. 129.

² Ibid. p. 130.

³ Mem. Dukes of Hamilton, p. 130. Bailie, p. 772, &c.

⁴ Baillie, p. 773.

⁵ Ibid. p. 797.

best way they could. Nevertheless, on some discontentment which Montrose's army took up at his lenity to Aberdeen, they deserted so fast, that he scarcely had the honour of a military convoy home again; and by the time he reached Edinburgh, the posture of affairs about Aberdeen was almost as desperate as ever.

For the royal army being on the border, and the fleet in the Frith, the clergy and citizens of Aberdeen who had fled to the king, were sent home to work what mischief they could; and with them went the earl of Glencairn, who had deviated much from the example of his noble ancestors, to the great grief of all his friends; and the lords Tullibardine, Linlithgow, Kinnoul, and Drummond, who were all inveterate enemies to the covenanters.¹ These, and several other lords, having, as Dr. Burnet says,² been burdensome to the king, were sent down to Hamilton, who cared as little for them; and recommending to them to return to their own estates, they chose rather to retire to Aberdeen, where the king's party were strongest.

Upon their landing, the king's proclamation of the 25th of April was published in Aberdeen. Aboyne took on him the chief command in those parts, and in a trice a considerable army assembled under his banner; among whom was the town of Aberdeen, who, on Montrose's command, had subscribed the covenant; but the scales being turned for a little space, they did now renounce the covenant as solemnly as before they had sworn it, and were the most active in imposing that renunciation upon others, and otherwise molesting and invading those who adhered to it.³

At this time the reformers judged themselves in as great danger as ever; their enemies in Aberdeen were masters of the field, and ready to break in like a flood upon Mearns and Angus.⁴ The west were put in terror by new accounts of an invasion from Ireland. On the

borders, the lords Home, Queensberry, and Johnston, with the chief of the Scotts, were suspected of being secretly practised upon by the king; and they accounted it a piece of dangerous policy, whereof they were more afraid than of any thing else, that neither the king's army on the borders, nor his fleet in the Frith, did at all attempt any thing.⁵ They never suspected that this indolence flowed from temerity, or any such cause, but knowing their own poverty was such that they could not keep the field long, they conceived that was a deep laid plot, to undo them without stroke of sword; and therefore, they betook themselves again to fasting and prayer,⁶ acknowledging with godly Jehoshaphat, that they had "no might against this great company coming against them, neither knew they what to do, but their eyes were towards the Lord."

This sharpening of the covenanters' prayers, and exercising of their faith, wrought hope, and produced diligence and courage;⁶ and first, being solicitous that no mean might be left unessayed, that could any ways conduce to the preventing of bloodshed, they renewed their old course of supplicating, first, by Dr. Malsley, an English divine, who had been sent in among them; then, by a letter to the earl of Essex, whom they knew to be friendly to their cause, though such was his obsequiousness to the king, that he sent it to him unopened; and last, by repeated letters to the earl of Holland, to be communicated to whom he would of the council of England, that they might clear the thoughts, supplications, and conduct of their brethren of Scotland to their common sovereign; but all these efforts for peace failing of the wished-for effect, they recommended the care of the north to the earls of Montrose and Marischal; and being so environed on all hands, the general marched eastward to Dunglass near Dunbar, where his little army encamped for a short space, resolving to be at strokes so soon as a sufficient force

¹ Baillie, p. 797.

² Burnet's Mem. p. 135. ³ Row, p. 346.

⁴ Baillie, p. 778.

⁵ Mem. Dukes of Hamilton, p. 138.

⁶ Baillie, p. 779, &c.

were assembled, and rather than be hemmed in as they were, to go seek their enemies wherever they could find them.

For this purpose the committee at Edinburgh ordered,¹ 1. That two-thirds of the whole horse in the kingdom should come with all possible diligence to the Border; that the particular committees should call before them such as were most able to give up the whole horse in each parish fit for service, divide them into three equal shares, and then cast lots which of the two-thirds should go; that they should march instantly, and, if unable to maintain themselves, they were to be maintained upon the public expense, after their reaching the head-quarters; but, if they went not with all possible diligence, they were to be incarcerated and fined. 2. That those who were able to maintain horse, but wanted them, should be taxed for sustaining those who had horse, but wanted means; and if those who had horse without means were not able to ride themselves, they should be obliged to sell their horse to them who wanted, for money or goods, at the sight of the committee; and that each man having lands or rents, able to sustain the rank of horsemen, should buy and send them for the service. 3. That there should be a constant committee within the bounds of each presbytery, to receive instructions from the committee at Edinburgh, and put them in execution. 4. That horses belonging to non-covenanters should be seized on, and put out to the public service. 5. That the particular committees should cause all from sixteen to sixty years be in readiness to march with such arms as they had, upon twenty-four hours' warning, with a month's provision, leaving as many in each part, where there was any reason to fear an invasion, as should be thought sufficient to resist the same. 6. That the fourth man, formerly appointed to come from each parish, should march presently with ten days' provision; and if they refused, their persons were to be imprisoned, and their goods seized on for

the public service. 7. That the third part of the horse who remained at home, should relieve one of the two-thirds on the Borders; and that horsemen staying at home, after orders, should be imprisoned and fined: if a baron, in 1000 merks; if a gentleman of inferior quality, in 500 merks; and if a yeoman, in 200 merks; two-thirds whereof were to be given to the person he ought to have relieved, and the other third employed for the public service. 8. That each parish should provide such a certain number of jacks, lances, pikes, swinefeathers, and other weapons fitting for the service, as the particular committee should appoint, and generally that every one should contribute their best endeavours for the benefit of the public cause. 9. That all persons reputed opulent, should be required, upon oath, to give a fair account of their money, and lend the same on proper security. 10. That what belonged to non-covenanters (except so much as were necessary for sustaining their wives and children) should be seized on, and given in to the public stock; for, seeing they joined with those who put the covenanters' lives in jeopardy, and lands to sale, for the defence of religion and liberty, it was thought reasonable, seeing non-covenanters had as great interest in these as covenanters, that their wealth should be partly employed for that cause; yet, except the granaries of the earl of Winton, and Maxwell of Dunglass, few of them incurred any loss by this order. 11. If money failed, it was ordered, that the plate should be given up on security, and coined. And, 12. It was ordained, that all, of whatsoever degree, should yield ready obedience to their respective committees, and that the several committees should be answerable to the general committees: Which orders, bearing date the 18th of May, and subscribed by the lords Cassilis, Mar, Rothes, Napier, Boyd, Sinclair, and Loudon, were published by tuck of drum in boroughs, and in the parish-churches in landward.

Agreeable to these instructions, colonel Munro, who had been sent to Dum-

¹ Baillie, p. 806.

fries with a part of the forces first raised to train up the militia in that county, and suppress any insurrection of the malcontents there, or incursion from Carlisle, assembled as many of their friends in Dumfries, Wigton, and Kirkcudbright, as could be spared, and marched eastward through Nithsdale, Annandale, Liddesdale, and Teviotdale, gathering their friends, till they came to Kelso; and, in other parts of the country, the officers hastened out the remaining troops as fast as they could.¹

Accounts of these instructions, and of the speedy progress of the Scots, were quickly carried to the king's army, then encamped in a plain called Birks, on the south-side of the Tweed, near three miles above Berwick, and made many a heart among them to quake, as severals of them owned afterward. "They knew," says Mr Baillie, "that our necessities, and grievous oppression, made us bold as lions, and that we were drawing toward them with all the speed we could: The known skill and bravery of our general, and his officers, were also very terrible to them, and many among them were very sensible of their own unjust cause and great disorders."

Wherefore the king was prevailed on, to issue out a new proclamation, very different from the former, leaving off the odious charge of rebellion and treason against the Scots; representing, that the king's arms were intended merely for peace; and promising, that, upon demonstration of their obedience in matters civil, his majesty was ready to grant their just supplications, but commanding their army to hold off, and not come within ten miles of the royal army, otherwise their disobedience in that particular should be taken for a declaration of their intention to invade the king's person, and the kingdom of England.²

With this dialect the Scots were very well pleased. It was the first token of clear weather that appeared in their cloudy sky: they took it for the beginning of a real change of the king's councils, and supposing it proceeded from a

réal desire for peace, they obeyed with entire submission that part of the proclamation, forbidding their approach within ten miles of the king's camp, and were disposed to make the best of that glimpse of royal clemency; by which act of obedience, among many others, they evidently shewed that the war was not offensive on their part.³

But the king, far from looking on that obedience as a testimony of their duty, was made to believe by some of the excommunicated bishops who were still buzzing in his majesty's ears, that it was the effect of their fear; and by their advice, he was induced to publish in our Border the former proclamation; wherein he gave an account of the affronts his authority had received by the covenanters, and his design to do himself right, according to the power and authority God had put in his hand: withal, offering indemnity to such as should within eight days lay down their arms, some few excepted, declaring such as would not obey, rebels, setting a price upon their heads, and ordering their vassals and tenants not to acknowledge them, nor pay them rents.⁴

This proclamation was made at Dunse by a strong party of the English, under the command of the earl of Arundel the king's general, and lord Ruthven: And under the same pretext, the earl of Holland, general of the horse, was sent to Kelso, with 3000 foot and 1000 horse, but it was believed his intention was rather to surprise the party of Scots who were come there; however colonel Munro, and the lords Fleming and Erskine, who had 500 horse, presented themselves in battle array. Holland sent a trumpeter to command them to retire; but they answered, that he would do much better to withdraw himself; and indeed he found it proper to take their advice, for on a sudden the English horse were driven back faster than they came, by half the number of the Scots cavalry with musketeers in their intervals, a manner of fighting which the English had not seen, and which the Scots

¹ Baillie, p. 806.² Ibid. p. 780, 831.³ Baillie, p. 780, 783.⁴ Ibid. p. 783.

officers had learned under the great Gustavus Adolphus. "It would," says the author of the *Memoirs of the church of Scotland*,¹ "make too much sport with the English courage and bravery, which is so well confirmed in the world, to give an account how like scoundrels this army behaved. In a word, none of the English troops, after the first skirmish, cared to engage or look the Scots army in the face." Mr. Baillie adds, "that the English soldiers were a great deal more nimble at flying than fighting; and that it was difficult to tell whether the arms of their cavalry were more weary with whipping, or their heels with jading their horses."²

This discomfiture lay so heavy on the English, that to repair their disgrace, lord Holland was commanded to return to Kelso with a greater force; and the marquis of Hamilton was ordered to send part of his fleet to Berwick, with two regiments of his land forces, to take part with the royal army; after which addition, the king's army was reckoned to be full 22,000 horse and foot, besides what were left in the ships.²

The above proclamation, and incursions by the English army, with their taking several castles and strong houses in the Merse, were a plain resiling from the proclamation for peace, and as plain a declaration of hostility; whereupon general Leslie raised his camp from Douglas the 31st of May, intending to encamp at Dunse-law next day; against which time he ordered the forces at Kelso to meet him.² And at the same time posts were despatched by the general committee over all the country, intimating what efforts they had used for obtaining a peace; that the English forces had broken in upon the Merse, taken several castles and houses, and were that night (as they were informed) to be at Eyemouth, where there was a great magazine of provisions; and therefore exhorting all who loved their country, their conscience, their lives and liberty, and would be delivered from the destruction threatened, to hasten their march

to the head-quarters at Dunse. This they enforced farther by the arrival at Berwick of the troops which were in the fleet, and the sudden prospect of a battle; and in end, they say, "shall our enemies be more forward for invasion against the truth, and for our slavery, than we for the defence of the truth and for our liberty. They have neither Christian nor Scottish hearts, who will expose their religion, their country, their neighbours, and themselves to this present danger, without taking part with them."

Agreeably to this exhortation, the whole country, who could be spared, set out with such arms and provisions as they had;³ but we leave them on their way, and observe, that in the meantime general Leslie with the army who were encamped at Douglas and the forces which were at Kelso, met June 1st, (bishop Guthrie by mistake calls it May 20th),⁴ at Dunse-law, a kind of strength in the middle betwixt the two ways leading to Edinburgh, that if the English army had taken the road either by Haddington or Sontra they might have been on their back; and there they encamped within sight of the royal army, and only about six miles from them.

Mr. Baillie acknowledges that it was an agreeable feast to his eyes to survey the place. It is a round hill about a Scottish mile in circuit, rising with very little declivity to the height of a bow-shot, and the head somewhat plain, and near a quarter of a mile in length and breadth; on the top, it was garnished with near forty field pieces, pointing toward the east and south. The colonels, who were mostly noblemen, as Rothes, Cassilis, Eglington, Dalhousie, Lindsay, Loudon, Boyd, Sinclair, Balcarras, Fleming, Kirkcudbright, Erskine, Montgomery, Yester, &c., lay in large tents at the head of their respective regiments.⁵ Their captains, who generally were barons or chief gentlemen, lay around them; next to these were the lieutenants, who were generally old veterans, and had served in

¹ P. 189.² Collect. p. 784.³ Baillie, p. 784.⁴ Burnet's Mem. p. 58.⁵ Baillie, p. 786.

that, or a higher station over sea; and the common soldiers lay outmost, all in huts of timber, covered with divot or straw. Every company (which, according to the first plan, did consist of 200 men,) had their colours flying at the captain's tent-door, with the Scottish arms upon them; and this motto in golden letters, "For Christ's Crown and Covenant."¹ The general had a very magnificent tent, but did not set it up. He lay in a castle at the foot of the hill, with Baillie, his lieutenant-general. That place had been designed for lord Almond, in whose wisdom and valour the Scots had great confidence; but being greatly troubled with a gravel, he went elsewhere for incision. The general's constant guards were some hundreds of lawyers and writers, under the laird of Durie and Sir Thomas Hope's command, well mounted and accoutred.¹ Every night the general and his lieutenant-general rode round the camp and saw the guards set. The councils of war were kept daily in the general's lodging; and the ecclesiastical meetings (for there was at least a minister for every regiment) were held in Rothel's large tent.

Some were afraid that there would have been some emulation among the nobles; but nothing of that sort appeared from the beginning of their campaign to the end. The wisdom and authority of the general was so great, (though personally both little and crooked,) that all gave over themselves as entirely to his dictates, as if he had been Solomon the great;² yet such was his conduct, that he gave out his orders rather in the form of an advice than of a command, rightly judging that a difference ought to be made betwixt volunteers and soldiers of fortune.

The general had always two tables; one for himself and such of the nobles as were occasionally present, and another for attendants; and every nobleman and gentleman of good estate maintained their subalterns.³ Mr. Baillie is of opin-

ion, that both the general and colonels did this on their own charges; and is sure both Eglinton and lord Montgomery did so, "for," adds he, "this was a campaign whereon we were glad to bestow both lives and estates."

The soldiers were all lusty fellows, and for the most part stout young ploughmen. The only difficulty was to find them dollars for provisions. At first, due care was not taken to provide them seasonably, whereat many of the eastland soldiers were discontented; but that defect having been supplied from Edinburgh and the country around, cheerfulness appeared in every face.⁴ They made great progress in the exercise of their arms; and every one assisted and encouraged his neighbour. The sight of the nobles; the good sermons from their beloved pastors, and prayers morning and evening, under the canopy of heaven for their covering, to which exercises their drums did call them for bells; the frequent remonstrances of the goodness of their cause, and of their conduct hitherto by a divine hand; the great-character which their general had acquired abroad, and their entire confidence in his skill for leading and commanding, made them all as bold and resolute for a battle as could have been wished.

And which was as becoming, and may teach an awful proof, not only to the military, but to many others in our day, is, that morning and evening all were careful to evidence their gratitude to their divine Protector, and solicitous to have his guardianship continued towards them.⁴ Reading the Scriptures, praying and praising, might have been heard in almost every tent. Nor was this all,—the temper and disposition of many was as devout and elevated as uses to be on the most solemn occasions.

Of this number was our author; for after he had given the substance of what is above related, he adds, "As for myself, I never found my mind in a better temper than it was all that time, from my outset, till my head was again home-

¹ Baillie, p. 787.

² Ibid. p. 789.

³ Ibid. p. 790.

⁴ Baillie, p. 790.

ward; I was as one who had taken leave of the world, and resolved to die in that service. I found the favour of God shining on me, and a sweet, meek, and humble, yet strong and vehement spirit leading me all along."¹

The Scottish army, on their first arrival, did not exceed 14,000 horse and foot; but according to the author just now mentioned, who came there with the earl of Eglinton's regiment in a few days after, they increased to above 24,000;² and he adds, that they might have doubled that number; but they had none there from the one half of Scotland,—not a man beyond Tay. There were few from Lothian, Fife, and Edinburgh, in comparison of what were in arms; the most part were waiting on to prevent any sudden irruption from the fleet which remained in the Frith. The south behoved to observe the border about Carlisle, and the west to watch the Irish shore. The Merse was mostly employed in carriages. Few of the west Highlanders were there; lord Erskine had a few companies of them in his regiment, and that was all; for it was thought fit that Argyle, with his regiment, should lie about Stirling, to be ready for unexpected accidents, and to be a terror to neutralists and false-hearted friends. And Montrose's regiment, who were raised about Monteith and Strathern, were with his lordship in his northern expedition.

So soon as the army at Dunse increased above 20,000, the general signified his intention, and that not obscurely, of drawing near the English camp, to see if he could get hold of some of those who first kindled the fire, and were still adding fuel to it, and learn whether they thought that heat pleasant when it came near their own skins.³

With this resolution the English were noways content; they did not want that the Scots should come so near them; and therefore fell to fortifying themselves, and wrought at their trenches on Sabbath as well as other days; but reckon-

ing, after all, that they were not so secure beside such neighbours as their necessity required, they next sought occasion of a treaty with the Scots, which was not difficult to obtain.⁴

Nelson, and after him Rapin, Oldmixon, &c., for one liar will make a hundred, give a very mistaken account of the motives from which this treaty proceeded, and in general are very defective in the whole history of this expedition, so far as relates to Scotland.⁵ The Scots, say they, had been in hopes, that considering the discontents which reigned in England, the king would not be able to raise an army to reduce them to obedience; but contrary to their expectation, they beheld him at the head of their borders with 20,000 men, without reckoning the fleet which interrupted their trade, whilst they had not above 12,000; (Clarendon and Echard make them not above 3000). It was their business therefore to endeavour by all means to avoid deciding the quarrel by arms; the loss of a battle would certainly have reduced them to a state of servitude. Thus write the English historians; but, according to the relation before and after mentioned, this account is true in nothing. The Scots were superior both in number, and in courage and fortitude, to the royal army. It was therefore the business of the English to endeavour by all means to avoid deciding the quarrel by arms; the loss of a battle would have sunk the king's credit exceedingly, and opened up a scene of troubles in England, as they found to their cost, after declaring a second war against the Scots the year following.

That the Scottish army was superior to the English, we have shewed from Mr. Baillie, and with him Dr. Burnet agrees in the general, in his *Memoirs of James and William, dukes of Hamilton*, where, page 132, he holds forth the Scottish army as consisting of 25,000 men; and that beside the army which was

⁴ Baillie, p. 791.

² *Ibid.* p. 784.

¹ Baillie, p. 791.

³ *Ibid.* p. 791.

⁵ Nelson, vol. i. p. 232. Rapin, b. xix. Oldmixon, vol. i. p. 138.

marching to the borders, there were about 20,000 on the two sides of the Frith; and that the Scots were also superior to the king's army in courage and fortitude, is partly evident from the same historian, *ubi supra*, where he says the marquis of Hamilton besought the king not to run the hazard of a battle, the success whereof is always dubious, but more than commonly so in this case, where the one side was desperate, and the other but half cordial; and told his majesty how much he feared his foot might be too weak, &c. And the same is fully verified by the following paragraph of Sir Harry Vane's letter to the marquis, transcribed or referred to by the above, and most of the other English historians.¹ "This morning advertisement is brought his majesty, that Leslie, with 12,000 men is at Cockburn's Path; that 5000 men will be this night, or tomorrow, at Dunse; 6000 at Kelso; so his majesty's opinion, with many of his council, is, to keep himself upon the defensive, and make himself here as fast as he can; for his majesty doth now clearly see, and is fully satisfied in his own judgment, that what passed in the gallery, betwixt his majesty, your lordship, and myself, hath been but too much verified on this occasion. And therefore his majesty would not have you to begin with them, but to settle things with you in a safe and good posture, and yourself to come hither in person, to consult what counsels are fit to be taken as the affairs now hold." To which letter the king added the following postscript with his own hand: "Having no time to write myself so much, I was forced to use his pen: therefore I shall only say, that what is here written I have directed, seen, and approved."

From this state of the matter it may be easily guessed, who were most anxious to divert a battle, and from what side the first motion for a treaty came.² Accordingly Robert Leslie, a Scotsman, one of the king's domestics, came to the camp

at Dunse, and with great professions of regard to his country, he assured them that the English forces multiplied so fast, that the Scots were in hazard of being swallowed up by them; and therefore advised them to supplicate the king once more, and assured them that several of the English nobility would not be wanting in their endeavours to obtain a gracious hearing to their supplication.

The motion, though slight, was well received. The story of the great increase of the English army, with which Mr. Leslie introduced himself, was indeed looked on, as it was, his own invention; yet it was not doubted that he was sent on this errand by some in the English camp, to prevent, if possible, the threatened effusion of blood; and therefore, though the Scots knew what advantage they had of the king, such was their regard to his honour, that they were always willing to supplicate, and no less now than ever. They aimed at no lands and honours, as their party did; they desired only to keep their own as their ancestors had done, and to maintain their liberty as became men and christians; so that supplicating, the duty proposed to them, was the very thing they desired. Accordingly the Scots, without farther ceremony, sent off the earl of Dunfermline with a short supplication to the king, to hear their demands, and a letter from the nobles to the English council, to contribute toward a speedy answer, and the message was accepted with greater favour than was expected.³

But though the king found himself shut up to the necessity of treating, he would first have his humour a little gratified, and some evidence of the petitioners' loyalty; and therefore, before answer, Sir Edward Verhame, marshal of the king's house, a gentleman very acceptable to the Scots, was sent over to their camp, June 7, with a demand, that the Scots should first publish the proclamation of the 25th of April at the head of their troops, and then his

¹ Mem. Dukes of Hamilton, p. 139.

² Baillie, p. 792.

³ Baillie, p. 792.

majesty would vouchsafe a gracious hearing to their supplication. But the Scots shewed him by many reasons (the same in substance with the letter of the nobles to the marquis of Hamilton, against publishing of the said proclamation at Edinburgh, which we have formerly inserted) why they could not comply with his demand. And yet, to shew their obsequiousness to his majesty's commands, as much as in their power, they did, with the exceptions in that paper, read the proclamation with great reverence at the general's table. This reading the gentlemen took in good part, and offered to report it to the king, as a compliance with his demand.¹ Whereupon the Scots sent back Dunfermline a second time with their supplication, and a list of the persons whom they inclined should treat for them.

Accordingly upon Vernhame's patched-up but favourable account of the behaviour of the Scots, the king empowered the earl of Arundel lord-general, the earl of Essex lieutenant-general, the earl of Holland general of the horse, with the earls of Salisbury and Berkshire, and secretary Coke, to treat with the following commissioners, named by his subjects of Scotland, viz. the earls of Rothes, Dunfermline, and Loudon, Sir William Douglas sheriff of Teviotdale, Mr. Alexander Henderson minister, and Mr. Archibald Johnston advocate, to whom his majesty granted a protection for safe conduct.²

On Monday following, being the 9th of June, the Scots commissioners had an honourable convoy of their commoners to Tweedside, where, according to the king's appointment, they met with the English commissioners in Arundel's tent;³ but they were not well entered till the king came in among them, upbraided them for having accused him of not listening to the requests of his loyal subjects; and required that they should now let him know all they had to say.

This uncouth salutation necessarily

drew out the Scots to defend themselves; and having obtained the king's permission for that effect, they made a full, and, in the judgment of several of the English, very plausible defence for their country, which was favoured with a patient hearing; and this was the sum of what passed on that occasion.³

The next meeting was on Wednesday, when the argument of the former day was resumed, and answers given to what the Scots had advanced. On that occasion also the Scots were not defective in an open and full reply; and it was believed the king's ears had never been tickled with such free communing concerning matters of state; yet he discovered no token of displeasure at their free communing. And, in end, having permitted the Scots to make known their demands, the lord Loudon, upon his knees, said, that their demands were only to enjoy their religion and liberties, according to the ecclesiastical and civil laws of the kingdom.⁴

The king replied, that if this was all that was desired, the peace would soon be made. Nevertheless, he thought fit to take the matter to advisement for two days, and then gave answer to their demand in these words:—That if their desires were only the enjoying of their religion and liberties, according to the ecclesiastical and civil laws of his majesty's kingdom of Scotland, his majesty doth not only agree to the same, but shall always protect them to the uttermost of his power; and if they shall not insist upon any thing but that which is so warranted, his majesty will most willingly and readily condescend thereunto; so that, in the mean time, they pay unto him that civil and temporal obedience which can be justly required and expected of loyal subjects.⁵

By this time both sides began to look with a more favourable eye upon one another; the Scots were of opinion that the king was a lover of reason and equity; and his majesty, on his part, shewed a particular regard for what was

¹ Baillie, p. 792.

² Rapin, b. xix. and Baillie, p. 793.

³ Baillie, p. 794.

⁴ Rapin, b. xix. ⁵ Ibid and Baillie, p. 841.

said by the earl of Loudon and Mr. Henderson; and, at parting, he did our commissioners the honour of offering his hand to them, and all of them kissed it on their knees.¹ The English commissioners were also pleased to shew marks of their respect to the Scots, by entertaining them sumptuously, and, which was of more account, by recommending them to others for their wisdom, eloquence, gravity, and loyal disposition.

Notwithstanding, the late bishops of Ross and Aberdeen, &c. having found access to the king the Sabbath following, they so buoyed up his majesty, with their flattering speeches, that when, according to order, the Scotch deputies came back on the Monday, his conference with them was far more tart than the former;² and, in end, he posed them with these captious questions:

1. Whether hath his majesty the sole indiction of the general assembly or not?

2. Whether hath his majesty a negative voice in assemblies or not?

3. Whether may the assembly sit after his majesty hath by his authority commanded them to rise or not?³

With these queries the Scots could very easily have dispensed. They believe the king was sufficiently apprised by their conduct at the assembly at Glasgow, what were their sentiments; and therefore, they doubted as little that the intention of such questions was only to divert and amuse them, till more English and Irish forces were brought in against them, and their provisions spent; and therefore they resolved to give a free and candid answer to them; and, if they obtained not proper conditions of peace, they resolved to break off their treaty, and to pitch their camp within cannon shot of the king's trenches.⁴

Agreeable to this resolution, upon the 18th of June, the Scotch commissioners gave the following answer to the foregoing demands, viz.

"1. That it is proper for the general assembly alone to determine questions of this kind; and for us to give out a deter-

mination, were an usurpation, which might bring on us the just censure of the church.

"2. The answering of one of these three demands is, in effect, an answer to the whole; for, if the sole indiction belong to his majesty, there is no need for a question about the negative voice, and dissolving of assemblies. Next, if his majesty hath a negative voice, there need be no question concerning the indicting and dissolving of assemblies; and if his majesty may dissolve them, there needeth be no question concerning the other two.

"3. For our part we humbly acknowledge, that the king's majesty hath power to indict the assemblies of the kirk, and, when in his wisdom he thinks convenient, he may use his authority in convening assemblies of all sorts, whether general or particular. We acknowledge also that the solemn and public indiction, by way of proclamation and compulsion, belongeth properly to the magistrate, and can neither be given to the pope nor to any foreign power; nor can it without usurpation be claimed by any of his majesty's subjects; but we will never think that his majesty means, that in the case of extreme or urgent necessity, the church may not by herself convene and give out her own constitutions for the preservation of religion."⁵ And for this they subjoined six reasons, materially the same with those for a general assembly formerly inserted, p. 241.

But before the commissioners for the Scots arrived in the English camp, the resolution of transferring the Scottish camp from Dunselaw to the border of the king's leaguer, was communicated to his majesty; and therefore, the foresaid queries were departed from, as if they had never been started;⁶ and the Scots were desired to condescend upon the particulars they wanted, which were,

"1. That the acts of the late assembly at Glasgow should be ratified in parliament.

"2. That all matters ecclesiastical might be determined by the assemblies

¹ Baillie, p. 795.

² Ibid.

³ Ibid. p. 841.

⁴ Ibid. p. 796.

⁵ Baillie, p. 796, 842.

⁶ Ibid. p. 796.

of the church, and matters civil by parliament.

“3. That his majesty’s ships, and forces by land, be recalled; that all persons, ships, and goods arrested, be restored; and that all excommunicated persons, incendiaries and informers against the kingdom, who had caused these commotions for their own private ends, might be sent back to suffer their deserved censure and punishment.”¹

With these demands the Scots gave also in their reasons for them; the first whereof agreed with their reasons for a general assembly, and their former address sent up with Mr. Winram. The reasonableness of the second was self-evident, and they alleged that parliaments should be holden once at least in two or three years, in respect of his majesty’s absence, which hindered his subjects in their complaints and grievances, to have immediate access to his majesty: and for the third, they said, their desires being only the enjoyment of religion and liberty, and they having never intended to refuse all due obedience to their native king, the invading them in these circumstances was most unjustifiable.²

To these demands the king, after some perplexity and advice of his council, returned the following declaration for answer, viz.

“That though we cannot condescend to ratify and approve the acts of the pretended assembly at Glasgow, for the reasons contained in our several proclamations, and for many other grave and weighty considerations, which have happened both before and since, much importing the honour and security of that true monarchical government, lineally descended upon us from so many of our ancestors; yet such is our gracious pleasure, that notwithstanding the many disorders committed of late, we are pleased not only to confirm and approve our commissioner’s declaration given under his hand, by our command, in the pretended general assembly, concerning the taking away of the service-book, book of ca-

nons, and high commission, and dispensing with the five articles of Perth; and that no other oath be administered to ministers at their admission than that which is prescribed by act of parliament; and that all and every one of the present bishops and their successors may be answerable, and censured accordingly from time to time, according to their demerits, by the general assembly: But also, we are further graciously pleased to declare and assure, that, according to the petitioners’ humble desires, all matters ecclesiastical shall be determined by the assembly of the kirk, and matters civil by the parliament, and other inferior judicatories established by law, and assemblies accordingly shall be kept once a-year, or so oft as the affairs of the kirk and kingdom shall require. And for settling the present distractions of that our ancient kingdom, our will and pleasure is, that a free general assembly be kept at Edinburgh the sixth day of August next ensuing, where we intend, God willing, to be personally present; and, for the legal indiction whereof, we have given order and command to our council; and thereafter a parliament to be holden at Edinburgh the 20th day of August next ensuing, for ratifying of what shall be concluded in the said assembly, and settling such other things as may conduce to the peace and good of our native kingdom; and therein an act of pardon and oblivion to be passed. And whereas, we are further humbly desired, that our ships and forces by land be recalled, and all persons, goods, and ships restored, and they made safe from invasion, we are graciously pleased to declare, that upon their disarming and disbanding of their forces, dissolving and discharging all their pretended Tables and conventicles, and restoring unto us all our castles, forts, and ammunition of all sorts, as likewise our royal honours; and to every one of our good subjects their liberties, lands, houses, goods, and means whatsoever, taken and detained from them since the late pretended general assembly, we will presently thereafter recall our fleet, and

¹ Rushworth, iii. p. 941. Nalson, i. p. 234.

² Rapin. b. xix. and Baillie.

retire our land forces, and cause restitution to be made to all persons of their ships and goods arrested and detained since the foresaid time, whereby it may appear, that our intention in taking up arms was no ways for invading our native kingdom, or to innovate the religion and laws, but merely for maintaining and vindicating of our royal authority. And since it doth hereby clearly appear, that we neither have nor do intend any alteration in religion or laws, but that both shall be maintained by us in their full integrity, we expect the performance of that humble and dutiful obedience, which becometh loyal and dutiful subjects, and as in their several petitions they have often professed.”¹

With the most part of this declaration the commissioners were well satisfied, and testified their gratitude to his majesty in the most fervent manner; yet in some particulars they conceived it harsh and defective, and besought a free communing upon the contents of it, which being granted,

“The Scots *objected*, 1. That the preface and the conclusion of his majesty’s declaration was harsh, importing, as if they struck at monarchy, and his majesty’s royal authority.

“The king *answered*, 1. That he had no such opinion of them, but required that the paper should not be altered for the sake of his honour among other nations; and urged, that they would not stand with their king upon words, if so be they obtained.

“*Obj.* 2. That the declaration containing an impeachment of the assembly at Glasgow, as pretended their accepting of the declaration as a satisfaction of their desires, might be constructed a departing from the decrees of that assembly.

“*Ans.* 2. That, as he did not acknowledge that assembly further than that it had registered his declaration, so he would not desire his subjects of Scotland to pass from the said assembly, or the decrees thereof.

“*Obj.* 3. His majesty’s not allowing of the assembly, for the reasons contained in his several proclamations, is a declaration of his judgment against ruling-elders, as prejudging the constitution of a free assembly.

¹ Baillie, p. 344.

“*Ans.* 3. Though his judgment be against lay-elders, yet seeing that clause is constructed as a prelimitation of the freedom of the assembly, he is willing that it be delete.

“*Obj.* 4. His majesty’s commissioner having, in the last assembly, contended against ruling-elders having a voice in assembly, and for his majesty’s assessors having vote therein; and that his majesty or his commissioner had a negative over the assembly, they wanted to be resolved what was understood by the words *free assembly*.

“*Ans.* 4. His majesty, after requiring that the differences mentioned might be remitted to himself, being informed that this was against the constitution of the kirk of Scotland, agreed that the words *free assembly* in his majesty’s declaration, did import freedom of judging in all questions arising there concerning constitution, members, and matters.

“*Obj.* 5. The declaration, bearing that no other oath be exacted of entrants than that which is contained in the act of parliament; as also that clause bearing the pretended bishops, &c. shall be censurable by the general assembly, seem to presuppose and import the continuance of episcopacy, which we cannot acknowledge, being incompatible with the confession of faith, and constitutions of the kirk.

“*Ans.* 5. His majesty being willing to leave these things to the determination of the assembly and parliament *respectively*, is pleased to delete both these clauses.

“*Obj.* 6. They would restore the castles freely, yet would they be understood as doing this for the safety of the country, in such sort as his majesty and the parliament should signify; and that it should be without prejudice to their just claims for fortifying and keeping the same.

“To this his majesty gave no answer.

“*Obj.* 7. Touching the restitution of persons, houses, and goods, it was observed that most of the goods were already spent for the public use; and further provision would be made, that the debts contracted for the public should be repaid by all proportionally.

“*Ans.* 7. The king answered, though goods and ammunition spent cannot be restored, those that are extant must be; and for the public debt, that behaved to be left to the consideration of the parliament.

“*Obj.* 8. It was with all humility urged, that his majesty would comply with that

chief desire of the subjects, viz. the quitting with, and giving up of episcopacy, in which case his majesty might depend on as cordial subjection from them as ever a prince received.

Ans. 8. His majesty answered, That, having appointed a free general assembly, which might judge of all ecclesiastical matters, and a parliament, wherein the constitutions of assembly should be ratified, he would not prelimit nor forestal his voice.¹

These answers, which, with the objections, the Scottish commissioners did jointly recollect and commit to writing, after their parting, June 17, to be communicated to all concerned, gave tolerable satisfaction;² and so, the day following, they agreed, with these concessions, to the following

Articles of Pacification.

“1. The forces of Scotland to be disbanded and dissolved within forty-eight hours after the publication of his majesty’s declaration being agreed upon. 2. His majesty’s castles, forts, ammunition of all sorts, and royal honours, to be delivered after the said publication, so soon as his majesty can send to receive them. 3. His majesty’s ships to depart presently after the delivery of the castles, with the first fair wind; and in the mean time no interruption of trade or fishing. 4. His majesty is graciously pleased to cause restore all persons, goods, and ships, arrested and detained since the first day of November last. 5. There shall be no meetings, treatings, consultations, or convocations of his majesty’s lieges, but such as are warranted by act of parliament. 6. All fortifications to desist, and no further working therein; and they to be remitted to his majesty’s pleasure. 7. To restore to every one of his majesty’s good subjects their liberties, lands, houses, goods, and means whatsoever, taken and detained from them, by whatsoever means, since the aforesaid time.”³

Which articles were, upon the 18th of June, subscribed by secretary Coke for England, and by the earl of Stirling secretary for Scotland. And below was subjoined this note:

“In obedience to his majesty’s royal com-

mands, we shall, upon Thursday next, the 20th of this June, dismiss our forces, and immediately thereafter deliver his majesty’s castles, and shall ever, in all things, carry ourselves like humble and obedient subjects.

(Sic subscriptur)

“Roths.	W. Douglas.
Dunfermline.	Al. Henderson.
London.	Arch. Johnston.”

The same day the king’s declaration, and the articles of peace, were proclaimed in the English camp; on which occasion some of the humorous English, who knew not what had been done in the assembly at Glasgow, nor, it seems, adverted much to the tenor of the present agreement, observed, that the bishops were discharged in Scotland, neither by the canon law nor civil law, but by Dunse-law. That ceremony being over in the English camp, the earl of Morton was sent over to see the declaration and articles published in the Scottish camp, which was done with a notandum; for the foresaid articles of conversation never having been signed by the parties, lest any had conceived that in the capitulation the Scots had passed from their assembly and covenant, the earl of Cassilis did, by common consent of the Scottish army, read the following short information, as their mind concerning that agreement, and took instruments upon it.

*“Information against mistaking of the king’s declaration.”*⁴

“Lest his majesty’s declaration of the date June 17th, containing an answer to our humble desires presented to our commissioners, should either be mistaken by the well-affected, or wilfully misconstrued by the malicious, whereby his majesty’s justice and goodness may be concealed, or his majesty’s good subjects may appear to have done, or admitted any point contrary to our solemn oath and covenant, the general, the noblemen, barons, burgesses, ministers, and officers, convened at Dunse, before the dissolving of the army, have thought necessary to put in writ what was related to them by their commissioners, from his majesty, viz. That as his majesty could not acknow-

¹ Baillie, p. 347. Row, p. 348.

² Baillie, p. 794, 777. ³ Ibid. p. 346.

⁴ Baillie, p. 680.

ledge nor approve the late general assembly holden at Glasgow, (for which cause it is called, in his majesty's declaration, a pretended assembly,) so it was not his majesty's mind, that any of the petitioners, by their acceptance of the said declaration, should be thought to disapprove or depart from the same. Therefore, they do entreat all his majesty's good subjects, with most humble submission and thanksgiving, to acknowledge and confess his majesty's gracious favour, in indicting a free general assembly, to be holden at Edinburgh, August 6th, and a parliament August 20th, for ratifying what shall be concluded in the said assembly, as the proper and most powerful means to settle this church and kingdom. So would they have all his majesty's subjects to know, that, by their accepting the said declaration and articles of pacification joined therewith, they do not in any sort or degree, disclaim or disavow the said assembly; but that still they stand obliged to adhere to, obey, and maintain the same: And for preventing all mistakes and misconstructions, that so much be made to all persons, and in all places where his majesty's declaration shall be published, which, as it is his majesty's own mind expressed several times to our commissioners, so are we assured, that it will serve much for his majesty's honour, for the satisfaction of the godly, and for promoting of this blessed pacification, for which all of us ought earnestly to pray to God; to remember also our late oath and covenant, and to walk worthy of it, and to beseech the Lord, that, by the approaching assembly and parliament, religion and righteousness may be established in the land."

This information was in like manner repeated by the lord Lindsay at the market-cross of Edinburgh, the 24th of June, immediately after the declaration was published there.¹ And in all other places where that declaration was to be published, four of the most honourable covenanters in the bounds were ordained, in name of the rest, to give hearty thanks to his majesty for his favour; but at the same time to declare, that their acceptance of his majesty's declaration should nowise be prejudicial to the late general assembly at Glasgow, to

which they were bound to adhere by solemn oath and covenant.

In prosecution of this treaty, the Scotch lords despatched a packet to the earls of Marischal and Montrose, acquainting them of the peace; and with the same vessel went an express, dated June 18th, from the king to lord Aboyne, colonel Gun, and the city of Aberdeen, thanking them for their constancy in his service, &c., which letters reached them most opportunely, June 20th, when Aboyne and the town of Aberdeen were in the very jaws of destruction.²

For though all this time the army at Dunse-law knew not what was doing in the north, neither party were idle. Aboyne having raised about 1000 of his father's vassals and tenants, entered Aberdeen June 8th, where his little army received a very large augmentation, and put the covenanters to considerable trouble; from thence he sent out parties to the country, to plunder the covenanters, and attack Marischal's and Fraser's houses. And this their triumph lasted the longer, that Montrose found more difficulty in raising the country than he had done formerly. Aboyne and Banff prevented any gathering of the covenanters in Aberdeenshire, &c.; so that very few came to Montrose from the north side of Dee. However, he made all the haste he could; and knowing, that either retiring or stopping would be dangerous to the cause, and to that whole country, he sent about 600 men northward to beat back the enemies' advanced parties, and to give an opportunity to his friends to join him, while he gathered and brought up the rest. Accordingly that body of men made their way good, till they came to Stonehaven, where an attack was made upon them by a much greater number of the enemy; but happily for them, they had some field-pieces, wherewith they annoyed the assaulters, who, being mostly Highlanders, could not endure the affront of being spit in the face by musket's mother, and retired back. The conquerors did not however think pro-

¹ Row, p. 349.

² Baillie, p. 303.

per to push their advantage, till Montrose came up to them, June 18. And when his little army, making above 2000 horse and foot, marched northward till they came to the bridge of Dee, where they were stopped by the enemy, who exceeded them in numbers. Montrose, far from being discouraged therewith, ordered the cannon to be let loose upon them; but, after the firing had continued several hours, he found that he was spending his powder in vain, by reason that the enemy had entrenched themselves on the other end of the bridge. Upon this a council of war was called to meet that evening; and therein it was resolved to try a stratagem next day. And this it was: His lordship, with the horse, and part of the foot, marched up the water, and made a feint, as if he intended to pass at a ford. This device took, and had the effect desired: the enemy drew out their horse, and part of their foot, and marched up on the opposite shore to attend the covenanters' motions. At length, when both parties were removed too far to prevent any sudden commotion amongst those whom they left behind, colonel John Middleton, at that time a zealous covenanter, who commanded those whom Montrose left at the bridge, did suddenly attack the enemy, with as much fury as if it had been a mighty hurricane; yet, for some time, he gained little by his fervour: the valiant Aberdonians, who defended the bridge, did behave with equal bravery, till colonel Johnston their commander met with a broken leg and bruised shoulder; when they gave way, and made the best terms they could for themselves. By this time the out-parties being apprised by the fire of the cannon, returned back to join their respective corps, but came after the rostr. The enemy were glad to get off with their lives; and Montrose had only the pleasure of conducting the conquerors to Aberdeen, where they encamped in the fields, intending next day to have plundered the town, that the inhabitants might take warning by their punishment. But that same day, as we for-

merly observed, the expresses arrived with the news of the treaty of peace; and with that cord the hands of the covenanters were happily tied up from enriching themselves with the spoils of their unnatural brethren.

Thus I have, faithfully I hope, though with much weakness, described the several pieces of the divine work begun and carried on in Scotland, during the first two years of what is commonly called the second reformation period, by the noble spirits of many brave men, who were eminently furnished with gifts corresponding with the extraordinary exigencies of the time; and would now say, in the words of the author which all along I have made my text: "I doubt," saith Mr. Baillie, "if the providence of God sheltering a poor church from imminent ruin, with power, wisdom, and goodness, clearly divine, hath ever shined so brightly in any land, as in ours these years: The hand of our God hath led us down from the stage of extreme danger, that we may go about our neglected affairs with a mutual amity, and most universal joy. Our king is brought so well as may be, and much more honourably than any could have expected, off from pushing the revenge of enraged churchmen, who would neither be reclaimed from their crimes, nor suffer the censure of their obstinacy; our state is secured from the arms of our neighbour kingdoms, and a strong party amongst ourselves; our church hath obtained a full purgation, and cast forth all the corruptions which infected either doctrine or discipline; we are put in possession of general assemblies and parliaments, the sovereign medicines against the sudden return of our late mortal diseases; the Canterburian faction in our land, who was hauling us with full sails to Rome for our religion, and to Constantinople for our policy, is now dashed to pieces, and lying in the pit of shame and poverty in a strange land, pitied by none, and helped by very few, and that in such a measure, as brings rather an increase of biting and tormenting disdain to their proud and prodigal stomachs, than any

satisfying relief or redress of their state ; and we, by the grace of our God, and favour of our king, are put in such a condition, as those of our neighbours, who were beholding with compassion the imminent appearances of our woful calamities, may now reap the fruit of their former affection, and rejoice with us in our God, for visiting and redeeming us in remembrance of his mercy."¹

BOOK III.

CONTAINING THE HISTORY OF OUR CHURCH, STATE, AND ARMY ; THE VIOLENT PROCEEDINGS AGAINST THE LORD LOUDON ; THE MOTIVES WHICH PREVAILED WITH THE SCOTS TO INVADE ENGLAND ; THE VICTORY OVER THE ENGLISH AT NEWBURN ; THE TREATY OF RIPPON ; THE KING'S JOURNEY TO SCOTLAND, AND HIS APPROBATION OF WHAT HAD BEEN DONE BY THE SCOTS, IN SUPPORT OF RELIGION AND LIBERTY ; WITH OTHER OCCURRENCES IN THIS NATION, FROM THE TREATY AT BIRKS, IN JUNE 1639, TO THE END OF THE PARLIAMENT IN NOVEMBER 1641.

IN the former book is candidly represented what were the contentings of our renowned ancestors, for the suppression of innovations, spiritual tyranny, and arbitrary government, on the one hand ; and for securing the true religion in all its parts, and their civil liberties, upon a more sure footing in time coming, on the other. Accordingly, we find that in the former period they succeeded very far in the first of these ; but in the other they were in a great measure prevented till the period now before us, which proved of very short continuance : For also they had power sufficient on their part to have effected all they desired ; yet such was their regard to authority, and obsequiousness to king Charles, that, except where self-defence required a digression, they would not use force, nor incur the unjust imputation

¹ Letter to Mr. Spang, Sept. 23.

of treason, where, by humble supplication, they could convince their king by reason. Upon this plan they set out, and in this course they continued, till they obtained not only the sanction of ecclesiastic authority for all they sought in matters ecclesiastic, but also the ratification and establishment both of their religious and civil interests, by the supreme council of the nation, as shall be shewed in the following chapters.

CHAPTER I.

Of the consequences of the Treaty of Peace ; and preparation for the Assembly and Parliament.

THE patched up agreement betwixt the Scots and English at Birks, formerly noticed, did not give great satisfaction to either party. Those who fomented the king's wrath, and understood neither the great strength and harmony of the Scotch, nor the jars and dissatisfaction which prevailed amongst the English, said, that the allowing the Scotch such equal terms, was inconsistent with his majesty's honour. They were amazed at slighting that opportunity of breaking the power of the covenanters ; and the marquis of Hamilton and some others were loaded with the odium of giving bad advice upon that occasion.² The Scotch were likewise very cold in their demonstrations of joy ; and there were not wanting severals amongst them, who complained, that the rendering up of the castle of Edinburgh, with all the ammunition therein, and the fortifications at Leith, without proper conditions, was unjustifiable, and that some other articles in the agreement were obscure.³

Nevertheless, the public faith being once pledged, the Scotch burnt their camp at Dunselaw, and disbanded their troops, June 20, and the day following the castle of Edinburgh was delivered up to the marquis of Hamilton, who furnished the same plentifully with provisions and ammunition from the ships, and gave the command of it to general Ruthven,

² Burnet's Mem. Dukes of Hamilton, p. 143.

³ Baillic's History. Collect. p. 798.

who had raised himself, under the celebrated Gustavus Adolphus king of Sweden, to the station and character of a brave officer.¹

The English were not so quick in their motions. It was the 27th of that month ere the king's navy retired out of the frith. Strong garrisons were left in Berwick and Carlisle, and the rest of the English forces were disbanded very slowly. Though small addition to these causes of distrust seems necessary, yet both parties augmented them. In Edinburgh, the marquis of Huntly and lord Aboyne, being liberated from their confinement, Aboyne and general Kuthven wrought much mischief in their drunken revels, which drew out some of the common people, oppressed by them, to resent their insolence, which was loudly complained of. Grant also and Dugair, two tools to Huntly, continued their depredations on the vassals and tenants of the earl of Marischal, and other covenanters in the north; and which was of much greater account, the king misconstrued almost everything which the Scotch did. Thus, when they protested against so much of the proclamation, indicting a general assembly to be held at Edinburgh the 12th of August, as called bishops to be constituent members of the assembly, this gave great offence; though nothing could be looked for with less reason, than that the Scotch, after censuring their bishops so highly as in the last assembly, would submit tamely to their being members of this.—Again, the king alleged, that general Leslie and other officers had not given up their commissions, and that Munro's regiment was kept on foot. To this it was answered by the lord Loudon, that the general had surrendered his commission, and that Munro's regiment should be disbanded, which was quickly done: And they prayed his majesty would be pleased to dismiss the garrisons at Berwick and Carlisle, according to the treaty, which was very long in doing.² But for the officers which general Leslie had brought home with him, these being country-

men, and having given up their posts of honour and profit in Sweden, for the sake of their country, the Scotch, though they would not hold these gentlemen in military pay, judged themselves bound in honour to vouchsafe them entertainment, till they should be restored to their own, or called to other service, according to the laws of nature and common equity. Farther, the king complained, that the Scotch still kept up unlawful meetings, who pressed the subjects daily to adhere to the covenant. To this it was also answered by lord Loudon, that no meetings were kept up by them, but such as were agreeable to the acts of parliament, and were permitted by his majesty, for consulting the mutual relief of the common burthens incurred during the late commotions; and although they behoved to adhere to their covenant, as most necessary and lawful, yet they averred, that none had, to their knowledge, been urged to subscribe it. Moreover, the court of session having, by proclamation, been called to sit in such a short time as rendered it impossible for those at a distance to attend in due time, or have their writs in readiness to pursue or defend, a protestation was made for remedy in law, in case any thing should be done to the prejudice of the lieges; and though this was only pleading for what the supreme court of parliament were in use to grant, in their act *salvo jure cujuslibet*, at the end of every session, it likewise gave offence to the king. These complaints, with the answers by the Scotch, having been printed at that time, we shall only repeat one particular more: The private concessions made by his majesty to the commissioners of Scotland having been divulged, and the king complaining thereof, as inconsistent with his honour, they answered, "That the written declaration having called the late assembly pretended, our humble and loyal proceedings disorderly, and our courses disagreeable to monarchical government, could not satisfy the minds of people, without his majesty's other gracious expressions, made in presence of the commissioners of both king-

¹ Baillie, p. 300. ² Ibid. p. 300, 303.

doms, which were carefully collated and preserved by the commissioners for Scotland." And though the articles of pacification were proclaimed in the Scotch camp, with a necessary information, concerning these concessions, and against the above imputations, in a copy thereof given to the English commissioners, no offence was then taken at the same.

These engines having proved abortive, lord Loudon was dismissed with a charge, "That against the 16th July, his lordship, with the earls of Argyle, Rothes, Cassilis, Montrose, Dunfermline, and Lothian; the lord Lindsay, Sir William Douglas of Cavers, Mr. Alexander Henderson, Mr. Archibald Johnston, the provosts of Edinburgh and Stirling, and bailie Edgar at Edinburgh, should wait upon the king at Berwick." Bishop Guthrie says,¹ the king's design was to consult with them concerning the way of his incoming, to hold the assembly and parliament in person. Bishop Burnet goes a little further: He says, the true reason of that message was, to try what fair treatment might do with the Scotch:² But Sir James Balfour, Lyon king-at-arms, says expressly, that this was a trap laid for the chief of the covenanters, by the advice of some corrupt councillors, and that it was owing to a kind advertisement from some of their friends at court, that they escaped the snare. However, six of these, viz. Rothes, Montrose, Lothian, Sir William Douglas, Mr. Johnston, and bailie Edgar, as next at hand, and having full confidence in the honour of their king, waited on his majesty at the time appointed. All of them were allowed to kiss the king's hand, but he would not impart his pleasure to any of them, till the whole number sent for were present. Accordingly, king Charles having commanded the rest to be sent for, an express was immediately dispatched for them; yet next day the whole six were dismissed, upon promise that they should return, and bring up the rest with them.

¹ Guthrie's Mem. p. 61.

² Mem. Dukes of Hamilton, p. 148.

When the express (which, as we have just now said, came away before the dismissal of the Scotch commissioners was heard of) reached Edinburgh, and told the covenanters how their brethren were detained till the rest should go to them, all were aghast, and mightily afraid lest they had been drawn into a snare; and though the return of these six lords and gentlemen did quickly allay their consternation, yet when they considered that the treaty of peace was concluded with a smaller number, that the persons sent for were of the greatest note and use amongst them, and that such gloomy symptoms had produced violent effects in former times, they strongly suspected that there was a design to entrap them; and so, when the whole fourteen were setting out on their journey to Berwick, they were stopped at the Watergate by a multitude of the meaner sort, their horses taken from them, and themselves ordered to stay at home.³

Upon this disappointment, which probably did not greatly disoblige many of those sent for, the lords Lindsay and Loudon were privately dispatched to offer their excuse to the king; but his aim being frustrated, excuses were ineffectual; and his majesty professed so much dissatisfaction at their distrusting him, that, without waiting the assembly or parliament, he set out on his return for London the 29th of July.

However, king Charles having already indicted the assembly to sit at Edinburgh the 12th of August, and the parliament to sit there the 25th of that month, he was prevented by the marquis of Hamilton from violating his faith;⁴ and so these courts were suffered to sit at the times appointed. His majesty's great strait, according to bishop Burnet, arose from his zeal for episcopacy: he was in no doubt that the parliament would abrogate all the acts for episcopacy. But Traquair helped him out of all difficulties, by telling him, that do the next parliament what it would, there were still good grounds to introduce episcopa-

³ Baillie, p. 300.

⁴ Mem. Dukes of Hamilton, p. 149.

ey, whenever the king was able to carry it; for bishops being (by all the laws of Scotland) one of the three estates of parliament, no act that passed without them could have force in law, much less the act that abolished them, especially when they were not appearing, nor consenting, but protesting against it.

King Charles's difficulty being thus removed, his next thoughts was a commissioner. His majesty inclined to confer this honour on the marquis of Hamilton;¹ but his lordship's aversion to engage again in that dangerous station, obliged the king to name John earl of Traquair for that purpose, and to him the following instructions were given at Berwick, 27th July 1639.²

“C. R.—At the first meeting of the assembly, before it be brought in dispute who shall preside, you shall appoint him who was moderator to the last assembly, to preside in this till a new moderator be chosen.

“We allow that lay-elders shall be admitted members of this assembly; but in case in the election of commissioners for presbyteries, the lay-elders have had voice, you shall declare against the informality thereof; as also against lay-elders having voice in fundamental points of religion.

“At the first opening of the assembly you shall strive to make the assembly sensible of our goodness, notwithstanding all that is past, whereby we might have been justly moved not to hearken to their petitions, yet we have been graciously pleased to grant a free general assembly; and for great and weighty considerations, have commanded the archbishops and bishops not to appear at this assembly.

“You shall not make use of the assessors in public, except you find you shall be able to carry their having vote in the assembly.

“You shall labour to your utmost that there be no questions made about the last assembly; and in case it come to the worst, whatever shall be done in ratification, or with relation to the former assembly, our will is, that you declare the same to be done as an act of this assembly, and that you consent thereto only upon these terms, and

noways as having relation to the former assembly.

“You shall by all means shun the dispute about our power in assemblies; and if it shall be urged, or offered to be disputed, whether we have the negative voice, or the sole power of indicting, and consequently of dissolving, except you see clearly that you can carry the same in our favour, stop the dispute, and rather than it be decided against us, stop the course of the assembly, until we be advertised.

“For the better facilitating of our other services, and the more peaceable and plausible progress in all business recommended to you, we allow you, at any time you shall find most convenient, after the opening of the assembly, to declare, That notwithstanding our own inclination, or any other consideration, we are contented, for our people's full satisfaction, to remit episcopacy and the estate of bishops to the freedom of the assembly; but so as no respect be had to the determination of the point in the last assembly.

“In giving way to the abolishing of episcopacy, be careful that it be done without the appearing of any warrant from the bishops; and if any offer to appear for them, you are to enquire for their warrant, and carry the dispute so as the conclusion seem not to be made in prejudice of episcopacy as unlawful, but only in satisfaction to the people for settling the present disorders, and such other reasons of state; but herein you must be careful that our intentions appear not to any.

“You shall labour that ministers deposed by the last assembly, or commissions flowing from them, for no other cause but the subscribing the petition or declination against the last assembly, be, upon their submission to the determination of this assembly, reponed to their own places, and such other ministers as are deposed for no other faults, that they be tried of new; and if that cannot be, strive that commissions may be directed from this assembly, for trying and censuring them according to the nature of their process.

“That immediately upon the conclusion of this assembly, you indict another at some convenient time, as near the expiring of the year as you can; and if you find that Aberdeen be not a place agreeable, let Glasgow

¹ Mem. Dukes of Hamilton, p. 149.

² Rushworth, iii. p. 949.

be the place; and if that cannot give content, let it be elsewhere.

“The general assembly is not to meddle with any thing that is civil, or which formerly hath been established by act of parliament, but upon his majesty’s special command and warrant.

“We will not allow of any commissioner from the assembly, nor no such act as may give ground for the continuing of the Tables or conventicles.

“In case episcopacy be abolished at this assembly, you are to labour that we may have the power of choosing so many ministers as may represent the fourteen bishops in parliament; or if that cannot be, that fourteen others whom we shall present be agreed to, with a power to choose the lords of the articles for the nobility for this time, until the business be further considered upon.

“We allow that episcopacy be abolished for the reasons contained in the articles; and the covenant 1580, for satisfaction of our people, be subscribed, provided it be so conceived, that thereby our subjects be not forced to abjure episcopacy as a point of popery, or contrary to God’s law or the protestant religion; but if they require it to be abjured as contrary to the constitution of the Church of Scotland, you are to give way to it rather than to make a breach.

“After all assembly business is ended, and immediately before prayers, you shall, in the fairest way that you can, protest, that in respect of his majesty’s resolution of not coming in person, and that his instructions were upon short advertisement, whereupon many things may have occurred, wherein you have not had his majesty’s pleasure, and for such other reasons as occasion may furnish, you are to protest, that in case any thing hath escaped you, or hath been condescended upon in this present assembly, prejudicial to his majesty’s service, *that his majesty may be heard for redress thereof, in his own time and place.*”

With these instructions Dr. Burnet is so charmed that he thinks it impossible to please those who were not satisfied with his majesty’s concessions in them; but the impartial reader will easily see, that every article almost doth encroach upon the power of the church; and that

though many things are in appearance granted thereby, yet from the last paragraph it is evident, that by all these the king meant to feed them with an empty spoon, and to reserve a power of disavowing what concessions might be made by his commissioner, whenever he found an opportunity of doing it successfully.

Agreeably thereto, king Charles, a few days after, sent his further instructions to Traquair, in answer to a letter from that lord; in which he declares, that, let the madness of the covenanters be what it would, he would not give way to the ratifying of the last assembly, *in terminis*, nor to the discharging of episcopacy abjured in that assembly, as contrary to the confession of faith 1580, and the constitutions of that church:¹ that he would never assent that the service-book and book of canons be condemned “as containing divers heads of popery and superstition;” nor that the high commission be discharged “as without law, or destructive to the civil and ecclesiastic judicatures;” nor that the five articles of Perth be condemned “as contrary to the aforesaid confession;” nor that the late assemblies be declared null: And if the assembly concluded contrary thereto, Traquair was to protest against these proceedings. Concerning the yearly indiction of general assemblies, and the confession of faith, his majesty would not be tied to keep assemblies yearly; and that in the renovation of the covenant 1580, the bond be the same as was in his father’s time, *mutatis mutandis*; and that his commissioner should assent no otherwise to the interpretations thereof, “than,” says he, “may stand with our future intentions, well known to you;” as the reader may see at more length in the instructions themselves, which are fully recorded by Rushworth, Rapin, and others.

And, according to Nalson,² and the authors now mentioned, the king wrote to the archbishop of St. Andrews, August 6, discharging the bishops from going to the assembly, “where,” says he, “nothing

¹ Rushworth, iii. p. 653.

² Nalson, i. p. 239.

but partiality is to be expected; and he ordered them to give in, by way of protestation or remonstrance, their exceptions against the assembly and parliament, and assured them of his special care for them; and that though for the present he behoved to give way to that which would be prejudicial both to the church and his own government, yet he would not leave thinking in time how to redress both.

CHAPTER II.

Of the General Assembly, holden at Edinburgh in August 1639.¹

THE election of the commissioners from presbyteries, burghs, and universities being conducted according to the known rules of the church, all the members chosen met in a general assembly at Edinburgh, on Monday the 12th of August, the day on which the king had appointed them by his proclamation. On which occasion Mr. Alexander Henderson, the former moderator, having preached to them from Acts v. 33, &c. did, towards the close of his discourse, address John carl of Traquair, his majesty's commissioner, in these words, *inter alia*, "We beseech your grace to see that Caesar have his own, but let him not have what is due to God, by whom kings reign. God hath exalted your grace to many high places within these few years, and is doing so more especially now. Be thankful, and labour to exalt Christ's throne. Some are exalted like Haman, some like Mordecai; and I pray God that these eminent parts wherewith he has endowed you, may be used aright. When the Israelites came out of Egypt, they gave all the silver and gold they had carried thence for the building of the tabernacle. In like manner, your grace must employ all your parts and endowments for building up the church of God in this land," &c.

¹ The story of this assembly being wholly taken from her minutes, copies whereof are in the hands of many, and from the printed acts, a more particular reference seems unnecessary.

And to the members chosen he said, "Right honourable, worshipful, and reverend, go on in your zeal constantly. True zeal does not cool, but the longer it burns the more fervent will it grow. If it shall please God that by your means the light of the gospel shall be continued, and that you have the honour of being instruments of a blessed reformation, it shall be useful and comfortable to yourselves and to your posterity. But let your zeal be always tempered with a holy moderation, for zeal is a good servant, but a bad master, like a ship that hath a full sail and no rudder. We have much need of christian prudence, for ye know what advantages some have attempted to take of us this way. For this reason, let it be seen to the world, that presbytery, the government we contend for in the church, can consist very well with monarchy in the state, and thereby we shall gain the favour of our king, and God shall get the glory."

Having so said, he desired that every one who had commissions might give them in. Whereupon the lord commissioner gave in his majesty's to him, which was read with all reverence, containing, *inter alia*, an excuse for the absence of the royal person, in these words, 'Quod quidem gravissimis maximique momenti negotiis, reditum nostrum in Angliam argentibus, impediti, jam præstare non possumus.' And this other clause, granting as full power to his commissioner as if his majesty had been present in person, 'Sicuti nos facere potuissemus, si in nostra sacratissima persona adessemus, secundum ecclesiæ consuetudinem, legesque prædicti antiqui regni nostri.' This commission having been recorded in the books of the assembly, his grace made a speech, in which, after acknowledging his own weakness for the suitable discharge of the high and important trust committed to him, he took occasion to caution the assembly against suspecting his royal master's sincerest love to religion, and the good of this church, and against heart-burnings amongst themselves, on account of their

former different sentiments about matters of discipline, which was well supported in another speech from the chair. And a roll of the members delegated being made up from the commissions given in, Mr. David Dickson, minister at Irvine, was, by a great majority, chosen moderator. Before the votes, the lord commissioner (whether in regard to Mr. Henderson's abilities, which he professed was the case, as God should save him, or to corroborate his master's pretensions to the privilege of naming their moderator, and continuing him at his pleasure, as was suspected,) did insist, that Mr. Alexander Henderson should be continued in that office; but the assembly opposed this, as savouring too much of the constant moderator, the first step taken to introduce episcopacy in the late times. And no man shewed greater aversion to Traquair's motion than Mr. Henderson himself; so it was overruled.

The first step of Mr. Dickson's administration was a speech to the assembly, inciting them to bless God for inclining the king's heart to allow them that meeting, and to be thankful to his majesty for his goodness. He likewise gave a hearty welcome to lord Traquair, as representative of his majesty, and gave thanks, in the assembly's name, to their last moderator, for the quick understanding, solid judgment, and great diligence, which he had displayed in that office, to the conviction even of his enemies; and concluded with an advice, That jealousies of his majesty's goodwill to this church, after this evidence of it, or of one another, on account of former differences, seeing they were now all of one heart, and one mind toward God and peace, might be far away from them; that they should aim at nothing but the glory of God, and the good of his church; and that they ought to think of overtures, how all corruptions and grounds of difference might be removed, and the bosom of this church opened to all who should shew themselves penitent, even those who deserved worst at their hands not excepted.

Next, the assembly entered on the trial and examination of the commissions to the several members; and the moderator having invited every one who had exceptions to the validity or form of any commission, to propose the same, the lord commissioner alleged, that if at the time of election of commissioners from presbyteries, it appeared that more laics than ecclesiastics were present, the election ought to be cast. 2. If any commissioners were chosen where they had not their residence, he did not think these formal. 3. If any man, admitted as an elder in one place, go afterward to another, and be there chosen a member of the assembly, he could not think that formal. Nor, 4. Could he sustain as lawfully elected, any who were at the horn, and denounced rebels.

As the admitting disputation on these points, in the general, would have been a granting the equity of the lord commissioner's charge, and diverted the assembly too long from their proper work, the moderator did wisely frustrate his grace's design, by inviting him to come to particular persons, and name those against whom any of his objections did apply; and then, if the assembly found these objections competent and true, the commissioners against whom they lay, should be rejected. But it does not appear that the lord commissioner was at that trouble; and so the commissioners were, after the ordinary trial, approved in the usual form.

What matters concerned the right constitution of the court being thus peaceably accommodated, the assembly, for the more speedy discussion of the business which should come before them, did name committees for overtures, bills, and references from the last assembly. A motion was likewise made by the moderator, that certain honourable and reverend members might be named assessors to him; but the assembly would make no act on that, only they allowed him to call for the assistance of whom he would in private. And, because the time of their sitting was short, being only to the meeting of the parliament, it

was, with the commissioner's consent, agreed that there should be two sessions a-day, the one to begin at nine o'clock in the morning, and the other at three o'clock in the afternoon, and that the morning exercises should begin by seven.

Time would fail to recite all matters at the length and in the form they stand in the journals and minutes of this assembly; and therefore it is hoped the reader will be content with the principal occurrences, without regard to the order of time, or all the circumstances which attended the same. And therefore we pass the transportation of Mr. Robert Blair from Ayr to St. Andrews, of Mr. Samuel Rutherford to the same place, notwithstanding of a competing call from the city of Edinburgh; of Mr. David Dickson from Irvine to Glasgow, of Mr. John Fergushill from Ochiltree to Ayr, of Mr. James Sharp from Govan to Leith, of Mr. Robert Douglas from Kirkaldy to Edinburgh, of Mr. Robert Baillie from Kilwinning to Glasgow, and of Mr. Andrew Cant from Newbottle to Aberdeen, (severals of whom had been ordered by the assembly of Glasgow, but not obeyed), with barely naming them. The declinature of the assembly, said by some of the English historians to have been given in to the commissioner, in name of a number of the bishops, having never been presented to, nor read in the assembly, nor being mentioned in the journals, can have no place here. The like slight notice of the commissions for visitation of the universities of St. Andrews, Glasgow, and Aberdeen shall suffice; nor need we dwell upon the renunciations by Mr. George Grahame, late bishop of Orkney, and Mr. Alexander Lindsay, late bishop of Dunkeld, of their episcopal functions, seeing the first is amongst the printed acts of this assembly, and that the other differs little from it.

The work of this assembly may especially be comprised under these four general heads, viz. 1. The condemnation of the corruptions which formerly troubled this church. 2. The report and ap-

probation of the censures which had been inflicted upon certain ministers, for errors, immoralities, or contempt of the authority of the church. 3. The condemnation of a book, entitled the Large Declaration, or Manifesto of King Charles. And, 4. The renovation of the national covenant.

We took notice formerly, that king Charles had an unconquerable prejudice against the assembly at Glasgow. His commissioner knew well that this prejudice did still remain; and therefore, when the assembly were in their third session, resuming somewhat which had its rise in the last assembly, the lord commissioner besought a privy conference with the leading members, and with these he prevailed to make no mention of the assembly of Glasgow, on condition they were not desired to resile from any part of the reformation then attained, and that what were now substituted in its place should agree with it substantially, and be ratified by his grace and the ensuing parliament.

This motion relished well enough with the assembly; but how to fix on a plan which should include both a condemnation of their bygone evils, and a justification of the reformation attained by the former assembly, and yet make no mention of that assembly, was a puzzling question. However, the lord commissioner helped them by his ingenuity out of this difficulty; and thus it was: His grace desired the assembly to condescend on the real and true causes of so many and great evils as had so sorely troubled the peace of the church and kingdom in the former period, and likewise on what were necessary to redress the same. Accordingly, a recapitulation much the same with the act after inserted, was made of these evils, with which the lord commissioner agreed. But when his grace had heard the remedies proposed, he alleged that they did imply so strong a condemnation of episcopacy, as his royal master, who was bred up in that persuasion, could not easily digest; and he desired, that for their sovereign's sake they would give their reasons for

the condemnation of episcopacy, and particularly, that they would make appear that presbytery is the constitution of this church.

For this purpose, the moderator, with Messrs. Alexander Henderson and Andrew Ramsay, entered upon demonstrating that episcopacy hath the beginning of it from man, and is of human institution; that it hath been destructive to the discipline of the church, and introductory to popery, superstition, and idolatry: But they had not proceeded far till they were interrupted by the lord commissioner, who declared that he did not desire them to fall upon any scholastic dispute, but only to shew how far those who went before them in the reformation, had found episcopacy contrary to the constitution of this church.

Accordingly the noble lord Loudon did explain the act of the assembly 1580, which condemned the office of bishops in the most express terms, prior to the subscription of the national covenant: And because of a difficulty raised from these words in that act, viz. (as it was then used) his lordship observed, that in the assemblies 1560, 1575, 1576, 1577, and 1578, episcopacy came still under consideration, though not directly as to the office, yet as to the corruptions: For, "1. It was complained of, that bishops assumed to themselves high titles of dignity. 2. They intermeddled with civil offices. 3. They assumed pre-eminence over their brethren. 4. They confounded offices civil and ecclesiastic. And, 5. They had more rents than was proper for churchmen, and these were employed only for their own pomp and grandeur. So the condemning, by the act 1580, of whatever church-office was above a pastor over a particular congregation, is made clear by the former acts of our church: And it is folly for men to allege, that the act of the assembly 1580 was only against that dependence which the hierarchy had upon the pope; for it is clear, that he whom they call a protestant bishop, and above a pastor of a particular flock, was there pointed at. Take this pre-eminence from them, and

let me see what remains of that office then, when it was put out of the church of Scotland, name and thing, by the assembly 1581, as wanting warrant from the word of God, and therefore as having nothing to do there. Presbyterial government was, with consent of authority, set down in place of it; and, as one of the acts of that assembly bear, the question having been put, Whether there was a total abolition of bishops in the assembly of Dundee, anno 1580? the assembly answered, that both the name and office was totally abolished, and then the presbyterial government was put in the place of it; and the discipline¹ sworn unto, wherein is clearly set down what offices were esteemed lawful, whereof the bishop is none, but immediately before condemned, as we have said; so that the connection between the year 1574 and 1581 is quite clear; the one, viz. episcopacy, is put out, as wanting warrant from the word of God, and presbytery put in, as having that divine warrant, and accordingly was sworn unto."

Then the clerk proceeded to read the acts of the assembly against episcopacy, and establishing the book of policy, wherein not only is episcopacy abjured, but pastors, doctors, elders, and deacons, avowed to be the only office-bearers of perpetual use in the church of Christ; and when he came up to the year 1580, the lord commissioner declared, that his difficulty having respected only their constitutions before that time, he was now fully satisfied.

Upon this comfortable event, the assembly appointed a committee to draw up the form of an act, condemning all the bygone episcopal innovations, and prescribing remedies against the like in time coming: Accordingly, against their eighth session, that committee brought in their report, which, after the addition by Mr. Henderson of a clause to the end of it, concerning kirk-sessions, presbyteries, and provincial assemblies, was

¹ By discipline here, must be understood the Second Book of Discipline, as is obvious from the tenor of the act of parliament, June 3. 1592, and the acts of assembly in that period.

unanimously approved, and turned into an act, the tenor whereof follows:

“The king’s majesty having graciously declared, that it is his royal will and pleasure that all questions about religion, and matters ecclesiastical, be determined by the assemblies of the kirk; having also by public proclamation, indicted this free national assembly for settling the present distractions of this kirk, and for establishing a perfect peace against such divisions and disorders as have been sore displeasing to his majesty, and grievous to all his good subjects:—And now his majesty’s commissioner, John earl of Traquair, instructed and authorised with a full commission, being present and sitting in this assembly now fully convened, and orderly constitute in all the members thereof, according to the order of this kirk, having at large declared his majesty’s zeal to the reformed religion, and his royal care and tender affection to this kirk, where his majesty had both his birth and baptism, his great displeasure at the manifold distractions and divisions of this kirk and kingdom, and his desires to have all our wounds perfectly cured with a fair and fatherly hand:—And although, in the way approved by this kirk, trial hath been taken in former assemblies before, from the kirk-registers, to our full satisfaction; yet the commissioner’s grace, making particular enquiry from the members of the assembly, now solemnly convened, concerning the true and real causes of so many and great evils, as this time past had so sore troubled the peace of this kirk and kingdom, it was represented to his majesty’s commissioner by this assembly, that beside many other, the main and most material causes were first,—the pressing of this kirk by prelates with a service-book, or book of common prayer, without direction or warrant from the kirk, and containing, beside the popish frame thereof, divers popish errors and ceremonies, and the seeds of manifold gross superstitions and idolatry; with a book of canons, without warrant or direction from the general assembly, establishing a tyrannical power over the kirk, in the person of bishops, and overthrowing the whole discipline and government of the kirk by assemblies; with a book of consecration and ordination, without warrant or authority, civil or ecclesiastical, appointing

offices in the house of God, which are not warranted by the word of God, and repugnant to the discipline and acts of our kirk; and with the high commission, erected without the consent of this kirk, subverting the jurisdiction and ordinary judicatures of this kirk, and giving to persons merely ecclesiastical, the power of both swords, and to persons merely civil, the power of the keys and kirk censures. A second cause was the articles of Perth, viz. the observation of festival days, kneeling at the communion, confirmation, administration of the sacraments in private places; which were brought in by a null assembly, and are contrary to the confession of faith, as it was meant and subscribed anno 1680, and divers times since, and to the order and constitution of this kirk. Thirdly,—the change of the government of the kirk from the assemblies of the kirk, to the persons of some kirkmen, usurping priority and power over their brethren, by the way, and under the name of episcopal government, against the confession of faith 1580, against the order set down in the book of policy, and against the intention and constitution of this kirk from the beginning. Fourthly,—the civil places and power of kirkmen, their sitting in session, council, and exchequer, their riding, sitting, and voicing in parliament, and their sitting on the bench as justices of peace, which, according to the constitutions of this kirk, are incompatible with their spiritual function, lift them up above their brethren in worldly pomp, and do tend to the hinderance of the ministry. Fifthly,—the keeping and authorising corrupt assemblies at Linlithgow 1606 and 1608, at Glasgow 1610, at Aberdeen 1616, at St. Andrews 1617, at Perth 1618, which are null and unlawful, as being called and constituted quite contrary to the order and constitution of this kirk, received and practised ever since the reformation of religion, and withal labouring to introduce novations into this kirk, against the order and religion established. And a sixth cause is the want of lawful and free assemblies, rightly constituted of pastors, doctors, and elders, yearly or oftener *pro re nata*, according to the liberty of this kirk expressed in the book of policy, and acknowledged in the act of parliament 1592.

“After which, the whole assembly with one heart and voice, did declare, that these, and such other proceeding from the neglect and

breach of the national covenant of this kirk and kingdom, made anno 1580, have been indeed the true and main causes of all our evils and distractions; and therefore ordain, according to the constitutions of the general assemblies of this kirk, and upon the grounds *respectivè* above specified, that the aforesaid service-book, books of canons and ordination, and the high commission, be still rejected; that the articles of Perth be no more practised; that episcopal government, and the civil places and power of kirk-men be holden still as unlawful in this kirk; that the above-named pretended assemblies at Linlithgow 1606 and 1608, at Glasgow 1610, at Aberdeen 1616, at St. Andrews 1617, at Perth 1618, be hereafter accounted as null and of none effect; and that for preservation of religion, and preventing all such evils in time coming, general assemblies rightly constitute, as the proper and competent judge of all matters ecclesiastical, be hereafter kept yearly and oftener *pro re nata*, as occasion and necessity shall require, the necessity of the occasional assemblies being first remonstrate to his majesty by humble supplication. As also, that kirk-sessions, presbyteries, and synodal assemblies, be constitute and observed, according to the order of this kirk."

When this act was read, and Mr. Henderson, and a number of the other members who were not on the committee, were called upon to give their opinion concerning it, all of them declared their entire satisfaction with it; and, which merits a remark, several of the old ministers who had felt the remarkable power of God accompanying ordinances, and known the amazing energy of the Holy Spirit in former times, and remembered the awful defection which afterward ensued, were not able to express their sense of the present happy change, under the countenance, and with the allowance of the king's majesty, for very joy of heart, and tears trickling down in great abundance, to the affecting of the numerous beholders.

In voting, the lord commissioner was first desired to give his voice, (a custom which I have not known practised in my time, and which, I suppose, was only observed at that time, in cases where the

royal consent was of great, or indispensable importance,) but he wisely declined this till the members gave their votes, and then he gave his in the following words, which were added to the act: "I, John earl of Traquair, his majesty's commissioner in this present assembly, do in his majesty's name declare, that notwithstanding of his majesty's own inclination, and many other grave and weighty considerations, yet such is his majesty's incomparable goodness, that for settling the present distractions, and giving full satisfaction to the subjects, he doth allow; likeas, I his majesty's commissioner do consent to the aforesaid act, and have subscribed the premises. *Sic subscribitur, John earl of Traquair, commissioner.*"

And to this assurance his grace, at the desire of the assembly, added his promise, that the said act should be ratified in the ensuing parliament.

This agreeable conclusion did necessarily fill every heart with gratitude; the moderator exhorted all the members, and especially his brethren of the ministry, to stir up all, as they had opportunity, to testify their gratitude to God, and their affection towards their king; and the ministers who were to preach next morning, were appointed to conduct their discourse so as the Lord might get the glory of what he had wrought for them, and their sovereign, and the instruments he had employed in effecting it, might get their due praise.

And for preventing these or the like abuses, as were now condemned, from ever finding access to the church in time coming, the assembly ordained, that no innovation which might disturb the peace of the church, and make division, should be proposed, till the motion were first communicated to the several synods, presbyteries, and kirk-sessions, that the matter might be approved by all at home, and commissioners might come prepared unanimously to give out a solid determination in the general assembly.

The next thing that presents itself to our view, is the report and approbation of the censures, which had, since the as-

sembly of Glasgow, been inflicted upon certain ministers for heterodoxy and immorality. We took notice in the story of that assembly, that certain delinquents, ministers and others, not overtaken there, were referred to special committees named for the purpose. These committees offered now to report their diligence, and the assembly were ready to receive them; but the lord commissioner opposed this with unexpected tartness, and a hot dispute ensued, chiefly betwixt his grace on the one part, and the earls of Argyle, Rothes, and London on the other: for, except Mr. Henderson, few of the ministers shewed themselves in the quarrel.

It was alleged by the lord commissioner, that this assembly had, in condescension to their royal sovereign, already agreed not to mention the assembly at Glasgow; that the ministers, whose processes they wanted to be reported, were only guilty of the error of the time, as declining the assembly, which was done by his majesty's commandment, either because they could not sustain lay-elders lawful members of the assembly, or because their judgment went not along with the assembly in the matter of episcopacy, or they were sustained guilty, for deserting their flocks and flying into England, though the want of their stipends and self-preservation obliged them to it: And now that many of them were supplicating the assembly to be reponed to their functions, &c. he judged their desire ought to be complied with instantly, otherwise he could neither consent nor be a witness to what they might do in that matter.

To this it was answered, that as the assembly were careful not to offend their sovereign, by requiring any formal approbation of the assembly of Glasgow, they hoped his grace would not require them to prejudice or pass from that assembly; that refusing the report of their committees were inconsistent with a steady adherence to that assembly, which the noble Argyle said they would never pass from while they breathed, and inconsistent with standing acts of the church, which require every

assembly to take the report of those who have been on former committees; that the ministers sued were guilty not only of what his grace called the error of the time, but also of corruption in doctrine, and viciousness in life. Mr. Henderson asserted, that to his knowledge several of the ministers who deserted their flocks went to England with full purses, and others of them stayed at home unmolested; so that neither poverty nor fear made them desert their flocks, but a desire to foment others, and stir up more trouble to their neighbours and brethren; and therefore they insisted that the reports of the committees should be heard and cognosced, according to the degree of the delinquents' faults, and the measure of their repentance.

These disputes, of which we have only given the substance, issued in a private conference, wherein it was yielded on the part of the assembly, to distinguish betwixt those whose faults were palpably gross, and those who, having only read the liturgy and declined the assembly, were free of other scandals, and sought to be restored. And to this the lord commissioner agreed, on condition the first were clearly distinguished from the latter, and that his consent to what should be so done, were understood only as to the act and deed of this, but not of the former assembly.

And now the foresaid difference being accommodated in a friendly manner, four committees were named to enquire into the travels of the several commissions named by the last assembly, whom they had deposed, and upon what grounds they proceeded. Accordingly these committees made report of the following depositions, as proceeding upon grounds clearly proved, viz.:

Of Mr. John Hamilton at Dalsersf, for simony at his entry to the ministry, changing elders for his own ends, contrary to the order of the church, concealing adultery, and profanation of the Sabbath:—Of Mr. Andrew Colace at Dundee, for drunkenness, sacrilege, declining the last assembly, and contemning their decisions:—Of Mr. Robert Rollock,

for non-residence three years together, neglect of his charge while with it, and for maintaining the universality of Christ's death :—Of Mr. James Hanna, and Mr. Alexander Thomson, ministers of Edinburgh, for reading the service-book, and subscribing the bishops' declination; but recommended them as fit objects of favour, so soon as they should apply for the same :—Of Mr. Maxwell at Dunbar, for several errors in doctrine, sacrilegious intermeddling with the poor's box, and severe arbitrary treatment of his flock :—Of Mr. William Wishart at St. Andrews, for errors in doctrine, immoralities and arbitrary discipline, in many instances :—Of Mr. John Watson in Canongate, for deserting his flock, declining the assembly, and contemning his presbytery :—Of Mr. Francis Harvie at Yeaton, for erecting an altar and rail, beating one of his parishioners with such violence that he died in a short time, and for contempt of his presbytery, and declining the assembly :—Of Mr. Patrick Lindsay, for gross popery and arminianism, instanced in many particulars :—Of Mr. John ———, reader, vicar, and procurator of the church of Dundee, for usurping the office of a preacher without a flock, contemning the constitutions of the last assembly, and mocking the covenant :—Of Mr. Andrew Learmont, for branding all the covenanters with perjury, declining his presbytery and the general assembly, and refusing to intimate the sentence against the bishops :—Of Mr. James Hutcheson, for declining the assembly, profaning the Sabbath, drunkenness, and striking a man as he was going to the pulpit :—Of Mr. James Smart, for declining the assembly, non-residence with his flock for six Sabbaths together, and imprecating curses against his parishioners from the very pulpit :—Of Mr. Thomas Muir at Comray, for gross drunkenness, profaning the Sabbath, ordinary swearing, oppression, beating, and brawling :—Of Mr. Robert Murray, for oppression, drunkenness, railing, selling the sacrament, sacrilege, and bribery, instanced in many particulars :—Of Mr.

James Scot, for absence from his flock for eight Sabbaths together, sacrilege, intromitting with the poor's money, disobedience to the presbytery, eating and conversing with excommunicated papists, and declining the general assembly :—Of Mr. Patrick Adamson, for insufficiency, frequent drunkenness on the Sabbath, dancing in his drunkenness, and disobedience to his presbytery :—Of Mr. Robert Maclellan for insufficiency, drunkenness, and disobedience to his presbytery.

These reports, (which the reader may see at more length in the MS. historical collections of famous Mr. Robert M'Ward, some time minister at Glasgow,) were unanimously approved by the assembly in their 19th session, without prejudice to any favour that could be shewed to the delinquents, upon their supplication, or of justice to such as should complain of their process, which the assembly offered to reduce upon reasons competent and consistent with the constitutions of the church.

At the same time, a motion was made by their former moderator, that it were expedient to draw up a confession, positively condemning the errors and immoralities charged on, and defended or practised by, the above or any other ministers, and clearing the doctrine of the church of Scotland, in opposition to them, (which was the method the synod of Dort took with the arminians) that none might afterward pretend ignorance. This motion was unanimously approved, and a committee named for the purpose; but if they brought the matters referred to them to a conclusion, their report hath not come to our hand.

Next day, the assembly recommended to synods, that all those who were deposed by them for declining the assembly, and reading the service-book, should, upon evidence of their repentance, and submission to the constitutions of this church, and purgation from all gross faults, in any new process against them, be found capable of the ministry, whenever God shall grant them an ordinary and lawful calling, either where they served before, or in any other congregation.

And to shew how much they were in earnest with this recommendation, Dr. Elliot at Edinburgh, Mr. David Fletcher, Mr. James Hamilton, an old minister of fifty-two years' standing; Mr. James Hamilton, a young man lately settled at Cambusnethan; Mr. William Forbes, Mr. John Hamilton, and Mr. John Lindsay, having only been guilty of the above, or professing penitence for what greater faults had been imputed to them, were absolved from their censures, reponed to their functions, and allowed to be received to particular charges; and the lord commissioner was besought to contribute his endeavours for their speedy settlement.

The third chief subject of litigation in this assembly was the book which passed under the title of the Large Declaration, or manifesto of king Charles, but really was wrote by Dr. Walter Balcanqual, dean of Durham. Mr. Henderson said, it were a dishonour to the king's majesty to be ruler over such subjects, both in church and state, as are described in that book, and he believed it was neither written by special direction from the king, nor that his majesty was acquainted with the particulars of it; yet, in regard it was honoured with the name and title of king Charles, the lord commissioner urged, that in this particular the assembly would give evidence that they tendered his majesty's honour as the apple of their eye. Accordingly the assembly laid it down as a preliminary, that of what his majesty saw or heard himself, they should think and speak very tenderly, but in so far as he was only informed, and so grossly misinformed, as in the most of that book, they behoved to clear the same to the full; and for that purpose the assembly named Messrs. Baillie, Ramsay, Adamson, Petrie, Brisbane, Smith, Reid, Home, and Crawford, ministers; and the earls of Rothes, Cassilis, and Loudon, the lords Kirkcudbright and Burleigh, the laird of Auldbar, and the sheriff of Teviotdale, elders, as a committee to revise the said book, and report.

In three days after the said com-

mittee brought in their report, amounting to about twelve sheets of paper; and which having been afterward reduced to two sheets, they therein condescend on eight articles of that book, wherein it is dishonourable to God; on thirteen articles of it, dishonourable to this church; on the like number, as dishonourable to this kingdom; on twenty-six asseverations in it, as gross lies and untruths; and on four instances, of a miserable wresting of their intentions, words, and actions.

The assembly, after serious consideration of the great dishonour done to God, this church and kingdom, by the said book, did draw up a supplication to the lord commissioner, that the same might be represented to the king, containing their earnest request that his majesty might be pleased to call in all the said books, and thereby shew his dislike thereof, and next, to give commission to sue all such persons who are known or suspected to be the authors thereof, or informers concerning it; and particularly Dr. Balcanqual, who was known, and had acknowledged his being the author thereof, and still avowed a great part of the same; that by their exemplary punishment others might be deterred from such dangerous and seditious courses.

This petition his grace received in privy council, and promised to report the same to his majesty; but he either forgot his undertaking, or did not succeed in it, for king Charles continued as strongly attached to that book after this as ever he was before. And notwithstanding of what was so done by the assembly, which was afterward corroborated by the parliament, as we may observe in its place, Dr. Burnet, in his Memoirs of James and William, dukes of Hamilton, seems to extract almost the whole of his narrative of the history of the years 1637 and 1638, from that condemned book; and he concludes from what he writes, that the said book deserved not so severe a censure, which amounts in plain language to no more than this, that Dr. Balcanqual's relation must be true, because Dr. Burnet wrote

it after him, and Dr. Burnet's account must be true, because Dr. Balcanqual gave it before him.

The renovation of the national covenant with the countenance of authority, must have the next place in this relation, as this was done last year without express authority. Now that the church had the happiness of the lord commissioner's concurrence in other things, they hoped to procure it to the renovation of the covenant also. Application was accordingly made to his grace from the chair, and a more ready concurrence obtained than was expected. Some hesitation he made, it is true, concerning the bond; but as this, he said, was not so much for his own account as for satisfying his royal master, it was soon over.

It was next questioned, what was the proper method for renewing the covenant; and it was agreed, that a common course should be taken for the subscription of the same, by all the subjects within the kingdom, and this to have the sanction both of civil and ecclesiastic authority. More particularly, it was agreed, that according to the manner of renewing that covenant in the year 1590, the general assembly should set down the confession of faith or covenant, as it was first sworn in the year 1580, and subjoin thereto the bond drawn up last year; that the assembly should give in a supplication to the privy council, that they might ordain the same to be subscribed by all the lieges, and that the assembly should likewise ordain the same to be subscribed under all ecclesiastic censure; only the lord commissioner would add the short declaration after-mentioned before his subscription.

Agreeably thereto the general assembly gave in a very complimentary petition to the privy council, acknowledging Charles to be their one hundred and seventh king, by lineal descent, and declaring that they never had any intention to diminish his authority; and that, as they had sworn, they would support him in the preservation and defence of

the true religion, liberties, and laws of this kingdom, and in every cause which might concern his majesty's honour; and therefore praying the lord commissioner, &c. to enjoin, by act of council, that the confession and covenant, which they had subscribed, might be subscribed by all his majesty's subjects, of what quality soever.

With this supplication the privy council concurred, even literally, as their act, dated the 30th of August, bears; and from the council the lord commissioner came into the assembly, and declared, in name of the council, that he had received the supplication of the assembly, desiring that the covenant might receive the force of an act of council, to be subscribed by all his majesty's subjects; that they had found the desire so reasonable, that they conceived themselves bound in duty to grant the same, and thereupon have made an act; that there rested now the act of assembly: and that he himself was so fully satisfied, that he came, as his majesty's commissioner, to consent fully unto it; and that he was most willing, that it should be enacted here in this assembly, to oblige all his majesty's subjects to subscribe the said covenant, with the assembly's explanation. And because there was a third thing desired, viz. his subscription, as the king's commissioner, unto the covenant, he behoved to do this with a declaration in writing, and he declared, as a subject, he should subscribe the covenant as strictly as any, with the assembly's declaration; but, as his majesty's commissioner, in his name, he behoved to prefix to his subscription the declaration following, which no subject should have the benefit of, no, not himself, as earl of Traquair. The tenor whereof follows:

"Seeing this assembly, according to the laudable form and custom heretofore kept in the like cases, have, in an humble and dutiful way, supplicated us as his majesty's commissioner, and the lords of his majesty's most honourable privy council, that the covenant, with the explanation of this assembly, might be

subscribed, and to that effect, that all the subjects of this kingdom, by act of council, be required to do the same; and that therein, for vindicating themselves from all suspicions of disloyalty, or derogating from the greatness and authority of our dread sovereign, have therewith added a clause, whereby this covenant is declared one in substance with that which was subscribed by his majesty's father of blessed memory, 1580, 1581, 1590, and oftener since renewed. Therefore I, as his majesty's commissioner, for the full satisfaction of the subjects, and for settling a perfect peace in church and kingdom, do, according to my foresaid declaration and subscription, subjoined to the act of this assembly, of the date the 17th instant, allow and consent that the covenant be subscribed throughout all this kingdom. In witness whereof, I have subscribed the premises. (*Sic subscribitur, John earl of Traquair, commissioner.*)

To this declaration the lord commissioner added his assurance, that the first thing to be done in parliament, should be the ratification of the covenant, and of the acts of this assembly; by which the hearts of the whole assembly were so overjoyed, that they could not refrain from a public expression of their joy, by praising God, and praying for the king and his commissioner: And now that the lord commissioner did chime so harmoniously in with the assembly, it was proposed, that a copy of the covenant, as thus agreed to, should be instantly made out, and signed by his grace in their presence; but this being the last day of the assembly, his lordship excused the want of that copy, and promised to sign it in parliament. Accordingly he did subscribe it with the assembly's explanation, in presence of the lords of the articles, September 6, both as commissioner with the declaration made by him in the assembly, and as earl of Traquair, simply as other subjects did.

The commissioner having acted his part with so much applause, it became the assembly, in the next place, to add

the sanction of their authority to the renovation of the covenant, which they did by an unanimous vote, and thereupon extended their act agreeing to the covenant and manner of renewing it, provided by the foresaid act of council, and ordaining that the covenant should be subscribed by all the subjects within this kingdom, with a certification of ecclesiastic censures to be inflicted on the recusants: But, in respect the lord commissioner's declaration, above copied, seemed to overlook the innovations which were introduced since the year 1590, the assembly ordered, that all the members of this church and kingdom should subscribe the covenant, with these words prefixed to their subscription: "The article of this covenant, which was at the first subscription referred to the determination of the general assembly, being determined; and thereby the five articles of Perth, the government of the kirk by bishops, the civil places and power of kirkmen, upon the reasons and grounds contained in the acts of the general assembly, declared to be unlawful within this kirk, we subscribe according to the determination foresaid." By which declaration, never objected to by the commissioner, the assembly rendered his grace's declaration ineffectual for anything, unless to afford occasion of complaint by the bishops, and of his imbecility, or worse, as we may notice in its place.

We have now exhausted what of the history of this assembly fell under our four general heads; and concerning her other proceedings, we shall only add, That in their 18th session, they approved as authentic another register of the church which had been recovered by their clerk.

In the minutes of next session, mention is made of their recommending to parliament a supplication in name of several ministers who were forced to abscond from their flocks, through the cruel oppression and persecution of the enemies of this church and kingdom, who are there said to have been lying daily in wait for their lives; but who

these enemies were, we do not certainly find, only, as mention is formerly made of some depredation in Huntly's bounds, and, as may afterward occur, information having been given of other depredations in the Highlands and Islands, we may reasonably conclude that this cry of oppression came from one or more of these places.

In the 21st session they made an act, reviving former acts against the breach of the Sabbath, by going of mills, salt-pans, salmon-fishing, or any such like labour.

In the 22d session, several articles and overtures were presented and allowed, such as, 1. Appointing a committee to revise the whole acts of former general assemblies, which were for general use. 2. That a restraint might be put to the passing to England for marriage, and this recommended to the parliament. 3. That commissioners from remote parts might be furnished with the expense of their journey, by the kirk-sessions within their presbytery. 4. That session-books be annually presented to the presbytery, and tried by them. 5. Renewing an act of the assembly 1578, ordaining deposed ministers to be charged, under pain of excommunication, to demit their places, that they may be unquestionably vacant, and remitted the same to the parliament. 6. Reviving all former acts against papists and excommunicated persons, haunters with them, and receivers of them. 7. That an uniform catechism be drawn up, and appointed to be used through the whole kingdom, in the examinations before the communion. The written Journal adds, And an order of family-exercise. And, 8. For trial of ministers or intrants presented to kirks, if qualified for the particular place to which they are presented.

Nor was the care of this assembly confined to our own church only. Some time before this, the following oath, which I take from a paper entitled A True Representation of the Proceedings of the kingdom of Scotland, since the late pacification by the estates of the kingdom, printed in the year 1640, viz.

"I, A. B. one of his majesty's subjects in the kingdom of Scotland, do, by these presents, sign with my hand, upon my great oath; and as I shall be answerable to God upon my salvation and condemnation, testify and declare, that Charles, by the grace of God, king of Great Britain, France, and Ireland, defender of the faith, is my sovereign lord; and that next to Almighty God, and his Son Christ Jesus, he is over all persons within his majesty's kingdom and dominions; and in all causes, as well ecclesiastic as civil, supreme governor: To whom, his heirs and successors, I am bound in duty and allegiance, to all obedience, if it were to the loss of my life, estate, and fortune; and I do hereby abjure all combinations, covenants, and bands, that can be pretended upon pretext of religion or liberty of the kingdom; and specially the damnable and treasonable covenant, commonly called the popular covenant, so much magnified now in Scotland; and do promise never to take arms against his majesty, his heirs and successors, offensive or defensive, but to abide constant in allegiance, duty, and obedience, which I profess Almighty God hath tied me to, and to do the uttermost of my power against all opposition whatsoever, foreign or home-bred. So help me God." A contrivance, it was said, of the earl of Strafford's, the lord deputy of Ireland, having been imposed on sea-faring and other Scotsmen residing or travelling in England, and especially in Ireland. And a number of these having, by supplication to this assembly, importuned them to intercede for their exemption from the said oath; because, say the supplicants, we are willing to swear the oath of allegiance, or to give any other declaration of our loyalty to his majesty, which is compatible with our confession and covenant. The assembly did most humbly and earnestly recommend this to the parliament, as a matter worthy of their attention. What effect followed this, does not appear till the next treaty between king Charles and the Scots.

In the mean time, it cannot escape ob-

ervation that this awful trial was, in the holy providence of God, overruled for the good of many of the most sincere and upright in Ireland: For, says Mr. Livingston,¹ many of the religious people having fled to avoid this oath, they were free of the massacre which fell out within two years after this, while many of those who took the oath, and remained in that kingdom, were murdered by the rebels. Thus did integrity preserve the innocent.

Because the sitting down of the parliament would not permit the sitting of the assembly any longer, their last deed was an address to the king, that their acts might be ratified by the parliament, and entrusting the causes of a thanksgiving, for the agreeable conclusion which this assembly came to, to the presbytery of Edinburgh. After which, they, with the lord commissioner's assent, appointed that the next assembly should meet at Aberdeen the last Tuesday of July 1640, that they might have the better opportunity of recovering those in that town and country who had revolted from the covenant. And then Mr. David Dickson, the moderator, did conclude with a speech, whereof the following is the substance:

“Right Reverend and Honourable,—This is the day which the Lord hath made, let us be glad and rejoice in it. We are the most obliged nation to our God, and our king, under heaven, and therefore our Lord ought highly to be praised, and our king heartily acknowledged.

“First, our Lord ought highly to be praised, because in truth he hath wrought wonders in our sight, and declared exceedingly his mercy and his justice to Scotland.

“He hath declared his justice, *first*, Upon us ministers: We studied not to be spiritual in doctrine, and thought matters small at the beginning; and therefore the Lord suffered men to make slaves of some of us, and to tyrannize over the consciences of others. *Secondly*, Upon you who are of the state: Ye looked through your fingers when prelates were ascending, and miskened the matter, and therefore the Lord suffered them to ride over you; and never did any (kings not ex-

cepted) exalt a minister above his station, but that minister exalted popedom over his belly who exalted him. *Thirdly*, Justice upon our adversaries, the prelates: They would not be content with the title of ministers, but would be called lords; and therefore our Lord hath taken both from them, and covered them with shame.

“Thus hath the Lord manifested his justice, but in such a way, that he hath also displayed his mercy in a wonderful manner; *first*, To ministers: He hath not given over our souls to death and delusion, nor suffered us to fall into utter defection, and has broken off the yoke from our necks. *Secondly*, He hath also manifested mercy to the king, in keeping him from shedding innocent blood; and this mercy the Lord hath conveyed in such a way as is wonderful to Scotland. He hath blessed weak means, but so as he would not have human power seen; for there was never a step of our business in which we were not put to a nonplus; and when we knew not what to do, then did the Lord point out the way before us. He did so parcel out our blessings, that whenever we got a little hope, we had some cause of fear upon the back of it, to keep us humble: And he did clog the running of our wheels, by making a considerable number of the lords of council stand aloof from the work; yet in God's providence this tempered all things, and whatever men intended, that tended to our good. And, *thirdly*, He has manifested so great mercy and love to our state, that when we mark the passages of it, it is wonderful to see our state troubled so long, and settled again in a legal manner; to see so great commotions among us, and so few ill fruits following thereon; to see prelates build their nest on high, and calling themselves the triumphant church, and the Lord bringing them down with shame, and laying them low in the dust; to hear them saying, that if king Charles stand they would not fall, and yet to see the king stand and them fallen; and to see such a peaceable assembly, and so great harmony amongst us, after so many tumults and disorders, are wonders which ought to be thought on with admiration of the great worker. Now since the Lord hath done so, let his great name be exalted; let all of us lay our hand upon our mouth, for the Lord hath done it. We provoked him a thousand times to have cut the work in the

¹ Life, p. 25.

midst, and yet he has been pleased to bring it this great length. Therefore love the Son of God, who has taken power and glory to himself, who sat down on his throne, and has purged his house; so that now there are no ordinances in it that we know of but Christ's. All we ministers are only servants, bound to give account of all that we do, and to shew our warrant from our Master; and if we do not shew our commission, ask at us by what authority we bid you do so or so; for we are but like a messenger-at-arms, who must always shew his letters. Would to God we knew our Master's beauty, and the glory of the Son of God, then would we all be affected with a greater measure of love to him than we have, and would bestir ourselves more carefully for his flock than we have done. Let all of us who give out ourselves for Christ's servants, and get meat and fee from him, so to speak, declare it to the world, by feeding his flock.

"Now, concerning the king's majesty, let us hate flattery, and speak solid and soft words of him, such as becomes this grave assembly. And to enforce a favourable construction of his majesty's proceedings, suffer me to suggest, 1. His majesty's education: Had any of you been brought up as he, and never seen any other thing than he, I suppose ye would have adhered as pertinaciously to episcopacy as he hath done. 2. The misinformation of those whom his majesty trusted much to: Kings cannot understand all things in a kingdom; they must trust some, and whom, thought he, could he trust better than bishops and counsellors, who were most obliged to him, had their being of him, and were created by him for that very end? and yet of all men in the world, they did him worst service." Follows next the moderator's commendation of the conduct of the lord commissioner, the marquis of Hamilton, &c. And then he proceeds, "Now let me say a word to every one of you, commissioners and members of this high court of our Lord Jesus Christ. Elders, set yourselves to assist the ministers, for ye are appointed to oversee the manners of every one within the kirk, and to take care that they bring forth fruit becoming the gospel. And to you of the ministry, I would say, let us be faithful to our Master, and love one another fervently; strive not one with another, neither insult those who have been of a different

judgment about ceremonies, and the government of the church, but let us make a perpetual act of oblivion of such things in all our memories, and lay aside all disputes that have taken up much time, which might have been better spent. And if ministers will do thus, I will adventure to prophesy unto you, it shall come to pass, that if you will keep yourselves at your book and your closet, and study to be spiritual in doctrine, and diligent in your calling, ye shall have more credit than if ye ran to court ten thousand times; and your parishioners, who, it may be, opposed you formerly, shall then travel cheerfully on your errand. Above all, let us be instant with our Lord, that the Spirit may be poured out from on high, otherwise our ministry will not profit. Now, to him who will do this, and has wrought, and will work all our work for us, be praise."

And so, after prayer, singing the twenty-third psalm, and pronouncing of the apostolical blessing, the assembly departed, joyful and glad for all the wonders which God had done for this church and land.

CHAPTER III.

Of the Parliament which sat down at Edinburgh, the 31st of August 1639.

THE assembly having ended the sooner that the parliament was indicted to meet this day, the earl of Traquair, lord high commissioner, rode in great state from the palace of Holyrood-house, attended by forty-five nobles, forty-eight commissioners from shires, and fifty-one commissioners from the burghs; and the ensigns of honour were carried by Argyle, Crawford, and Sutherland, the three eldest earls.¹

After an excellent sermon concerning the end, duty, and utility of magistracy, preached by Mr. Alexander Henderson, from 1 Tim. ii. 1, 2, 3, the lord commissioner made a short speech, extolling the king's goodness to his people in convoking this parliament.² And then his grace's commission was read aloud, and recorded in form.

Passing the giving in and receiving of the commissions to the representatives

¹ Balfour's Mem. of Church and State.

² Crawford's Hist.

from the several counties and burghs royal, as a matter of form, the first thing of moment that presents itself to our view was the choosing of the lords of the articles.

Since prelacy was restored, and ecclesiastics had vote in parliament, it was found that as nothing could come into parliament till it pleased the thirty-two lords of the articles, and that eight bishops, who made up part of these, had the nomination of eight nobles whom they could most confide in, and these jointly of eight barons of the same stamp; and all these of eight burghesses. The king by this means obtained what he would in parliament. But this was now judged incompatible with the liberty of parliament and the interest of the subject. It was said, that neither by history, nor the records of parliament, did it appear that there ever was such a thing as lords of articles heard of till the time of king David Bruce; that many parliaments since had no lords delegated for articles, and when any were chosen, they were ever nominated with the common consent of the whole parliament, till the year 1617, that the bishops took upon them to remove to the inner house by themselves, and to choose eight noblemen; and they together chose the commissioners for shires and burghs. And as this was against the first institution and form of election of all preceding articles introduced by the prelates, they fell, and ought to be removed with them, *ut effectus removetur cum sua causa*; for they being removed cannot choose the noblemen to be on articles, &c., and consequently that all business behoved to be proponed in plain parliament only, as it was of old, or else (if articles be) that the election be by the whole parliament, or that every estate choose their own members.¹

When the device failed of naming bishops on the articles, it was next urged that the lord commissioner, for his majesty, might name fourteen ministers or lay-abbots in their place; but neither would this bait take. The parliament

judged according to the common maxim, *quod omnes tangit, ab omnibus approbari debet*, that those who were chosen to represent the whole kingdom, and appointed to convene in their name for establishing such laws as were necessary for the public good, ought to discharge that trust themselves. Yet after much altercation, the nobles consented, under protestation it should be no precedent for the future, that the lord commissioner might at the time name their eight, and the other estates went apart and made choice of theirs; and so the members chosen on the articles were these following, viz.:

For the *Nobility*: The marquis of Huntly; the earls of Argyle, Marischal, Rothies, Montrose, Lauderdale, Southesk; and Lord Lindsay.

For the *Barons*: James Lyon of Auldbar, Sir William Douglas of Cavers, Sir Alexander Innes of Innes, Sir George Stirling of Keir, Sir Robert Grahame of Morphy, Sir Patrick Hepburn of Waughton, Sir John Dundas of Waughton, Sir Robert Grierson of Lagg.

For the *Burgesses*: John Smith, bailie of Edinburgh; James Fletcher, provost of Dundee; Mr. Alexander Jaffray, provost of Aberdeen; Thomas Bruce, provost of Stirling; James Glen, provost of Linlithgow; Patrick Bell, provost of Glasgow; Mr. Robert Barclay, provost of Irvine; John Semple, provost of Dumbarton.²

Time being allowed to the articles, to receive in bills, and prepare business for the parliament, both church and state being quite overgrown with grievances, a great variety of articles or bills were presented for maintaining the privileges of the people, and guarding against the artifices whereby for forty years the court got the parliament to pass what they pleased.³ And amongst others, the particulars following, viz. That the parliament be declared to consist of lords, barons, and burghesses only; and that all acts empowering any to sit in parliament

² Balfour's Brief Mem.

³ Representation, &c. pp. 16, 29.

¹ Representation, &c. 1640, p. 20.

in name of the church be rescinded: That the act of assembly, the 17th August, concerning the bygone evils of the kirk, and the remedies thereof, and their other act, ordaining the covenant to be renewed, with some others overtured by the assembly, be ratified: That the power of naming the articles is in the three estates: That the coin should be regulated by advice of parliament: That the castles of Edinburgh, Dumbarton, and Stirling be entrusted only to natives, and these to be chosen by advice of the estates: That the Large Declaration be condemned: That the privy council be subordinate to, and censurable by the king and parliament: That no patent of honour be granted to any stranger, nor to any native who hath not at least 10,000 merks of land-rent yearly: That no commission of justiciary or lieutenancy be granted, except for a limited time: And that the president and other judges of the session be chosen by the advice of the estates.

The commissioner judging that these, and a number of other articles presented, did derogate from the king's prerogative, he continued the parliament nine several times, betwixt their down sitting and the 14th of November, that in the meantime he might advise with his royal master, and receive his instructions how to manage.¹

In the meantime, October 31st, three new created earls, and three lords were called before the privy council, and received their patents.*

¹ Representation, &c. pp. 16, 29.

* That the reader may have a complete list of the nobility created by king Charles till this time, we have from Mr. Crawford's Peerage, (the fullest authority we have seen upon this subject,) collected the following, which are here marked according to the dates he condescends on, viz.

- 1627, May 4. Sir George Hay, viscount of Duplin. Sir Archibald Napier, lord Napier. Sir Thomas Fairfax, Englishman, lord Cameron.
 — Oct. 17. Sir Edward Barret of Evely, Englishman, lord Newburgh.
 1628, Feb. 28. Elizabeth Beaumont, lady of the lord chief-justice Richardson, baroness of Cramond.
 — April 1. Sir John Wemyss, lord Elche.
 — April 19. Sir John Stuart, lord Traquair.

And about the same time, the lord commissioner understanding that his majesty was much displeas'd with him for complying with the assembly in condemning episcopacy, and renewing the covenant according to their sense and meaning, he had the address with the privy council to get their former acts concurring with him in these matters altered, and that part of them cancelled which promised the ratification of these two solemn deeds in the parliament.

The parliament finding that delays were like to be their best fare, and that the lord commissioner, sensible of his majesty's displeasure at his former condescension, would grant nothing without instructions from above, and that the indications got of these instructions were noways to their mind, they, after intimating their design to Traquair, who seem'd satisfied with it, agreed to send up the earls of Dunfermline and London to the king, to implore his majesty to allow the parliament to proceed, and determine in what matters were before them, and to give reasons for the equity of their demands. To that effect instructions were given them, (November 1.) subscribed by some of each estate in their name, and at their command. And at the same time, the ministers appointed to attend the parliament, appointed a day of solemn fasting and humiliation to be observed throughout the kingdom for the following reasons, viz.:

The unusual long sitting of this parliament, without any good done to re-

² Baillie and Crawford.

- 1628, June 20. Hugh Mackay, Esq. lord Rae.
 — Sept. 18. Sir Robert Dalziel, lord Dalziel.
 — Nov. 8. Sir Walter Ashtoun, Englishman, lord Forfar.
 1630, Sept. Sir William Alexander of Menstrie, viscount Canada.
 1632, Sept. Lord Kinclaven, earl of Carrick.
 1633, June 17. William, earl of Angus, Marquis of Douglas.
 — May 12. John lord Lindsay, earl of Lindsay. John Campbell, the heir of Sir James Campbell of Lawers, and husband of Margaret, baroness of Loudon, created earl of Loudon.
 — May 25. George, viscount of Duplin earl of Kinnoull. John, lord Elche, earl of Wemyss.

ligion or liberty. The suspending of our hopes and just fears, lest they should be frustrated by the malice, craft, and power of our enemies at court or elsewhere. The oppressions, robberies, and open violence so frequent in the northern parts of the kingdom, both before and in the time of the sitting of the parliament, and fears of yet greater desolation. The paucity of faithful labourers in the Lord's service, and small hope of help, because due care is not taken for the seminaries. Many congregations lie destitute, and are scattered like sheep without a shepherd, an evil which cannot be effectually redressed but by a happy conclusion of this parliament. Multitudes of strong vagrant beggars, and inordinate livers suffered to pass without a check, and those who are poor indeed much neglected. Unthankfulness after the receipt of great favours and wonderful deliverances. Deep security, while there was never more cause to watch and pray, by reason of the malice of our adversaries abroad and at home. And though we have been far disappointed by the obstructing of a begun reformation, yet there never was greater deadness and remissness, nor less care to reform ourselves, as we are bound by solemn covenant. Slighting of God's worship in public, and neglecting of it in secret and in families, and gross ignorance of the greatest part of professors. For these, and such other causes, best known to every one's self, and for sup-

- 1633, June 10. William, viscount of Ayr, earl of Dumfries.
 — June 13. William, viscount of Drumlanrig, earl of Queensberry.
 — June 14. William, viscount Canada, earl of Stirling.
 — June 19. William, lord Ramsay, earl of Dalhousie. John, lord Kinloss, earl of Elgin.
 — June 22. John, lord Traquair, earl of Traquair. David, lord Carnegie, earl of Southesk.
 — June 24. Sir Robert Ker, earl of Ancrum.
 — May 8. Sir John Gordon of Lochinvar, viscount of Kenmure.
 — June 24. Sir Robert Douglas of Spot, viscount Belhaven.
 — May 25. Sir Robert Maclellan of Bombie, lord Kircudbright.
 — June 7. Sir Alexander Lindsay of Balcarras, lord Balcarras.

pliquating the God of heaven, to remeid these evils, and to give a good conclusion to this parliament, and that the deputies might have a prosperous journey, they appoint the second sabbath of that month to be spent in solemn fasting and humiliation.¹ Of these causes a copy was sent to a brother in each of the adjacent presbyteries, who was to intimate the same to his co-presbyters, and to a brother in next presbytery, who was to be at the like trouble, till all were acquainted with it.

Notwithstanding, the Lord seemed for some time to shut out their prayers from him: Ere ever the lords Dunfermline and Loudon reached the court, orders were sent to them, discharging them in the king's name from coming within a mile of him, on the supposition that they had no express warrant from the lord commissioner.

To add the more fuel to the flame, the private concessions made to the Scots at the Birks, and which they confided in as the word of their king, were, at the instigation of the queen, Strafford, and Laud, openly impugned, and publicly burned by the hands of the common executioner. Secretary Cook, who had a chief hand in that accommodation, was turned off, and Sir Henry Vane the younger put in his place.

And to exasperate the Scots still the more, the king, by a letter to Traquair, ordered him to prorogue the parliament to the 2d day of June 1640; and if he

- 1633, June 16. Sir James Livingston, second son to the earl of Linlithgow, lord Almont. Andrew Fraser of Machals, Esq. lord Fraser.
 — June 20. Sir James Johnston, lord Johnston.
 — June 24. Sir Alexander Forbes, lord Pitsligo.
 — July 22. George Forrester of Corstorphin, lord Forrester.
 1638, Feb. 28. James, lord Deskford, earl of Findlater.
 1639, April 2. James, lord Ogilvy, earl of Airlay. Robert, lord Dalziel, earl of Carnwath. Sir John Hamilton of Bargeny, lord Bargeny. Sir Patrick Ruthven, lord Ettrick. Sir John Carnegie of Ethie, lord Lour.

And to these some add William Hamilton, brother to the marquis of Hamilton, as created earl of Lanark on the same date.

¹ Baillie.

met with any opposition, he was to resent it highly, and declare those who should sit after that guilty of high treason. Accordingly, upon the 14th of November, Traquair, without the ceremonies usual on such occasions, sent the lord privy seal with the above letter to the article house, who offered the same to Mr. Alexander Gibson the younger of Durie, one of the three clerks of parliament; but the estates being noways satisfied with that arbitrary treatment, Mr. Gibson refused to receive the order, and at their command, he read the following declaration against it:

“We, noblemen, barons, and burghesses, commissioners of shires and burghs, convened in this supreme court of parliament by his majesty’s solemn indiction, and holden by John earl of Traquair, his majesty’s high commissioner, do, with all dutiful and loyal respect unto the king’s most excellent majesty, and with our best affections to the preservation of the body of this kingdom which we now represent, make known, That whereas, contrary to the malignant disposition, and the wicked devices and practices of some of our ill-natured countrymen, and their accomplices, his majesty’s face did not only begin to shine upon us, to the calming of all those tempests and troubles which were at first raised by their own inventions and innovations of religion; but his majesty did also, with advice of the counsellors of both kingdoms, declare and assure, that it was his royal will and pleasure, that all matters ecclesiastical should be determined by the assemblies of the kirk, and matters civil by parliament, and other inferior judicatories established by law, which was, and is the sum of our whole desires; and therefore was pleased to indict a free general assembly, to be convened at Edinburgh the 12th of August, for settling the peace of the kirk, and a parliament to be holden the 26th August, for ratifying the constitutions of the assembly, and for settling such other things as may conduce for the peace and good of the kingdom. And because his majesty could not be present in his own royal person, (which was our earnest desire, and had been our great delight) it pleased his majesty so far to gratify the minds of his well-meaning subjects, as to promise unto them a commissioner, instructed with

full power to bring matters to a final conclusion, both in assembly and parliament, against all fears of frustration, and jealousies of prorogation or delays. And forasmuch as John earl of Traquair, his majesty’s commissioner, honoured with a most ample commission, according to his majesty’s royal words, having closed the assembly, and having sat with us in parliament a very long time, for debating and preparing such articles as were to be presented in face of parliament, doth now take upon him, and that without the consent of the estates, and without any offence on their part, who have endeavoured in all their proceedings to witness their loyalty to the king, and duty to his grace, as representing his majesty’s sacred person, to prorogate the parliament upon a private warrant, procured by sinister information, against his majesty’s public patent under the great seal, and that upon pretence of a clause in the commission under the quarter seal, which was only for fencing and continuing of the court till the down-sitting of the parliament, and that even by representation of the estates, who now, being present themselves, cannot be represented by commissioners, but do directly dissent, which warrant is now expired in itself, and is not renewed under the quarter seal; whereby he doth heavily offend all his majesty’s good subjects, and endanger the peace of the whole kingdom, for which he must be liable to his majesty’s royal animadversion, and to the censure of the parliament; this being a new and unusual way, without precedent in this kingdom, contrary to his majesty’s honour, so far engaged for present ratifying of the acts of the kirk, contrary to the laws, liberties, and perpetual practice of the kingdom, by which all continuations of parliament once called, convened, and begun to sit, have ever been made with express consent of the estates, as may be seen in the reign of king James VI., queen Mary, king James V., king James IV., king James III., king James II., king James I., and so forth, upward, in all the printed and written records of parliament; contrary to the public peace both of the kirk and kingdom, which, by reason of the present condition thereof, and the great confusion like to ensue, cannot endure so long delay; and which is to the advantage of our malicious adversaries, who, for their own ends, are incessantly seeking all occasions, by dividing betwixt the king and the kingdom,

to bring both to utter ruin and desolation. Therefore we, the estates of parliament, out of our zeal to acquit ourselves according to our place, both to the king's majesty, whose honour at all times, but especially when convened in parliament, we ought to have in high estimation, and to the kingdom which we represent, and whose liberties shall never be prostituted or vilified by us, are constrained in this extremity to manifest and declare to all men who shall hear of our proceeding, that as we have not given the least cause or smallest occasion of this unexpected and unexampled prorogation; so we judge and know the same to be contrary to the constitution and practice of all preceding parliaments, contrary to the liberties of this free and ancient kingdom, and very repugnant to his majesty's royal intentions, promises, and gracious expressions in the articles of the late pacification, which we trust will be no sooner presented to his majesty's equitable consideration, but the adversaries who have informed against us, shall be driven from his majesty's presence, and receive their deserved recompence of reward. And we do further declare, that any prorogation made by the commissioner's grace alone, without consent of the parliament, by himself, or any commissioner in his name, or under the quarter seal, or by the lords of the council, who have no power at all in matters of the parliament during the sitting thereof, shall be ineffectual, and of no force at all to hinder the lawful proceedings of the subjects, and the doers thereof to be censurable in parliament. And farther, we declare, that the commissioner, his nomination of the articles by himself; his calling together these articles, and commanding them to sit continually, and proceed, notwithstanding their daily protestations to the contrary; his keeping frequent sessions of council, and determining causes in council during the time of the session in parliament; his calling down and calling up of money during the session of the parliament, without consent of the estates of parliament, notwithstanding that the parliament had taken the money to their consideration, and had proposed to have given their advice for a determination thereanent; his frequent prorogating the riding of the parliament, without consent of the estates, or mentioning in the acts of prorogation the consent of the articles, although it was done by their advice, are con-

trary to the liberties of this kingdom, freedom, and custom of parliament; and that they be no preparatives, practiques, nor prejudices in time coming against us or our successors. But because we know that the eyes of the world are upon us, that declarations have been made and published against us, and malice is prompted for her obloquies, and waiteth on with open mouth to snatch at the smallest shadow of disobedience, disservice, or disrespect, to his majesty's commandments, that our proceedings may be made odious to such as know not the way how these commandments are procured from his majesty, nor how they are made known and intimated to us, and do as little consider that we are not now private subjects, but a sitting parliament; what national prejudices we have sustained in time past by misinformation, and what is the present case of the kingdom: We therefore declare, that whatsoever by the example of our predecessors in the like cases of necessity, by his majesty's indiction, and by the articles of pacification, we might do lawfully in sitting still, and which in this extreme necessity were justifiable, not only before so just a king, but to the faces of our adversaries; yet out of our most reverent regard and humble desire to render not only all real demonstrations of civil obedience, but to put far from us all shew or appearance of what may give his majesty the least discontent, we have resolved for the present only to make remonstrances to his majesty of the reasons of our propositions and proceedings in this parliament, and how necessary it is, that without delay a speedy course be taken for the preservation of the kirk and kingdom from the evils which the enemies of our religion, the king's honour, and of our peace, do project and long for. And in expectation of his majesty's gracious answer to these our humble remonstrances, that some of each estate, having power from the whole body of the parliament, remain still here at Edinburgh to attend the return of his majesty's gracious answer to our humble and just demands, and farther to remonstrate our humble desires to his majesty upon all occasions, that hereby it may be made most manifest against all contradiction, that it was never our intention to deny his majesty any part of that civil and temporal obedience which is due to all kings from their subjects, and from us to our dread

sovereign after a special manner, but merely to preserve our religion, and the liberties of the kingdom, without which religion cannot continue long in safety. And if it shall happen, which God forbid, that after we have made our remonstrances, and to the uttermost of our power and duty used all lawful means for his majesty's information, that our malicious enemies, who are not considerable, shall by their suggestions and lies prevail against the informations and general declarations of a whole kingdom, we take God and men to witness, that we are free of the outrages and insolencies that may be committed in the meantime; and that it shall be to us no imputation that we are constrained to take such courses as may best secure the kirk and kingdom from the extremity of confusion and misery. Which declaration above written, we the estates of parliament require the clerk to insert in the records thereof, and grant extracts thereof under his hand and subscription."

And, according to the foregoing declaration, a copy of which was offered to the lord privy seal by the earl of Rothes, under form of instrument, the *nobility* nominated and appointed the earls of Lothian and Dalhousie, the lords Yester, Balmerino, Cranston, and Napier; the *barons* named Sir David Crichton of Lugton, Sir John Wauchop of Niddry, Sir Patrick Hepburn of Wauchton, Sir Patrick Hamilton of Preston, Sir John Dundas of Dundas, the laird of Riccarton, Thomas Myrton of Cammo, William Rigg of Aderny, Sir William Douglas of Cavers, and Sir Robert Pringle of Stichel; and the *burghs* nominated John Smith and Richard Maxwell in Edinburgh, James Glen provost of Linlithgow, Thomas Bruce provost of Stirling, Mr. George Gray town-clerk of Haddington, and John Purves bailie of Dunbar; who, or any three of each estate, were to attend at Edinburgh, to make remonstrances to his majesty, and receive his gracious answer to them.

But before narrating their proceedings, we shall conclude the chapter with an incident or two, which have small connection with the thread of this history.

In September, there appeared upon

the English coast a great Spanish fleet of about seventy sail, commanded by Don Antonio D'Oquendo, carrying about 20,000 troops, besides ammunition and other warlike stores, for Dunkirk; with these the Dutch fleet, commanded by Van Tromp, engaged, and took and destroyed about two-thirds of them.

Much about the same time, the churches of Helvetia became intercessors with archbishop Laud for the church of Scotland; to which that prelate gave a very soothing answer.¹ This the churches of Helvetia communicated to our church; and they, in return, did next year give a very concise and accurate account of our reformation, of the several steps of defection therefrom, and of our late commotions, which till then were little known to their brethren of Helvetia, and drew out their sympathy towards them more than ever, as may be seen at length, annexed to *Historia Motuum*.

The last particular I mention here, was the death of the earl of Stirling, principal secretary of state, in February following.² Being a man of a poetical genius, a good scholar, and from his youth, taken into intimacy with king James, he became a great favourite of that king, and of his son king Charles. He was dignified with the title, first of knight; thereafter, of viscount Canada; and last, of earl of Stirling. He was made master of requests, and secretary of state, much about the same time, and enjoyed both these posts till his death. He got liberty to create one hundred knights, and drew a considerable sum of money from every one he dubbed. He also got a gift of the whole country of Nova Scotia, which he and his eldest son, lord Alexander, a very hopeful youth, who died before him, improved considerably; but, for a great sum of money paid to him by the French king, he sold to him his interest in Nova Scotia. To crown all, having got a licence to coin copper, he improved it to the very great prejudice of his country, by coining base copper, and making it pass at a considerable overvalue; by which, and his great forward-

¹ Baillic.

² Rushworth.

ness to promote episcopacy in Scotland, he entirely lost the esteem of his countrymen. He made a considerable addition to his paternal estate, but lived to see it almost sunk in debt; and shortly after his death, it was apprised from his heirs. He built a great lodging in Stirling, and caused this inscription be engraven over the porch, *per mare, per terras*; which some humorous person changed to *per metre, per turners*, meaning, that he had attained to his estate by poetry, and coining bad money. To him succeeded as treasurer lord William Hamilton, brother to the marquis of Hamilton, a youth not exceeding twenty-four years of age, whom his majesty dignified with the title of earl of Lanark.

CHAPTER IV.

Of the Proceedings of the Commissioners sent up from the Parliament to the king; the sufferings of the earl of Loudon, and other occasions of misunderstanding betwixt King Charles and the Scots, till the meeting of the Parliament in June 1640.

IN pursuance of the resolution 1640. with which the estates did break up, the committee of estates sent up Mr. William Cunningham of Brownhill, with a short remonstrance to the king against the prorogation of the parliament, and their humble supplication, that his majesty would permit some of their number to repair to him, to show the reasons of their demands, which was received, and upon the 11th of December, liberty was granted them to send up commissioners.¹

Before the committee could take the benefit of his majesty's condescension, the earl of Traquair, to make amends for the part he acted in the late assembly, having first done his utmost, but in vain, to divide the Scots amongst themselves, and exasperated them with his arbitrary procedure, went up to court, and in presence of the English council, made a very full representation of the most considerable affairs agitated in the parliament, very much to the prejudice of the estates.²

¹ Baillie. ² Ibid. and Rapin, b. xix.

He endeavoured to persuade them, that the Scots were to be regained only by force, and pointed out the ways by which they might be distressed; by which his majesty, and those who co-operated with him in his opposition to the Scots, were highly incensed against them.

Nevertheless, the Scots having got liberty to send up commissioners to represent their grievances, the committee of parliament, upon the 19th of January 1640, commissioned the earls of Dunfermline and Loudon to go up a second time; and with them they joined Sir William Douglas of Cavers, and Mr. Robert Barclay provost of Irvine, to whom they gave instructions, prohibiting them, as they represented a free and independent nation, to acknowledge the English council as their judges, and ordering them to do their best with his majesty, for removing the aspersions cast on the conduct of our parliament by the lord Traquair; to support the particular acts proposed by the lords of the articles; to insist with his majesty to assign a short day for the down-sitting of the parliament; and to remonstrate against reinforcing the castles of Edinburgh and Dumbarton with strangers, and against exacting oaths from our countrymen in England and Ireland, inconsistent with our national oath and covenant, &c.³

Upon the 15th of February, arrived in the Frith two of his majesty's ships, with men and ammunition for the castle of Edinburgh. These the magistrates of Edinburgh were ordered to convey from the harbour of Leith to the garrison, which they did unmolested. By this time, the council of England had unanimously declared their sense of the necessity of reducing the Scots to their duty by force of arms.⁴ Notwithstanding, when the commissioners from Scotland reached London about the middle of February, it was judged decent to allow them a hearing, especially as the refusing this might provoke the Scots to impeach his majesty's promise, and put them on their guard, before the

³ Rapin. ⁴ Ibid. and Crawford.

royal army were in readiness to suppress them.

On the 20th of February, the commissioners having been allowed to kiss the king's hand, they represented to him, how grievous it was to his subjects of Scotland, that their loyalty should be called in question, and their proceedings traduced. They besought a public hearing before his majesty and his council of both kingdoms, for vindicating them from unjust aspersions, and from the relation made by the earl of Traquair, before the council of England, to their prejudice; and delivered to his majesty a thanksgiving from the general assembly, containing a supplication for ratifying the conclusions thereof. And to these purposes they presented two petitions to his majesty, who commanded them to put in writing whatever they had to remonstrate to him; that they should sign the said two petitions, and observe that course for the future, which they did; and the like was done by the earl of Traquair, who wrote and subscribed all messages he brought them from the king.

March 2d, his majesty appointed the Scottish deputies to attend next day at the council-chamber; but they understanding that there was only a select committee to be there, viz. archbishop Laud, Strafford, Northumberland, Hamilton, Cottington, the two secretaries Vane and Windiebank, with the earl of Traquair, refused to come, without they were favoured with a hearing in the royal presence; and that this might be with the greater advantage, they craved a copy of Traquair's information to the council of England. The last was denied to them, but the king was pleased to give them audience himself upon the 3d March, when the lord Loudon made the following oration:

"SIRE,—As we did show in that humble remonstrance, which we gave your majesty in writ, that no earthly thing could be more grievous to your majesty's subjects, convened by your royal authority in the parliament of Scotland, than that their loyalty should be called in question, or that any such

hard impression should be given against their proceedings, as might derogate from that high estimation which they have of sovereignty, and the tender respect they carry to your majesty's inviolable authority; so do we now acknowledge your majesty's goodness and justice, in keeping one ear for us against all suggestions and obloquies, till the reasons of our proceedings and demands were made known from ourselves, and that your majesty is graciously pleased to grant us this favour of a full and public hearing. But because the parliament of that your majesty's ancient and native kingdom is independent, and not accountable to any other judicatory, we hope your majesty will pardon us for declining to speak or answer before any of your majesty's councils, or other judicatories whatsoever, as those who have any power to judge of the laws, actions, or proceedings of the parliament of that kingdom. As we acknowledge your majesty's favour in allowing us to tender the liberties and freedom of your majesty's ancient and native kingdom, so are we glad before all the world, to clear the loyalty and lawfulness of their proceedings, and do congratulate, that your majesty hath indicted a parliament here, who we hope will advert to the good of religion, your majesty's honour, and peace of your dominions, although they be not judges to determine of our actions, which, when they shall be known to your majesty, not upon report, but upon true trial, we are most confident, will merit approbation at the throne of your majesty's justice. But because we hear that your majesty's good subjects are traduced, as having intention to diminish your majesty's authority, and shake off that civil and dutiful obedience due to sovereignty:

"Therefore, before we descend to the particular actions and articles of the parliament, for vindicating us from so grievous and foul an imputation, we do in our own name, and in the name of the parliament who sent us, declare before God and the world, that we never had, nor have any thought of withdrawing ourselves from that humble and dutiful subjection and obedience to your majesty and your government, which, by the descent and reign of so many kings, is due to your majesty; and never had, nor have any intention or desire to attempt anything that may tend to the diminution of your majesty's princely power; but on the contrary,

acknowledge our quietness, stability, and happiness, to depend upon the safety of your majesty's person and maintenance of your greatness and royal authority, as God's vicegerent set over us for maintenance of religion, and administration of justice; and have solemnly sworn not only to stand to the defence of your majesty's person and authority, in the preservation and defence of religion, liberties, and laws of the church and kingdom, but also in every cause which may concern your majesty's honour, shall, according to the laws of the kingdom, and the duty of good subjects, concur with our friends and followers in quiet manner, or in arms, as we shall be required. But if any be so wicked, as to seek occasion to divide betwixt your majesty and your kingdom, and for their own ends go about to prostitute the purity of religion and the liberties and laws of that your majesty's ancient and native kingdom, we can give them no other character, but that which your majesty's father of happy memory gave them, terming such men, vipers and pests against the king and his kingdom. And if it please God, for our sins, to make our condition so deplorable, as they may get the shadow of your majesty's authority, (as we hope in God they will not,) to palliate their ends; then, as those who are sworn to defend our religion, our recourse must be only to the God of Jacob for our refuge, who is Lord of lords, and King of kings, and by whom kings do reign, and princes decree justice. And if, in speaking thus out of zeal to religion, and the duty we owe to our country, and that charge which is laid upon us, anything hath escaped us, sith it is spoken from the sincerity of our hearts, we fall down at your majesty's feet humbly craving pardon for our freedom.

“Having thus, with your majesty's permission, cleared the loyalty of your subjects, that we may next show the reason of their demands, and equity of their proceedings in parliament, we do first crave, that if our answers cannot give full satisfaction to the objections and exception that shall be made against their proceedings, that our not knowing of these objections, (which we did often require your majesty's commissioner to shew, that we might be the more able to give your majesty satisfaction, yet being still concealed from us, and the records and registers of parliament being kept from us)

may serve much for our excuse; and if any of the propositions or articles sought or craved in parliament, shall seem harsh at the first view, to those who know not our laws, we do expect from them the judgments of charity, who ought, rather than pass rash censure on us, to profess *ignorantia juris et facti alieni*; and that they would distinguish betwixt the desires and actions of a parliament, who, being convened by royal authority, and honoured with your majesty, or your commissioner's presence, are makers of laws, and against whom there is no law, and the actions of private persons, against whom laws are made.

“And as the desires of the subjects are no other on the matter, but what they did humbly crave in their former petitions, and are necessary for establishing of religion, and the good and peace of the kingdom, which can never repugn to the king's honour, and are agreeable to the articles of pacification; so in the manner, they are agreeable to the laws and practice of that kingdom. And to condescend more specially, all the articles given in, are either such as concern private subjects, such as are for manufactures, trade of merchants, and others of that kind, which do not so much concern your majesty or the public, as the interest of private men, which are but *minima et de minimis non curat lex*: Or they are public acts which do concern religion and liberties of the church and kingdom, as the ratifying the conclusions of the assembly, the act of constitution of parliament, the act of rescission, the act against popery, and others of that kind; wherein, because the parliament knew that the eyes of the world were upon them, that hard constructions have been made of their proceedings, and that malice is prompted for obloquies, and waiteth on with open mouth to snatch at the smallest shadow of disrespect to your majesty, that our proceedings may be made odious to such as know them not; we have endeavoured to walk with that tenderness which becometh dutiful subjects, who are desirous to limit themselves according to reason, and the rule of law. For better understanding whereof, we must distinguish betwixt *regnum constituendum*, and *regnum constitutum*—a kingdom before it be settled, and a kingdom which is established by laws; wherein, as good subjects esteem it their greatest glory to maintain the honour and

lawful authority of their kings; so good kings (as your majesty's father of ever blessed memory affirms) holding that maxim, that *salus populi est suprema lex*, will be content to govern their subjects according to the law of God, and fundamental laws of their kingdom; next, we must distinguish betwixt the church and the state, betwixt the ecclesiastic and civil power, both which are materially one; yet formally they are contradistinct in power, in jurisdiction, in laws, in bodies, in ends, in offices, and officers. And although the church, and ecclesiastic assemblies thereof, be formally different and distinct from the parliament and civil judicatories, yet there is so strict and necessary a conjunction betwixt the ecclesiastic and civil jurisdiction, betwixt religion and justice, as the one cannot firmly subsist and be preserved without the other; and therefore, like Hippocrates' twins, they must stand and fall, live and die together, which made us in all our petitions to your majesty, who is *custos utriusque tabule*, to crave, that as matters ecclesiastic may be determined by the general and other assemblies of the church, and matters civil by parliament; so especially to crave, that the sanction of civil law should be added to the ecclesiastic conclusions and constitutions of the church and her assemblies, lest there should be any repugnance betwixt the ecclesiastic and civil laws; which your majesty did graciously condescend unto. And your majesty's commissioner representing your majesty's royal person and power in the general assembly, wherein all the congregations and parishes of Scotland are represented, after particular enquiry concerning the true and real causes of the evils which do so much trouble the peace of that church and kingdom, having found that the government of the church by bishops, and civil places and power of churchmen, amongst other innovations brought into that church, were two main causes of these evils: And having consented that episcopacy be removed out of the church of Scotland, and that the church be removed off the state; and declared all civil places and power of churchmen, to be unlawful in that kingdom; and having ratified the covenant, ordaining all the subjects to subscribe the same, with the general assembly's explanations, in that sense; and being obliged to ratify the conclusions of the assembly in parliament: It doth necessarily follow, that

bishops, who usurped to be the church, and did in name of the church represent the third estate; and abbots, priors, and all others who did represent the church, be taken away, which also by necessary consequence doth infer, that there must be an act of constitution of the parliament without them, and an act for repealing the former laws, whereby the church was declared the third estate, and bishops did represent her, both which the church hath now renounced and condemned: so that, unless the act of constitution of the parliament, and act rescissory, pass, it is impossible either to have a valid parliament, or to ratify the conclusions of the assembly; which your majesty hath graciously condescended to perform, and which your subjects are obliged to maintain. Neither doth the passing of these acts wrong the church nor state, nor diminish your majesty's princely power and royal authority:—Not the church, because she hath renounced and condemned that civil power and worldly pomp conferred upon her in time of popery, esteeming the same not to be a privilege but a detriment incompatible with her spiritual nature, and as being repugnant to the doctrine and discipline of that church, *et volenti non fit injuria*:—Nor is the state wronged, because the whole congregations of that kingdom, being represented by their commissioners from presbyteries, in the general assembly, have given their consent to the desires and conclusions of the kirk, and have, with allowance of your majesty's commissioner, according to the ordinance of the general assembly and council, sworn and subscribed the confession of faith in that sense; and have always been, and are your majesty's supplicants, That the parliament may ratify what the assembly hath found and concluded: Neither can we believe that your majesty—(who we hear doth acknowledge princes to be like shining stars, which have their splendour for the benefit of the world, and who esteem the prosperity and welfare of your people your greatest content, and the having of their hearts to be your majesty's greatest security, which are the words of *Βασιλικον δορον*, and which your majesty hath so well learned, that they are abridged in the inscription of our coin, *Prasim ut prosim*)—will think, that the granting of that, which upon so good reason is so earnestly desired both by kirk and state, to be any

diminution of your majesty's royal prerogative, and privilege of your crown, which, by our acts of parliament is defined to be that power which your majesty hath over all estates and persons, and not any particular interest more in one estate than another; and that which is competent and reciprocal to the king, and doth pertain to your majesty inviolably, and is no way contingent, separable, nor mutable, with the change of any of the estates, but is that power which did justly belong to the king, before any bishops were in Scotland, and which did belong to him in time of popery, when bishops were allowed, and had their dependence on the pope, and which did likewise pertain to the king in the time of reformation, when episcopacy was abjured and removed out of Scotland. In the which oath, all the subjects are sworn to maintain your majesty's greatness and authority, with their lives and means; which we shall acknowledge, and will be ready to defend to the last drop of our blood.

“And, seeing your majesty's subjects have no other ends but such as serve for establishing of religion, and the peace of the kingdom, and are agreeable to the fundamental laws thereof, and to the articles of pacification; and that the parliament is the only lawful mean to remedy our evils, remove distractions, and settle a solid and perfect peace: The sum of the desires of your majesty's subjects is, that your majesty may be graciously pleased to command, that the parliament may proceed freely, and determine all these articles given in to them, and whatever exceptions, objections, or informations, are made against any of the particular overtures, articles, or proceedings of the parliament, we are most willing and desirous, according to your majesty's commandment, (for avoiding contest about words) to receive the same in writ, and are content in the same way to return our answers and humble desires.”

March 11th, the commissioner appeared again and brought their instructions; but first they desired two things, 1. That though his majesty might have any about him to hear them, yet they might not be obliged to answer any of their questions, as their judges. This the king allowed. 2. That nothing

spoken by them, and put in writing by any present there, should be of any credit against them, unless first read to them, and allowed by them. To which, after some altercation, the king agreed likewise: And then their instructions were read, and exception was taken, that these were not subscribed by the noblemen of greatest eminence. To which the deputies answered, That their authority was as great as, first, the parliament then sitting, and afterward, the commissioners of the parliament could grant: the first commission was signed by the estates in parliament, and though the second could not be subscribed in that manner, the parliament being prorogued, their commission behaved to be subscribed by the committee delegated by the parliament, and by them only, and their authority, whatever they were personally, was of greater account, as representing the kingdom, than the most eminent in the kingdom, who are not clothed with the same commission. The king asked for the former instructions, which were shewed to him: then he asked for the warrant given by the parliament to those who subscribed the last instructions: this they had not about them, but shewed it to the king the next opportunity. The king then asked them, What power they had to give him satisfaction? for their instructions were for justifying, not for satisfying; and though some of their desires were against law, they had no power to yield in any point. They answered, The parliament had given them power to make it clear, that their desires and proceedings were agreeable to the fundamental laws and customs of the kingdom, to reason, and to the act of pacification, which they were ready to do; nor was there any further power necessary till the exceptions and objections were known; nor was it probable the parliament would devolve their full decisive power upon them; and the acts were no other than what the king was obliged to ratify by the articles of pacification.

Here archbishop Laud, who sat on

the king's right hand, and had been observed mocking our commissioners, desired his majesty to enquire of them, How their assertion, that their desires and proceedings were agreeable to the laws and customs of Scotland, which must be the present statutes, could consist with their desires, that present standing laws should be repealed? He added, that he did not believe the king was obliged to repeal them, or to ratify the conclusions of the assembly. The commissioners answered, That their desires may be agreeable to fundamental laws, and yet they may, without any inconsistency, crave that the acts repugnant to the conclusions of the assembly should be repealed: for as the parliament may make laws for the good of church and state, so they may repeal laws contrary thereunto; and they undertook to show that the king was obliged to ratify these conclusions. This answer did not satisfy the haughty prelate, who said, he was not so grossly ignorant but he knew the parliament had power as well to repeal as make laws; but how could their desires be agreeable to the laws, when they crave standing laws to be repealed, by reason of the conclusions of the assembly, *ex consequenti*: for, if the convocation in England should take upon them to annul and repeal acts of parliament, what confusion would there be? To this they answered, That acts of parliament, which depend upon acts of assembly, must necessarily fall and be repealed, when an assembly had annulled those acts of the assembly, whereof those acts of parliament were ratificatory only; for, *sublata causa, tollitur effectus, et accessarium sequitur suum principale*: That the English convocation, consisting only of prelates and some of the clergy, was far different from their general assembly, where his majesty or his commissioner sits, and where the whole congregations and parishes of the kingdom are represented by their commissioners from presbyteries; so that what is done by them is done by the whole church and kingdom; and therefore ought to be allowed in parliament. The archbi-

shop replied, The convocation in England was as eminent a judicature as theirs, and ought not to be so slighted; that himself and the clergy were members of the parliament, and no reformed church had lay-elders, as they had in their assemblies, and he would lose his life before they had them. Here it was answered, That they had not meddled with his convocation, had he not mentioned it himself; they denied that laics were members of their assembly, for the office of elders is ecclesiastic, and as orthodox and agreeable to scripture as any order they had in the convocation; that what they craved was, that acts of parliament might repeal acts of parliament which have no force now. The earl of Traquair, judging it necessary for him to interpose, said, That all the acts given in to the lords of the articles were not consented to by the whole estates, and he hoped that the commissioners would yield in some things to his majesty, but if they stand upon all, the king had the more reason to enquire what authority they had. To this they answered, That he knew well all was not stood upon that was in the articles, they being only propositions prepared for the parliament. They were then required to withdraw; and after advice taken, they having been called in again, were told, That although his majesty, in his own, and the unanimous judgment of those that were with him, conceived they had no power to give him satisfaction, yet he would hear the particular reasons of their demands, and for that end his commissioner, lord Traquair, should give them the objections thereunto.

In consequence of this liberty, which our deputies acknowledged as a favour upon their knees, lord Traquair gave in several queries and objections to them. These we have not seen, but may easily gather the import of them from the following answers made to them by our commissioners, which is taken from the report which they made to their constituents:

“1. To the queries, whether they were

instructed to satisfy his majesty about his power of proroguing the parliament by his prerogative, and whether a parliament thus prorogued may sit before the time to which they were prorogued; and if they are not instructed herein from the parliament, what is their private judgment? They answered, that, by their instructions, they were warranted to shew, that the prorogations of parliaments in Scotland, being once convened, and having chosen the lords of the articles, or entered on action, have ever been with consent of the three estates, as by the records of parliament of the six king James's, queen Mary, &c., appears. Nor did they expect that when his majesty had indicted this parliament for establishing religion, ratifying the conclusions of the assembly, and settling peace in the country, he would have required them to be prorogued without their consent, till those things were performed. *Obj.* A parliament hath been prorogued *de mandato regis.* *Ans.* That no more proves that it was prorogued without the consent of the three estates, than the act parl. 3d, James II., 1450. That the three estates continued the parliament, infers it was done without the king's consent; and parliaments there take their denomination sometimes from the king, sometimes from the three estates, sometimes from both; and king James VI., in his letter in May 1604 to the lord Balmerino, expresses, that, seeing the parliament of England was continued, therefore the estates should continue the parliament of Scotland. They will not presume so much to exceed their instructions as to define what his majesty may do in the height of his power, but to dispute *a posse ad esse* is against both law and divinity, and they hope his majesty will rule according to law.

2. Whereas it is desired that the power of the lords of the articles may be defined; for the equity of this they refer to the reasons given in the act itself, the record of parliament, the nature of all committees, and the present condition of the parliament there. It is clear there were never any lords of the articles till the time of king David Bruce, and since that some parliaments had none at all; and when any, they were chosen by consent of the whole parliament, till the parliament 1617, when the bishops took upon them to choose the noblemen, and the noblemen to choose them, and both chose

commissioners of shires and burghs to be of the articles. But this new form of election must now of necessity fall again with the prelates, and there must be no lords of articles, or such as are chosen by the whole parliament, as was heretofore practised. That there never was any statute law for these articles, and they are only a committee delegated by the parliament to prepare matters for their consideration, and have no unlimited power, but are accountable to the parliament, whom they are to acquaint with what hath been propounded or passed in the articles, so as the parliament may have a competent time to debate them, and to agree or disagree thereunto.

3. Whereas they desire that the book of rates of the customs may, without any alteration, or new augmentation of customs, be ratified, it is what the earl of Traquair promised, upon occasion of some customs imposed by the exchequer, and condescended to by some of the barons upon that condition, though they acknowledge that the customs are a part of the patrimony due to the crown, as appears by several acts of parliament of king James VI.

4. Whereas they desire that money should not be altered without advice of parliament, it is occasioned by the great quantity of copper money coined, and by the council allowed to pass far above the intrinsic value, besides a great deal coined abroad, and brought into Scotland, and great quantities of false ones forged by tinkers, that the crying of them up and down in so short a time hath made their value uncertain, and is very prejudicial, especially to tradesmen and poor people, all other money being exported, and almost no other money left. Likeas, the allowing dollars for a long time to pass at a higher rate than their intrinsic value, occasioned the exportation of his majesty's coin; and then the crying down of the dollars by the council caused a great scarcity of money. They cited several acts of parliament ever since the time of king David II., anno 1366, whereby it appears, that from time to time the fineness, weight, and price of money have been ruled in parliament, or by some authority derived from thence. But they protest this article was given in without any intention of intrenching upon his majesty's royal privileges or power.

5. The article whereby it is desired that the castles of Edinburgh, Dumbarton, and Stirling, may be entrusted only to natives, to be

chosen by advice of parliament, is grounded upon the importance of those charges, and the former practice of his majesty's predecessors, as is recorded in the old registers of parliament 1368. And in the time of James IV., by advice of the three estates, Patrick lord Hay was made keeper of Edinburgh castle and artillery there. And in the time of king James VI. the three estates ordained the castle of Dunbar, and fort of Inchkeith, to be demolished. By several acts in 1578, 1585, and 1606, his majesty's houses were disposed of by advice of parliament. That by the laws of nature and nations, strangers are not to be keepers of the strength of a free kingdom. And his majesty's father, in his speech to his parliament of England 1607, acknowledged, that his putting garrisons of strangers therein would be a breach in the fundamental laws of Scotland, and using it like a conquered province, as Sicily, Naples, and Ireland are; notwithstanding which, they have not only delivered up several castles to be disposed of at his majesty's pleasure, but have lately, as a singular testimony of their obedience, received those strangers and ammunition his majesty sent to the castle of Edinburgh, although their ears are filled with hostile preparations against them; which garrison they pray his majesty to recal. They say, that by this article they do not arrogate to themselves to appoint keepers for his majesty's castles, but only crave that the commanders may be chosen by advice of parliament, and that those placed in the intervals of parliament, may be such as the council approves of, none of which derogates from his royal authority. 6. The reasons of the article restraining the judicature of the exchequer, are, (1.) The session and exchequer are two distinct judicatures, and not subordinate one to another; and therefore, the session being the competent judges to decide the question of right, by way of action or exception, that question cannot be discussed by the exchequer. (2.) It follows, that the exchequer being incompetent judges of the action, they cannot be competent judges by way of exception, which is more absolute and summary than the other. (3.) Before the act of parliament, not printed, 1593, entitled, 'A commission to the exchequer anent deciding suspensions in the king's cause,' the exchequer had not power to decide in point

of heritable right; nor doth the late act, 1633, authorise them to decide therein expressly; nor can it be extended to so high a point.

And the king cannot be prejudiced for want of such power in the exchequer, seeing the session, who are the proper judges of all heritable rights, may and will decide any question which may concern his majesty, in point of hereditary right.

"Twenty-five more objections were, on the 20th of March, given in to our commissioners, to which on the 23d they gave in answers, or reasons of their desires, to this effect: 1. The protestation made by some of the noblemen, that their giving way to the present treasurer and privy-seal, should not prejudice their right, is lawful, it being usual for him who conceives himself prejudged contrary to law, to protest. 2. That in the article for the constitution of the parliament, there was a clause for a parliament to be held once in two or three years at least, which was thought the more requisite, because of his majesty's residence so far distant from that kingdom; yet it being conceived to encroach upon his majesty's power of indicting parliaments when he pleased, that clause was left out, and nothing insisted on, but that there might be a right constitution of the parliament, by repealing those acts which are repugnant to the conclusions of the assembly; without which, and passing the rescissory act, it is impossible to have a valid parliament to ratify those conclusions. For by the former constitution, no act of parliament could pass but by the consent of the three estates, whereof the prelates were the third estate, as appears by the acts of parliament, annis 1584, 1587, 1597, 1606, 1609. And this being a privilege given to the church, although by the act of annexation, anno 1587, all the temporalities of benefices were annexed to the crown, yet they still voted in parliament in name of the church, having no temporalities at all till the parl. 1606, and did ever sit *pro clero* on his majesty's right hand. But seeing, in the late general assembly at Edinburgh, episcopacy is removed out of the church; the civil power and places of churchmen declared unlawful; the covenant ratified with the general assembly's explanation, and his majesty obliged to ratify the conclusions of the assembly in parliament, it follows, that bishops who usurped to be the church, and in her name repre-

sented the third estate, being taken away, there must be an act of constitution of the parliament without them, and an act repealing the former laws, whereby the church was declared the third estate, she having renounced it; nor can this diminish his majesty's royal power. And if his majesty's commissioner deny that he assented to those acts of the assembly, or that he approved of subscribing the covenant with the assembly's explanation, the acts and records of the assembly prove his assent, first verbally, and afterwards in writing. 3. The reasons of the article, that each commissioner of a shire should have a vote in parliament, appears in the proposition itself. For to be authorised as commissioners, to hear, treat, and determine in parliament, and yet not to have a decisive voice, is *repugnantia in adjecto*. Anciently, the whole burgesses and freeholders had vote in parliament, till by some acts, especially act 10, parl. 7. James I., and parl. anno 1557, James VI. their absence is dispensed with, provided they sent commissioners in their names to vote in parliament. And the meaning of the act of James VI. 1587, That the commissioners of shires should be equal upon articles with boroughs, and have voices in parliament, is, that every one of them should have a decisive voice; for, *Quod de omnibus dicitur, de singulis dicitur*. And if both should have but one decisive voice, when one is absent the other could have no voice, and one could not be chosen upon the articles without the other, which is contrary to custom, each of them having a full voice in articles, and consequently in parliament. 4. The act given in about the boroughs' voice, is for no innovation, but only for their right to be cleared by parliament. 5. Nor was the choosing of any other clerk of parliament desired, but only that one should sit nigh the clerk to see the voices rightly numbered. 6. The article, that every estate may choose their own lords of articles, or else that they may be chosen by the whole parliament, is agreeable to the liberty of all free judicatures, who have power to choose their own committees: but for this they refer to one of their former answers. 7. Whereas they desire that proxies may be discharged, and that no patent of nobility be granted to any who are not natives, nor to any natives but such as have 10,000 merks of yearly land rent in Scotland:

It is disagreeable to reason and equity, that the honour and power of voting in parliament, which is conferred on noblemen and their successors personally, whereby they have power to reason and vote according to law and conscience, should be entrusted to another with an implicit faith, in matters of the highest moment. As for that other part of the act concerning patents of nobility, it was recommended to the commissioner to represent it, with their reasons, to his majesty, whose gracious answer they expect. 8. As likewise, they do about the book, entitled *A Large Declaration*, whereby the general assembly, conceiving his majesty, the church, and commonwealth, much wronged, they supplicated the commissioner and council to represent the same to his majesty's consideration; which supplication the estates, in the articles of parliament, recommended to the commissioner; and a more humble or respectable way they knew not. 9. The reason of the proposal, that the commissioners of shires may be allowed to give in a list of freeholders, out of which the justices of peace should be chosen, is because they best know the ablest and fittest men within their own shires. 10. The act concerning the disorders in the north, did result from the complaints against the thefts, oppressions, slaughters, and insolences committed there for several years last past; and all their desire was, that the former acts of parliament for punishment thereof might be revived, with such additions as should be thought fit. 11. The act for the council to be censurable by the parliament, is warranted by former laws against liars, and makers of division between the king and his subjects. 12. They remember not any article, that no taxation should be granted but in parliament. 13. The act of pacification is grounded upon their petitions and remonstrances, clearing their loyalty, and offering their obedience to his majesty, and upon his majesty's favour in condescending to the articles of pacification, wherein he was pleased, that an act of oblivion should be passed, the body or legal part whereof was framed with advice of lawyers. 14. The article about particular commissions of justiciary and lieutenancy, was intended only, that the abuses of those commissions might be represented to his majesty by his commissioner, and that the like should not be granted but for weighty causes, and to

endure no longer than necessity required. 15. The article, that sheriffs and stewards may only be obliged to produce horning for the taxations, hath been the desire of several parliaments in former times; and it is thought reasonable, that denouncing of the persons liable in payment, should be in exoneration to the sheriffs. 16. As for the patent for gunpowder, the earl of Linlithgow's patent being void by a clause therein, for his keeping the work going, which is now decayed, all that was desired was, that others may be allowed to make powder. 17. The article given in against pardoning of murder, slaughter, or theft, except upon satisfaction to the party, was intended for preventing the purchase of such pardons by misinformations. 18. The act against protections is but the reviving of the 47th act, parl. 11, and 15th act, parl. 23, of king James VI., and was framed with the commissioner's consent. 19. The reason of the act for common relief is, that as religion and the peace they enjoy are common benefits, it is just that all should contribute to the charges that have been spent for so good ends; and all the commissioners of shires and boronghs, with all, except some few of the nobility, are willing to contribute their proportions. 20. The act anno 1633, that confirmations and infeftments of ward lands should not prejudice the king's ward, was not craved to be repealed simply, but only that the meaning of it may be explained. 21. The duty paid to the conservator of coals being craved to be discharged by the coal masters, because an unlawful exaction, the act for discharge thereof was passed in articles. 22. The article for arms and ammunition imported to be custom free, is already warranted by act of parliament, if for the king's use or any others, and not to be sold again. 23. The article concerning the election of the president of the session, and admission of the judges presented by his majesty, is no more than a ratifying the 39th act, parl. 6, king James VI. 1579. 24. They remember not any article about statesmen being noblemen, to have but one voice. 25. As for the last proposal, concerning the rest of the clerk's opposition against Mr. William Hay's deputation in his father's place, the commissioner can give the best account thereof.

“ They concluded, that many of these propositions concerning private persons, and be-

ing of small moment, the parliament insisted not upon them, or any other of that kind, further than they have warrant of law, and his majesty and the estates should find them convenient. They profess they have no new requests, but those only which are contained in their former petitions and remonstrances, agreeable to the fundamental laws and articles of pacification; and that their main desires are for ratifying the conclusions of the assembly, removing of episcopacy, and the civil places and power of churchmen. To all which his majesty is obliged to give his assent in parliament. That the enjoyment of their religion is the highest of their desires; and what they crave in civil matters, is principally for the preservation of religion; for obtaining which, they have never strayed from the humble and loyal way of a legal redress: they are seeking for nothing but what his majesty promised in his declaration of pacification. That seeing his majesty and the estates, after they have advised about the equity of those articles which concern civil matters, may either enact or refuse, as they see cause, their proposing of them cannot give any just occasion for his majesty's displeasure, much less can be any ground for his majesty to use that power which God hath put in his hands, to the overthrow and destruction of his subjects; wherefore, the occasion and cause of war must be sought elsewhere, without the bounds of the assembly and parliament: it being clear that all their troubles and commotions proceed from those churchmen, justly ejected from this church, who are hopeless to regain their former condition, but by bringing the church and state from whence they came, to confusion, and by entering with a force from England, and by the assistance of those popishly affected, and of some of their ill-natured countrymen, whose case is desperate. That the prelates, and those popishly affected, being hardly able to raise so much money of themselves as will maintain a constant war, have assented to a parliament in England, hoping, upon promise of the removal of some grievances, they will open their purses wide, and contribute largely, that so, when they have subdued Scotland, they may establish their tyrannical hierarchy in England. That they hope the English will not be thus deluded, but will join with them in taking away the wicked from before the king, that his throne may be

established in righteousness." Thus far the report of our commissioners.

This farce being over,—for it seems not to have been intended for more on the part of the court,—the whole deputies were by the king's order taken into custody, and the earl of Loudon sent to the Tower, for a letter alleged to have been sent by the Scots to the French king as to their sovereign, imploring his aid against their natural king, of the following tenor :¹ "Sire, Your majesty being the refuge and sanctuary of afflicted princes and states, we have found it necessary to send this gentleman, Mr. Colvil,² to represent unto your majesty the candour and ingenuity as well of our actions and proceedings, as of our intentions, which we desire to be engraved and written to the whole world with a beam of the sun as well as to your majesty. We therefore most humbly beseech you, sire, to give faith and credit to him, and to all that he shall say on our part touching us and our affairs, being much assured, sire, of an assistance equal to your wonted clemency heretofore, and so often shewed to this nation, which will not yield the glory to any other whatsoever, to be eternally, sire, your majesty's most humble, most obedient, and most affectionate servants." This letter was, says a late historian,³ advised to, and composed by Montrose, the year preceding, when the king was coming against Scotland with a potent army, transcribed by Loudon, and subscribed by them two, and the lords Rothes, Mar, Montgomery, and Forrester, and general Leslie; but the translation being found faulty by lord Maitland, they were diverted from it for a little, and, for reasons which will afterwards occur, it was dropped altogether. However, the copy, which, as we have seen, wanted both a date, which the worst enemy to the Scotch never pretended it had, and a direction, which the Scotch confidently affirmed they never did put to it, falling afterwards into the hands of Sir Donald Goram, by whom it

was given to the earl of Traquair, and by his lordship put into the king's hand, his majesty intended to make great advantage of it, and to make Loudon the first sacrifice. That noble lord having been examined before the privy council, did very honestly acknowledge the handwriting and subscription to be his, but said it was before the late pacification, when his majesty was marching in hostility against his native country; that in these circumstances, mediating for an intercessor with him to mitigate his wrath seemed necessary to them, and they could think of none so fit for that as the French king, being the nearest relative by affinity to their sovereign of any other crowned head in the world; but that it having been thought of only very shortly before the approach of the English army to the Scottish border, was judged too late, and therefore was never either addressed by them, nor sent to the French king; yet notwithstanding evil was determined against that noble peer, and he was very near being dispatched, not only without the benefit of his peers, but without trial or conviction, and without the satisfaction of seeing a friend other than that prison afforded. Doctor Burnet⁴ acknowledges it fairly, that the king was advised to proceed capitally against Loudon: But Rushworth⁵ and Oldmixon⁶ go still further; they tell us, that the king about three of the clock in the afternoon sent his own letter to Sir William Balfour, lieutenant of the Tower, commanding him to see the lord Loudon's head struck off within the Tower before nine the next morning,—(a pregnant demonstration, to be sure, of the just and forgiving spirit for which king Charles is so much extolled.) Upon this command, the lieutenant of the Tower, that his lordship might prepare for death, gave him notice of it, and he received the awful intimation with astonishing composure. The lieutenant went himself to the marquis of Hamilton, whom he esteemed bound in honour to interpose in this matter. The mar-

¹ Rushworth.

² Brother to Sir Robert Colvil of Cleish.

³ Hist. Stuarts, vol. i. p. 140.

⁴ Mem. Dukes of Hamilton, p. 161.

⁵ Rush. vol. iii. ⁶ Oldmixon, vol. i. p. 140.

quis and lieutenant made their way with some difficulty to the king, then in bed. The warrant was scarcely named, when the pious king understanding their errand, stopped them, saying, "By God it shall be executed!" But the marquis laying before his majesty the odiousness of the fact, by the violation of the safe-conduct he had granted that lord, and the putting a nobleman to death without conviction, or so much as a trial, with the dismal consequences which were likely to attend an action of that nature, not only in respect of Scotland, which would be certainly lost, but likewise of his own personal safety from the mob, the king called for the warrant, tore it, and dismissed the marquis and lieutenant somewhat sullenly; and about the 28th of June that noble lord was, (upon promise of concealing from his brethren of Scotland the hard treatment he had met with from the king, and of contributing his endeavours to dispose them to peace,) liberated from his confinement, and allowed to come home. But we return to bring forward the history of some intervening occurrences.

By this time matters were fast ripening towards a new war against the Scots. But however great the difficulties were, under which the Scots laboured, as unequal numbers, want of money, &c. they wanted not their encouragements at the same time; such as, their enemies were the aggressors, they the defendants, the cause was the defence of themselves, their religion, and righteous laws; and while unanimity, diligence, courage, and zeal triumphed amongst them, dissension, complaints, and new grievances raged amongst the English.

It appears, that as early as November 1639, when the earl of Traquair made his report to the council of England of what had passed in Scotland since the pacification, that war was unanimously resolved upon in the English council upon that lord's report, and this before hearing what the Scots had to say in their own defence.¹

At the same time, the earl of Nor-

¹ Rushw. vol. iii. p. 1032. Rapin, b. xix.

thumberland, lord admiral, was ordered to set forth and furnish twenty of his majesty's ships and pinnaces, over and above the ships required of the city of London, and these to be ready by the 10th of April then next. And under pretence of supporting this fleet, the order for ship-money was renewed, and executed with great severity.

The 14th of February, the king granted a commission to the lord admiral to be general of the army to be raised. Soon after, lord Strafford was appointed lieutenant-general; and shortly after that, the lord Conway was constituted the lord-general's deputy.

In consequence hereof, the lords-lieutenant of the several counties were ordered to raise a certain number of able-bodied landmen, and these to be taught exercise in companies of 100 each, till the 10th of May next, when the lord-general would send officers to receive and convey them to Newcastle. An order was also given to raise men for the sea, much of the same nature, with directions as to what ports they should march to. A third order was for the pressing of horses and carriages for the artillery and ammunition, to be at Newcastle by the middle of June. And a fourth order was for laying in at Berwick a large quantity of forage against the end of June.

For defraying the expense of this so great an armament, lord Strafford subscribed for £20,000. The duke of Lennox and Richmond for as much, some say for double; and many of the nobility and gentry subscribed largely. The papists, at the queen's desire, contributed so liberally, as gave occasion throughout the war to call the king's forces the popish army. And at Strafford's desire, the Irish parliament gave the king five subsidies, computed at £240,000 sterling.

But as all that could be raised by these means fell exceeding short of answering the present exigencies, the junto or cabinet council found it necessary to call a parliament, and the king was prevailed on to call the estates together, the

13th of April. At the time appointed the parliament met, and was opened with a florid speech by the lord-keeper Finch. On the one hand the king shewed that his special aim in calling them together was to get money. Finch exaggerated the complaints against the Scots to the utmost degree. He set before them the generous example of the Irish parliament; and in hopes of inflaming all against the poor Scots, the king presented the letter to the French king, which the keeper read, and embellished with such reflections as he judged most calculated for rendering the Scots nauseous. On the other hand the parliament, especially the commons, seemed to be but very lightly impressed with these topics; and judging the redress of their own grievances necessary before the consideration of subsidies, or any thing else, they readily listened to the manifold complaints presented to them from all quarters. Some of the members had elaborate and well-digested speeches on the particulars complained of, and the necessity of redressing these grievances anterior to the granting any supply. The king, nettled at this conduct, made a great outcry that the Scots were advancing, (which was utterly groundless, as will appear presently,) and that the charge of his own army was above L.100,000 sterling a month. He prevailed on the upper house to urge a conference with the lower; the lower house yielded to a conference, but on hearing that the matter propounded by the lords was the supply, which of right and by practice belonged only to them, they voted it a breach of privilege; and for preventing any breach for the future, the lords agreed to take no notice hereafter of those things which should be debated by the commons, till they themselves declare it to them; and the commons agreed to observe the same order towards their lordships.

April 28th, The commons resolved on these particulars, as heads for a conference with the lords: 1. As to *innovations in matters of religion*, that the commons protest against any canons to

be made upon any commission granted to the convocation, without their consent in parliament: That there be represented to the lords the complaints arising from the several petitions brought into their house against innovations in matters of religion, viz. in publishing popish tenets in licensed books and disputations; the placing of communion tables in parish churches, chapels, and in universities, altar-ways; the setting up of crosses, images, and crucifixes in cathedrals and other churches and chapels; refusing to administer the sacrament to such as will not come up to the rails before the communion table, and excommunicating some for not doing it; enjoining articles at visitations merely by the bishops' authority; enjoining to bow to the altar; molesting, suspending, and depriving many godly and conformable ministers, for not yielding to matters not required by law, as their not reading the Book of Sports on the Lord's day. 2. As to *property*—the complaints made against monopolies and restraint of trade; ship-money; enlarging the bounds of forests beyond what they have been some hundreds of years; military charges, viz. coat and conduct-money, wages, arms taken from the owners; forcing the country at their own charges to provide horses and carts; denial of justice in the courts of Westminster; frequent imprisonments, and vexatious law-suits, for not submitting to illegal taxes and monopolies. 3. As to *privilege of parliament*, one head to be, the punishing of members out of parliament for things done in parliament.

The commons continuing to steer so far beside the point his majesty aimed at, Sir Henry Vane the younger delivered them a message, May 4th, that upon their granting the king twelve subsidies to be paid in three years, he will forbear for the present the levying of ship-money. This threw the house into a flame; and the second day following, the king came to the upper house, sent for the commons, and applying himself only to the lords, he dissolved the parliament abruptly.

The day following the lord Brook being suspected of holding intelligence with the Scots, his study, cabinet, and pockets were searched for letters or other papers, but nothing found. Henry Bellasis, Esq. knight of the shire for the county of York, and Sir John Hotham, were examined in council, and committed to the fleet for refusing to answer to questions concerning things done in parliament; and John Crew, Esq. afterwards lord Crew, who had been chairman of the committee for religious affairs, being unwilling the names of such as had subscribed petitions against innovations in religion, the high commission court, &c. should be discovered, was sent to the Tower.

Numberless were the severities afterwards used against sheriffs for not levying ship-money, and against others for not payment of coat and conduct money; and the city of London in particular had its large share of these oppressions.

The convocation, which had been summoned to meet at the same time with the parliament, were not dissolved with it, but commanded to continue sitting, and continued their session for a month longer, and in that time did two things which gave occasion to great complaints. First, They made seventeen canons, by one of which all clergymen and all graduates in the universities were enjoined to take the following oath: "I, A. B. do swear, That I approve the doctrine and discipline, or government, established in the church of England, as containing all things necessary to salvation; and that I will not endeavour, by myself or any other, directly or indirectly, to bring in popish doctrine, contrary to that which is so established: Nor will I ever give my consent to alter the government of this church by archbishops, bishops, deans, and arch-deacons, &c. as it stands now established, and as, by right, it ought to stand; nor yet ever to subject it to the usurpations and superstitions of the see of Rome. And all these things I do plainly and sincerely acknowledge and swear, according to the plain and common sense and understanding of the

same words, without any equivocation, or mental evasion, or secret reservation whatsoever. And this I do heartily, willingly and truly, upon the faith of a christian. So help me God in Jesus Christ."

Objections were afterward offered from many counties against this oath. The chief of which objections were, 1. It was not liked that the clergy should take upon them to enjoin oaths, which, in the general opinion, belonged to the parliament only. 2. The *et cætera*, after the word arch-deacons, gave great offence to many people, because those who did swear could not tell what they were to understand by this abbreviation. 3. The prescribing such an oath was affirmed to encroach upon what is reckoned in England the king's prerogative, viz. That of altering the discipline of the church. 4. It was objected, that the person was to declare that he took the oath most willingly, though he was constrained thereto under very severe penalties.

The second thing the convocation did, was the granting the king, for the war against Scotland, a subsidy of about L.20,000 sterling annually, for six years to come. This proceeding, tending to diminish the parliament's power, was no less disliked than the former.

King Charles being disappointed of supply from the parliament, made use of the following expedients: 1. He ordered the counties to advance coat and conduct-money for their respective troops. 2. He bought upon credit from the East India merchants, all their pepper, and sold it at an under-value, to get ready money. 3. The bullion of the mint was ordered to be seized; but the prejudice that would thereby ensue to the public credit having been remonstrated to his majesty, he was pleased to let it alone, upon advance to him by the merchants concerned in the bullion of L.40,000. And, 4. He fell to forfeiting the city of London of some of their privileges, which they redeemed with a large fine. But it is full time we return to bring forward the procedure of our own countrymen.

As early as Loudon and Dunfermline's first deputation to the king, the Scots had intimation from their friends in England, that they might lay their account with the worst.¹ In confirmation of this, the castle of Edinburgh was repaired, and, as we have heard, reinforced with men and ammunition: Their proceedings, and vindication of themselves, were branded with rebellion; our commissioners were confined, and Loudon sent to the Tower; the garrison in Edinburgh castle was daily killing some of the inhabitants of the city, and spoiling their houses; all ships belonging to this kingdom in England and Ireland were arrested, and many coming from other places laid wait for, and taken by the way; their owners and passengers spoiled of their goods and apparel, laid in irons, and barbarously used; a commission granted to the general of the English forces, by sea and land, to kill, destroy, and subdue this whole nation; a printed declaration put forth, denouncing war against it, persuading, exhorting, and provoking the other two kingdoms to grant subsidies, and take arms against the inhabitants of this kingdom, as traitors and rebels; and the parliament of Ireland had proceeded to declare them rebels.

And what was the behaviour of our ancestors in such circumstances? Did they immediately fly to arms? No; though access to their sovereign was denied to them, they ceased not, by the lord Rothes, one of their nobles, most acceptable to the English, and by the lord Lindsay, brother-in-law to the marquis of Hamilton, to intercede for healing measures; but when they besought peace, behold trouble came. The lord Pembroke, chancellor, to whom Rothes wrote, expostulates with his lordship, why he could expect the English council should not give credit to the lord Traquair's report, or should mediate with the king not to levy an army, or deny him loans of money; and assures him they would not be entreated, nor deterred from contributing their assents

¹ Baillie.

and fortunes to the war, as their master should command them.² And the marquis of Hamilton, in his answer, confesses the danger his majesty would run in this war might be great, but without that his majesty looked on Scotland as lost, and was resolved to hazard both kingdoms for regaining it. And in the end, he bids them, as the old proverb is, "Beware that their stout hearts make not their heads dry a gutter."³

All hopes of reconciliation with their natural king being thus deferred, their first recourse was to prayers and tears.⁴ The ministers of Edinburgh, who, as placed in the highest watch-tower of the kingdom, had been desired, by the committee of estates, to give warning of approaching dangers, did, by their letter to the several presbyteries, dated the 23d of March, propose a general fast, to be observed upon the 10th and 12th days of April, and remitted to them to suit the causes of that fast more especially to what they knew the life and carriage of the people committed to their charge did require. They named in the general, gross ignorance, strong inclination to superstition, charming, enchantments, sorcery, common blasphemy, want of due reverence to the blessed name of God, profanation of the Lord's day, the sanctification thereof in many places neglected, and in other places confined to the public, without personal or family worship, which are productive of many other sins; as much uncleanness, intemperance, and fraudulent and violent dealings, the cry of which for judgment sounded the more loudly, that they were in flat contradiction to their late covenant with God, and to the signal mercy which God had vouchsafed to them.⁴ And, as special and extraordinary causes of this fast, they mentioned, 1. The perfidious dealing of some, the superficial dealing of others, and their indifference and lukewarmness in the cause of God, notwithstanding of their solemn oath and subscription to the contrary. 2. The desolate condition of many congregations,

² Rushworth.

³ Mem. Dukes of Hamilton. ⁴ Baillie.

through the want of faithful pastors, when they have so great need to be directed, encouraged, and strengthened, for the just defence of their religion, liberties, lives, and estates. 3. The want of the king's authority to the conclusions of the late assembly, the act of parliament establishing the same being since denied, and a particular rescinding of standing laws opposite to or inconsistent with our reformation, refused. 4. The present incumbent evils, the act of pacification refused, except it should import the acknowledgment of our rebellion against the king, the means of relieving those who involved themselves in supporting the public credit denied, and the courts of session and the ordinary judicatures suffered to lie dormant. 5. By the prevalent influence of our enemies, all overtures for peace are rejected, all favour denied, fortifications are made, and great garrisons are kept in Berwick and Carlisle, the castle of Edinburgh furnished with men and ammunition to destroy the town, disturbance already begun in the north, armies raised and fitting out by land and sea, both from England and Ireland, to invade this kingdom on all quarters, and a terrible commission given to Northumberland the English general, to subdue, kill, and destroy. On these accounts, say they, it is time to lift up our prayer to God, and to stir up ourselves and others to humiliation of heart and reformation of life, and to exhort all to have the cause at heart, and to contribute their utmost endeavours for defending themselves, their religion, liberties, and estates.

From this time the Scots were at pains to undeceive the English as much as in their power, by remonstrances and informations, which were printed, and industriously spread amongst their friends in England; and, it is believed, the nobility and chief gentry had private concerts, how to repel the stroke when it should come, and probably they sent to their friends over sea for arms and ammunition. But these conjectures arise only from the nature of the thing, and the assertion of enemies; for, according to

Mr. Rushworth,¹ it was the beginning of June ere the Scots began avowedly to look to themselves; and the same historian saith, the lord Conway, deputy-general, wrote from the border to archbishop Laud, June 13, that the Scotch preparations were not such as might be much feared as yet. And, according to Mr. Baillie,² the Scots had resolved not to stir, till their parliament had concluded on the same, and appointed the general officers, and that it was the 1st of August ere the west country began to march.

Thus far we judged needful to insist, for clearing the first point, Who began this war? The next thing that falls to be enquired into is, the grounds of it. These we gather from his majesty's declaration against the Scots, and their answers, an abstract of both which shall be here subjoined :

“The king *complained*,—1. Since the parliament, the Scots have, without any authority from us, taken upon them to raise forces in several parts of the kingdom, and have assigned them a rendezvous, and a day to march. 2. They have provided great quantities of artillery, ammunition, and arms, from foreign parts, which they have ready in magazines, to make use of against us, their sovereign. 3. They have of themselves laid taxes and impositions of ten merks on every hundred, upon all and every of our subjects, according to their several revenues, and this they have exacted with the greatest rigour and tyranny that can be imagined.

“The Scots *answered*,—1, 2, 3. The provision by us, the estates of a free kingdom, of men, ammunition, and money, for our own defence, is held lawful by the law of God and nature, by our acts of parliament, by the practice of other reformed churches, by the testimony of famous divines, by the assistance contributed by our own princes to other churches and states, invaded and distressed; and we add, by the judgment of many amongst ourselves, who, in the beginning of our troubles, and before the late pacification, had scruples about this, they, considering what is since done for advancing popery in England, and what is done at home, expressly

¹ Rushworth, vol. iii. ² Baillie, p. 1032.

repugnant to the articles of treaty, rest perfectly satisfied: If the defence be lawful, the hands of men and the aid of money are necessary adminicles, which all the subjects do acknowledge, and therefore they contribute most willingly, without the least exception, unless that some few think their proportion too high, which yet is less quarrelled than hath been at any time in ordinary subsidies or taxes. It is known to the world that Scotland hath no treasures whereof to boast, but on the contrary, if we be blocked up, we will be obliged either to famish, or to fight ourselves free; and although we had the treasures of Cræsus or Darius, we would not put our trust in them. The sentence of Q. Curtius, which after him is become common in the world, crying up money above the just value, that it is the sinews of war, is upon better experience exploded. The sinews of this war, if a war shall be, must be a good cause, good consciences, and soldiers stout, and fearing God, who cannot be found out by gold, but will be able to find out gold, as some have well spoken.

Comp. 4. The Scots have caused to be framed and published sundry false, seditious, and scandalous papers and pamphlets; and amongst others one entitled, An information from the estates of the kingdom of Scotland, to the kingdom of England, &c., which we have caused to be burnt by the hand of the hangman.

Ans. 4. Our writings are full of reverence to the king's majesty, and of respect to the English nation, pressing the matter in hand, without falling upon the persons of men, further than the action, intended against our adversaries, the authors of these evils, do enforce us. The form of answering our information only by proclamation, and by fire and faggot, is indeed for the time the most easy and compendious, and the most affrighting way to the poor ignorant multitude; but England can tell that the truth cannot be consumed by fire, but will rise more pure and clear out of the ashes, and fly with multiplied wings further abroad in the world than before. We might without presumption have expected, that an information coming from a kingdom would have found better entertainment with the council of England, but we trust the same will be more precious in the sight of our friends, &c.

Comp. 5. The Scotch have refused the

lord Ettrick, governor of our castle of Edinburgh, timber and other materials necessary for reparation of the works lately fallen down there, notwithstanding our express commandment by our letters to them upon their allegiance to furnish them. 6. They have committed sundry outrages and violences upon the persons of some of the garrison at Edinburgh, that came out of the castle to buy victuals. And, 7. They have begun to raise works and fortifications against the said castle, to block up that our royal fort, &c.

Ans. 5, 6, 7. We have neither committed outrage nor violence against any of that castle, but have endured many, out of a desire of hope and peace; and for them have returned courtesies and favours. Materials to the castle were not denied, till by boasting we were let to know that it was to be turned against ourselves and the town: Neither then were they altogether denied, so far as our own necessary use of materials would permit. Neither was any work raised against the castle, but a rampart for defence of a court of guard, till violence was done from the castle. Our desire and hope of peace, and our unwillingness by the smallest breach to lose the thanks of our former obedience, have moved us to supererogate, and to do more than we were obliged, but have not suffered us to be deficient. It is rather to be wondered at, that we have done so much to make up a fortification against ourselves, and to put weapons into the hands of our enemies, than to be reproved that we have done no more.

Comp. 8. They have lately imprisoned the lord Southesk and sundry others of quality, for not adhering to them, and for their fidelity to us.

Ans. 8. Concerning lord Southesk, and no other of quality except Sir Lewis Stuart, we remit to their own letters sent to his majesty. The carriage of nobles, barons, and of the magistrates of Edinburgh, upon the harmless accident of their surprise by the multitude, doth rather deserve thanks than challenge resentment from themselves or any other; their safety in the time, and liberty granted them so soon as they could be in safety, are real testimonies that no evil was intended against them.

Comp. 9. The magistrates of Edinburgh have upon sundry occasions refused to yield

us due obedience, alleging that they have delivered up the power of governing the town into the hands of the committee of the pretended Tables, by which they have not only voluntarily disabled themselves to serve us, but have incurred the guilt of high treason, by conferring upon any that power of government which they derive and hold from us alone.

“*Ans. 9.* We wonder how any should be so wicked as to invent this and much more, if his majesty, or any wise or good man can be moved to believe it. Edinburgh hath the honour to be the first city of this his majesty’s ancient kingdom, and as a principal member, they do join in this common cause of mutual defence, but neither know of any such usurping committee, nor of submission to any power beside that of their sovereign lord the king. How ready the magistrates and whole body of that town have been to all good offices for his majesty’s honour; how far they have extended their public works for the honour of the kingdom; how difficult commandments they have obeyed at his majesty’s pleasure; and how they have omitted nothing which they conceived could be brought within the compass of the duty of humble and faithful subjects, those who sometimes professed to be their friends, but are now become their enemies, can bear witness. We may truly with them, and in their name, honour them with this testimony,—that as it is his majesty’s glory, to have one chief city in this kingdom, so they have by their affection and deportment, deserved to be the first, and to have a better place in his majesty’s estimation than to be suspected of rebellion or treason.

“*Comp. 10.* But the chief article of complaint was the letter to the French king formerly noticed, on which the king and the lord keeper insisted at great length, to inflame the English with the imagination that the Scots were calling in foreigners to invade England.

“*Ans. 10.* The tenth transgression is kept to the last place, *decumanus fluctus*, as a great wave to overwhelm us and our cause; but we have no fear so long as we sail in the ship of a good conscience, which by no storm can be wrecked. This is that French letter so much talked of, and insisted upon, as to open a gate to let in foreign power to rule over England and ourselves;

which, by what consequence it can be inferred, we would fain know. When a people is sore distressed by sea and land, is it unlawful by the law of God and man, to call for help from God and man? Is there no help nor assistance by intercession, by supply of money, &c. Is all assistance by the sword, and by men? Is all imploring of assistance an argument of subjection unto the assistant? May not friends and equals assist as well as superiors? Shall it be thought, that divers princes and estates sued unto for help, are all invited to be rulers and governors over one and the same people? We love not shrouds; we speak the plain truth, and fear nothing so much as that truth be not known: We never had intention to prefer any foreign power to our native king whom God hath set over us: We love not ourselves or the English nation so little, as to raise up any wall of partition between them and us. The proclamation at that time, as may be seen in our last remonstrance, was without example. Great forces by sea and land were coming upon us; informations went abroad in other nations, to the prejudice of us and our cause. This made us resolve to write unto the French king, apprehending that upon sinister relation, his power might be used against us, as may be seen in our instructions, printed in our remonstrance. What kind of assistance we called for, whether of men or mediation, may be best known by the commentary of our letter, our instructions, which are ready to be seen, and are signed also by the lord Loudon’s hand, now in prison, and therefore (if we should need to say it) not falsified; without subjection or sovereignty of either of the nations, Scotland or France. Aid and assistance hath been given in former times; if we had called at that time, or have called now in the return of our troubles, upon Denmark, Holland, Sweden, Poland, or other nations for help, are we therefore inviting them all to sovereignty over us? And when all is said or done, the letter was but an *embryo* forsaken in the birth, as containing some unfit expressions, and not agreeable to our instructions, and therefore slighted by the subscribers, but caught for some great advantage by a treacherous and secret accuser of the kingdom. Another letter was formed consonant to the instructions, and signed by

many hands, but neither was this sent from us (although some invent or imagine, that it was intercepted by the way to France) because we conceived that mediation from France would be too late to avert the danger which was so near. The letter itself carrieth two tokens that it was unperfected; one, that it wanted a date, another that it beareth no superscription from us. Both these are craftily turned against us. The blank date hath made our enemies to number this letter amongst our pretended faults committed after the parliament, whereas it is universally known, that it was written in May 1639, before our marching to the border, and therefore ought to have been buried in the pacification. This is well known to the lord commissioner, who talked of it before his going to England, and was occasionally made known to some of quality in his majesty's camp. The want of the superscription hath made them to indorse it *Au Roi*; a title, say they, used by the subjects of that kingdom to their own prince only: But we affirm, that the letter was neither sealed, folded, nor written on the back by us, or by our knowledge; and we hold it but a poor argument and ground of accusation against the French or Dutch, if in supplicating or writing to our king, they should say, *To the king*, every king being the king in his own dominions. We love not to harp more upon subscribing, superscribing, or sending of letters, to other princes, and to the pope himself, as hath been done by the sovereign himself, both of old, and of late, which are not hid from the eyes of the world. It is sufficient to us to have justified ourselves, and to shew how innocently the lord Loudon suffereth, for putting his hand to such a letter; the guiltiness or innocency here not being personal to the lord Loudon, but national and common to us all. And although it had been a fault, and his alone, yet whatsoever it was, it did in time, and for a long time go before his commission and employment, and therefore ought not to have been challenged till he had returned to his country, unclothed himself of his commission, and turned again to be a private nobleman as he was before. The dignity and safety of nations, kingdoms, estates, and republics are much interested in their commissioners and legates; whether they be sent from one prince to another, or from a kingdom, province or

republic to their own prince, their dignity is concerned; for what is done to the legate is interpreted to be done to them that sent him; and their safety is affected, because, if legates be wronged, there can be no more composing of differences, nor possibility of reconciliation, which is the ground of the law of nations, whose being consists in their honour and safety; and therefore it will have no legate to be accused during his legation, for anything committed by him before it. It commands legates to be free even from the inferior law of reprisal, and doth reckon those to be the excellent effects which it produceth in all places where it is obeyed; religion to God, piety towards our country, bearing of injury, keeping of faith, and that legates be inviolable. And although there were not such a law of nations, yet his majesty's own royal and inviolable warrant for the coming of our commissioners to his presence at that time, is enough for their safe conduct and security. If they have committed anything at home against their king, country, or any particular subject, the fundamental liberties and independency of the kingdom, and the practices of former times since 1603, not only in the persons of noblemen, but of others of mean quality, do require, that they be tried and judged at home in a legal way, by the ordinary judicatories of the land. How many bloody wars, and what horrible calamities have ensued upon this transgression of the law of nations, we leave to be remembered from the records of history, and earnestly entreat for his liberty and safety, who is to us as ourselves."

CHAPTER V.

Containing the proceedings of the Parliament and Assembly: The progress of the army, and their victory over the English: The blowing up of Dunglas: The great change of affairs in England; and other occurrences, to the conclusion of the Large Treaty begun at Rippon, and finished at London.

THE parliament met upon the 2d of June 1640, being the day to which it was continued in November. But Traquair's fomenting of the approaching war being so well known, it was judged too hot weather for him to travel to Scotland at this time; and therefore, beside the commission which he got under the broad

seal to represent his majesty during this parliament, another commission under the quarter seal was given to the lords Elphinstone and Napier, the lord justice-clerk, and the king's advocate, who, or any three of them, were empowered to act as commissioners, to prorogue the parliament in Traquair's absence, and upon his order.¹ Accordingly the members being met, and the parliament fenced, all four went up to the throne to prorogue the parliament; but on reading the commission, Elphinstone and Napier desiderated the legality of acting without Traquair's orders, and the other two could do nothing without them but protest. By this blunder the court design was defeated. The members having been summoned by the king at first, and adjourned to this day, voted themselves a lawful parliament, and having made choice of Robert lord Burleigh for their president, in the absence of his majesty's commissioner, they proceeded to the enacting of what had been prepared by the lords of the articles the former year, with some small variations and amendments.

The chief of these were, an act declaring this, and all subsequent parliaments, to consist only of nobles, barons, and burgesses; and rescinding former laws in favours of bishops and other ecclesiastics, particularly the 231st act parl. 1597, and the 2d act, parl. 1606; an act, declaring that all subsequent parliaments may either choose or not choose committees for articles; and when they judge expedient to name such committees, each estate shall choose out of their own number only so many as shall be allowed by the parliament; an act, ratifying, approving, and perpetually confirming the act of the general assembly, holden at Edinburgh the 17th August 1639, sess. 8., entitled, Ancient the six causes of our bygone evils, a copy of which is engrossed in the act; but the same having been brought into the history of last year, need not be repeated here; an act, ratifying and approving the supplication of the general assembly to the privy-coun-

¹ Mem. Dukes of Hamilton.

cil, praying them to enjoin the renovation of the national covenant; the council's answer to the above supplication; the act of the general assembly, ordaining the subscription of the confession of faith and covenant; and the said confession of faith and covenant itself, consisting of the covenant, as first sworn in 1580; the recital or enumeration of the acts of parliament justifying their renovation of that covenant, anno 1638, without the king's allowance; the bond formed by them, and subjoined to the original covenant, adapting it to their circumstances in the year 1638, and the assembly's explication of the whole, as excluding Perth articles and the other innovations, intruded upon this church during the preceding period of defection, all in the precise words we have bound up with our Westminster Confession of Faith; an act, declaring that the sole and only power of jurisdiction within this church, stands in the church of God, as it is now reformed, and in the general, provincial, and presbyterial assemblies, and kirk-sessions, established by the 114th act of the parliament 1592, which they revive and renew, in the whole heads, points, and articles thereof, with this express declaration, that according to the last clause in the act of the late general assembly, of the 17th of August, the necessity of occasional assemblies be first remonstrated to his majesty by humble supplication; as also the act gives to presbyteries the power of exacting of all the subjects their oath and subscription of the covenant, and to do everything which formerly pertained to presbyteries, and were usurped by the bishops. And it rescinds (which is the only thing expressed in the title of the act) the 23d act, 1597; the 2d act, 1606, the 8th act, 1607; the 6th act, 1609; the 1st act, 1612; the 1st and 2d acts, 1617; the 1st act of parliament 1621; and, finally, all laws, acts, and constitutions, in so far as they derogate, and are prejudicial to the spiritual nature, jurisdiction, discipline, and privileges of the church, or of her general, provincial, and presbyterial assemblies, and kirk-sessions; and so far as

they are conceived in favours of archbishops, bishops, abbots, priors, and other ecclesiastics whatsoever, their civil places, and power of representing the church in parliament, with all acts and constitutions of convention, council, and session, or other judicature, introduced in favours of the said offices, titles, &c; and declaring all persons, civil or ecclesiastic, censured, deprived, confined, banished, by virtue of whatsoever acts or sentences pronounced by the archbishops and bishops, or others their colleagues, in their ecclesiastical courts, holden by virtue of the acts foresaid, or of the high commission, restored and reponed against the same, and all acts interponed thereto, or following thereon, to be null, and of no avail, force, or effect; an act, ordaining presbyteries to plant ministers with consent of the parishioners in all places, which, by the oversight of the patron, have been six months unprovided; act, ordaining the full power of providing ministers to kirks, which the bishops had been in use to provide, to belong to presbyteries, within their several bounds; act, discharging the going of salt pans and mills upon the Sabbath; act, discharging salmon fishing on the Sabbath; act, ratifying all former laws made against papists, sayers and hearers of mass, jesuits, seminary priests, excommunicated persons, and reseters of them, particularly act 164, parl. 13th, acts 193, 194, parl. 14th, and act 5, parl. 20th, James VI.; act, discharging the yule vacance; act, discharging Monday markets, on account of their encroaching on the sanctification of the Sabbath; act, ordaining justices of peace and kirk-sessions, to take order that the Sabbath be not profaned by the confluence of shearers, or of people to hire them; act, directing letters of horning and caption to be given out against excommunicated prelates, and other excommunicated persons; act, approving the supplication of the assembly 1639, against a book called "A Large Declaration," with the assembly's act relative thereto, and ordaining the autlors and spreaders thereof to be most severely punished, as leas-

ing-makers, and raisers of division and discord betwixt the king and his subjects; act, appointing, that as by reason of his majesty's absence from this his native kingdom, the subjects cannot have free and easy access to his majesty, there be a full and free parliament holden every three years, once at least, or oftener, as his majesty shall be pleased to call them within this kingdom, in the most commodious place, and convenient time that can be thought upon, appointed, and affixed by his majesty, or his commissioner for the time, and the estates of parliament, before the ending and closing of every parliament, and to be the last act thereof; act, ordaining that the castles of Edinburgh, Stirling, and Dumbarton, be kept only by natives, true and faithful subjects to his majesty, and well affected countrymen; act, ordaining that the registers and records of parliament be, for vouching all arguments drawn from them, produced the first session of every parliament, and be open to the inspection of the estates; act, discharging any to vote by proxies in parliament, as encouraging the nobles, who can be seldom wanted, to absent themselves from parliament, and that none be nobilitated here, unless they have at least 10,000 merks of yearly rent within the kingdom; act, discharging the granting of protections by the lords of session to any person at his highness's horn; act, declaring the exchequer to be judges only in matters respecting the king's revenues; act, appointing that, instead of giving in grievances to the clerk-register as was the former practice, through which many of them were suppressed, the same be henceforth given in, and presented openly in parliament; act, suppressing the distinction of spiritual and temporal lords of session; act against leasing-makers, declaring the privy council subordinate to the king and parliament, and accountable to them, according to the 12th act, parl. 2, king James IV., and in case of giving wrong counsel, to be punished as leasing-makers; act, annulling all unjust and unlawful proclamations, emitted since the com-

mencement of the late troubles ; act, declaring that the former laws, prohibiting bonds and covenants amongst the subjects, does not extend to, nor include any bonds, leagues, councils, conventions, assemblies, committees, or meetings, made, holden, and kept by the subjects, for maintenance and preservation of the king's majesty, the religion, laws, and liberties of the kingdom ; act, ordaining that the benefit of ward-marriage and non-entry, by the decease of any who may be killed in the defence and maintenance of religion, and of the laws and liberties of this kingdom, during the present troubles, shall only pertain, and be freely given to the relict, heirs, and children of the deceased ; act, discharging all custom on ammunition, brought home by any of the lieges, for defence of religion, and of the liberties of the kirk and kingdom ; act, whereby, after narrating that the kingdom is threatened by arms both by sea and land, and great hostile preparations made against the same, so that the estates are forced to put themselves in readiness for a just and lawful defence of their religion, laws, lives, liberties, and country ; they therefore nominate, choose, and appoint John earl of Rothes, James earl of Montrose, John earl of Cassilis, John earl of Wigton, Charles earl of Dunfermline, William earl of Lothian, John lord Lindsay, John lord Balmerino, James lord Cupar, Robert lord Burleigh, Archibald lord Napier, and John lord Lour, for the nobility ; with Sir Alexander Gibson of Durie, Sir John Hope of Craighall, Sir John Scot of Scotstarvet, and Sir Thomas Nicholson of Carnock, senators of the college of justice ; Sir Patrick Hepburn of Waughton, Sir David Hume of Wedderburn, Sir George Stirling of Keir, Sir Patrick Murray of Elibank, Sir Patrick Hamilton of Preston, Sir William Cunninghame of Caprington, Sir William Douglas of Cavers, Sir Thomas Hope of Carse, James Chalmers of Gadgirth, ——— Drummond of Ricartoun, ——— Leslie of Forbes, and Mr. George Dundas of Mannour, for the barons ; and twelve burgesses, as a com-

mittee for managing all affairs concerning the army, raising money, and preserving the public peace, whom they undertake to relieve of all engagements undertaken for the public. One half of these were to be with the general in the camp, to aid him with their advice, and the other half to remain at Edinburgh, for managing matters at home. In each of these divided committees, three of each estate, and failing so many of every estate, seven of the whole were to be a quorum. Their acts and deeds were to have the force of a decret, but neither of them were to make peace or war, without consent of the whole estates, or at least of both committees. Further, they appoint Mr. Adam Hepburn of Humbie, clerk to the committee, with power to name deputies, for whom he should be answerable, and Mr. Archibald Johnston to attend the general, and be present on all occasions with the committee, for shewing them the reasons of the demands and proceedings in the assembly and parliament—their power to continue only till the next meeting of estates, either in convention or parliament ; an act concerning the common relief, approving an offer made of the tenth part of all rents in burgh and land ; and further, appointing a twentieth part of all annual rents to be applied in like manner. Directions are laid down for ascertaining the due extent of the rents and annual rents, and collecting the tenths, &c. ; and bonds to be given by the shires for the same till paid. And because money would be needed before these could be raised, the committee were to borrow of any who had money, and to give their own security for it in the meantime ; and if any refused to lend, they were, upon proof of their having money, to be constrained to lend it upon such security ; an act, ordaining summonses to be raised, and executed against those who have been the authors, or are the maintainers and assisters of these courses, that are destructive to the liberties of the church and kingdom ; act, appointing fees of 1000 merks to Mr. Archibald Johnston,

as advocate for the church, 500 merks to him as clerk to the assembly, and 500 merks to Mr. Robert Dalgleish, as agent for the church, yearly; act, ordaining the whole subjects and lieges of this kingdom to obey, maintain, and defend the conclusions, acts, and constitutions of this present session of parliament, and to subscribe a bond for that effect; and the last act is declaring the parliament current, and continuing the same till the 19th of November next, and ordaining the acts aforesaid to be printed and published.

Besides these public acts, the parliament pronounced decret of forfeiture against general Ruthven, for disobeying their summons to surrender the castle of Edinburgh, holding out the same against them, and daily killing divers of the inhabitants of the city, and spoiling their houses with muskets and great ordnance. They also approved the general Sir Alexander Leslie of Balgonie's proceedings, anno 1639, and ratified his commission to be commander-in-chief this year also, and the commissions to James lord Almond, brother to the earl of Linlithgow, to be lieutenant-general; to colonel Alexander Hamilton to be general of the artillery; to colonel John Leslie to be general quarter-master; all of whom had rendered themselves famous by their military exploits in Bohemia, Sweden, &c.; and a commission to Mr. Alexander Gibson, the younger of Durie, to be commissary-general to the army to be now raised.

The parliament rose the 12th of June, and upon the 17th the general committee sent up a copy of their acts to lord Lanark, the secretary, with a letter to his lordship, representing that the means they had used in asserting their religion and liberties have been no other than by a free national assembly, (which went on in a fair way, and was closed with the good liking of his majesty's commissioner), and by a parliament which was prorogued till the 2d of June, and then kept; and they hearing nothing from his majesty or his commissioner to the contrary, have passed certain acts, where-

of they had sent his lordship a copy, that he might present them to his majesty, with a declaration prefixed, and their petition at the end, which fully express the grounds and reasons of their proceedings. They desire him to represent to his majesty their loyalty, and that they are seeking nothing but the establishment of their religion and liberties, but can no longer endure the violences offered them in their persons and goods, by castles within, and ships without the kingdom, of which they pray a speedy redress, otherwise they must provide for their deliverance and safety.¹ But these, far from satisfying his majesty, were looked upon as striking at the root of his authority.

And now, the alarm being given, the general committee met, and gave orders to the freeholders in every county, and to the magistrates of burghs, to raise a fourth part of the able-bodied men in every parish, and to set about making up the valuation of estates, and the extent of lying-money, and the collecting of a tenth part of the rents of the former, and the twentieth part of the annual rents of the latter, as the parliament had appointed. At this time also the colonels, and a good many of their subalterns, were named. The names of the general officers are already mentioned, and it is but just we give the colonels a place also. Montrose's friends have told us that he had a brigade, consisting of one regiment from Perthshire, and another from Forfar. Mr. Baillie saith, lord Montgomery had a brigade as strong raised in the bailiwick of Cunningham, and shire of Renfrew; and the following lords were also colonels, viz. Rothes, Cassilis, Dunfermline, Kinghorn, Lothian, Dalhousie, Queensberry, Crawford, Lindsay, Loudon, Erskine, Elcho, Drummond, and Carnegie; few of whom had more skill in military achievements than they had acquired since the commotions of their country began, but, to supply any defect of this sort, they had, for their lieutenant-colonels and majors, old veterans, bred up in the camp of the renown-

¹ Baillie.

ed king of Sweden. All these, with the colonels David and Alexander Leslie, William Cochrane, Alexander Ramsay, William Cunningham, James Drummond, — Mill, and others, were with the army at the first expedition into England;¹ and when the troubles in the north, and in Edinburgh and Nithsdale, of which we shall speak presently, were over, they were followed with the earls of Marischal and Home, and colonel Robert Munro, with their regiments. The earls of Argyle and Eglinton were ordered to guard the west coast against the invasion threatened from Ireland, and Argyle was likewise ordered to take a course with the Murrays, Ogilvies, and other disaffected chieftains and clans in the north. Accordingly Eglinton, with the inhabitants on the coasts of Ayrshire and Galloway, watched these south borders, while the inhabitants of Kintyre, Mull, &c., guarded their coasts; and Argyle, with four or five thousand of his own and Breadalbane's Campbells, stretched himself to the north and east, and with a small train of artillery, a thing never thought transportable in that country before, he traversed the head of Badenoch, Athol, and Mar, where the common taxation had been forcibly opposed, and kept all those who would not concur in great awe.² The earl of Athol having made a show of opposition at the ford of Lion, he caused apprehend his lordship, with Sir Thomas Stuart the younger of Garntully, Mr. John Stuart the earl's factor, and about twelve more of the leading men in Athol. He sent the earl south to the castle of Stirling, and the rest to Edinburgh, till they found bail for their good behaviour. He exacted L.10,000 Scots of the Atholians, for supporting his army, raised on their account, and ordered them to send to the committee at Edinburgh the tenth part of the rent of their real estates, and the twentieth part of the annual rent of their lying money, as others in the kingdom had done. And from thence he marched east to the braes of Angus, where he

¹ Baillie.² Balfour's Passages.

demolished the earl of Airlie's house, which the owner had fortified against the country, and from whence he had fled on hearing of Argyle's approach. There also he allowed his men to take from those of Airlie's tenants who had risen with him, provisions for their present subsistence. And having thus settled and secured the peace in these places, he returned to Argyleshire by the time the west country forces marched east to the army, that he might more effectually obstruct the progress of any invasion from Ireland. In this route, bishop Guthrie makes Argyle a miserable pillager of all the country round, and says his men returned home loaded with as much plunder as they were able to transport.³ On the contrary, Sir James Balfour relates, that in this expedition Argyle took nothing but what he paid for, except subsistence to his army from some who were violent in opposing the national cause; that he used exact discipline among his soldiers, and condescends on his causing hang four of them for stealing, which was an infallible proof how much these malpractices were contrary to his lordship's inclination, and how unjustly they are laid to his charge.⁴

For colonel Robert Munro we cannot say so much. This gentleman, much famed for his military achievements abroad, was at this time made major-general, and sent to the north to Aberdeen with 1000 foot to suppress the marquis of Huntly, the earl of Aboyne, and Sir George Ogilvie of Banff, who were eagerly employed in raising forces, and fortifying that country for the king.⁵ On his arriving at Aberdeen, the master of Forbes, who also was a colonel, and had acquired renown under the Swedish monarch, joined him with 500 foot and two troops of horse. The general's first exploit, and what he had no authority for, either from church or state, was the imposing of the covenant on all whom he suspected of disaffection; and for dis-

³ Guthrie's Mem. p. 77.⁴ Balfour's Passages.⁵ Ibid.

obedience to this injunction, twenty-six burgesses of Aberdeen, Mr. Irvine of Drum, with his brother, and about ten or twelve other country gentlemen were sent up prisoners to Edinburgh, till they should learn to speak the country language. After this he took the castle of Spynie, and Mr. John Guthrie late bishop of Murray in it. There he found some cannon, muskets, pikes, match, powder, ball, and other implements of war, which to be sure were lawful prize; and there he placed a garrison. From thence he marched to Huntly's house of Strathbogie, which he took and made a garrison of; and ending with Banff, he demolished all that knight's fair and stately house. In all the places whither he came he seized on the estates of the disaffected: in Strathbogie he offered to keep an open market of Huntly's horses and cattle, but was prevailed on to accept 4s. 6d. sterling for the redemption of each beast. By these means he entirely dissipated the enemies ere they came to a head; yet the severity of it was much complained on, and merited to have been enquired into, had the troublous situation of the times permitted it.

About this time also, the castle of Caerlaverock, which had been garrisoned by lord Nithsdale, surrendered to colonel Cochrane's regiment.¹ Thus far concerning the securing of our peace at home.

Nor were our ecclesiastics less diligent in promoting the common cause. The ministers were especially active in collecting voluntary contributions in all their congregations, and in assisting to come at the true value of estates, in order to raise a fund for sustaining the army;¹ in short, few pulpits wanted an orator for their country's cause, and their influence, (as hath always been the case where religion prospers,) was very remarkable, both amongst the commons and the more exalted ranks of people. I have before me a paper entitled, "Grounds of God's aim and call to this voyage, as to the mean to the end," whereof, both on account of the author,

¹ Baillie.

Mr. Robert Baillie, and more especially its important contents, I shall give a short abstract, by which the reader may see what was his, and guess what was the subject of other faithful ministers' endeavours at that time.

"That the Lord's aim and end in that voyage was the deliverance of his saints, the execution of vengeance on his foes, the extending of the crown and kingdom of his Son, and the real subverting of the kingdom of the man of sin," we are, says this paper, "so convinced in our minds by God's former steps in this work, as we must profess, both for testifying our thankfulness to God, and for encouraging our brethren, our resolution to be subservient thereunto."² The grounds assigned for this so strong confidence, are; "1. The promises of giving the utmost ends of the earth to Christ for a possession, and of destroying the man of sin by the brightness of his coming. 2. The full testimony given unto the prophetic, priestly, and kingly offices of the Redeemer against the man of sin. 3. Because the Lord began a work of deliverance for us, when the enemies were in their greatest power and pride amongst us, the weakest and guiltiest of nations, who had fallen from great light, in the very act and time of the greatest backsliding, and that not by the princes and mightiest at first, but by a few weak and contemned men, for such are usually the beginnings of the greatest works of God. From these it spread to the highest, till all were united, and preserved in order and quietness, free from tumult and blood, the usual concomitants of stirs amongst the common people. 4. The method of recovery is remarkable;—we were led from humble supplications through legal protestations against the unjust sentences of men, unto a covenant betwixt the church and kingdom, and Christ; and so sensibly was the power, presence, and acceptance of God felt in the hearts, and manifested by the joys, tears, and cries of many thousands in the several congregations of this church, at the solemn renewing

² Baillie.

of the covenant, as hath been matter of admiration and astonishment never to be forgotten; and more especially, the most wise and aged of our pastors and professors found an extraordinary flame from above, warming their breasts at that time. 5. The steps of our recovery are remarkable;—there was never a step of defection took place but the Lord has, as it were, led us back the same way to give a testimony to every truth that was oppressed, and against every error that was maintained. 6. The interposition of providence in sustaining so poor a nation united so many years through so great pains, expense, and loss, after so many divisive measures taken by our adversaries, and silence of the ordinary judicatories, is also very remarkable;—that notwithstanding of our poverty we subsist; notwithstanding of divisive motions we continue united; notwithstanding of private quarrels and contests we have no feuds, yea, less bloodshed for three years past than had come ordinarily upon a single day before the council; and notwithstanding of our natural humours, all are voluntary observers of such courses as are intended for the good of the cause. This is the Lord's doing, and is wonderful in our eyes. 7. The polishing of instruments, suiting them to the particular work they have been called to, and the renewed light, influence, and strength vouchsafed to them, on occasion of every new difficulty and task they were called to, are also marks of the Lord's approbation. 8. When we were frequently at a stand, God in his providence permitted the violence of our enemies so far, that we were often, through mere necessity, forced to move forward, we knew not well whither; and yet in a little we found ourselves carried through their opposite plots of policy and cruelty. This also does encourage us to go forward now. 9. The universal prayers and confidence of God's saints, even under the greatest disappearances of any sensible outget, cannot but be a sure prognostication that their prayers are heard, and that their confidence shall be fulfilled. 10. When we consider how all

the plots of our adversaries have wrought against their own projects, and have served for our ends more than all that had been thought or done by ourselves, we may justly say, that what they devised for evil, the Lord has evidently turned to our good. The service-book, so full of corruption, has been the besom that hath swept all the corruptions out of this church. Our prelates have become our reformers, and their own overthrowers; their opposition hath been our confirmation; their refusal of our supplications by proclamations brought forth our protestations; their certification of treason drew on the covenant for our reconciliation with God, and unity amongst ourselves; their urging of a new covenant cleared the meaning of our own; their convening and discharging of the assembly of Glasgow occasioned the church's asserting and keeping possession of her liberty to assemble; their drawing us to the border cleared our intentions to the English, and drew on the late assembly and parliament; their prorogation of the parliament drew on the clearing of us to the king, and before the world, by our commissioners' proceedings; their plot concerning the French letter encouraged the adventuring on an English parliament, and that hath turned to our good; their plot of prorogating or deserting the late parliament drew on the sitting and comfortable conclusion of the same; and who knows but the same Lord who hath so often turned their wisdom into folly, and their projects and snares upon their own heads, will also turn this their device of blocking us up both by sea and land, and of ruining us by a national war, back upon their own heads, to their utter ruin and overthrow, and the extension of his own work?

But before we proceed further in relating the preparations for war, the order of time requires us first to dispatch the story of Aberdeen assembly.¹—Upon Tuesday the 28th of July, the general assembly sat down at Aberdeen, of which Mr. Andrew Ramsay, one of the ministers of Edinburgh, was chosen modera-

¹ Baillie.

tor. The first day of meeting, the assembly proceeded to no act, in hopes of a commissioner from the king; but the second day, after the moderator had asked openly in face of the assembly, whether there was any commissioner from his majesty, the assembly finding there was none, did proceed to business according to their intrinsic power.

Their public acts are few in number. These were,—1. Approbation of overtures for ordering the assembly-house. 2. Act for demolishing of idolatrous monuments, which abounded especially in the north, and particularly in Aberdeen. 3. Act, ordaining ministers carefully to take notice of charmers and witches, and to urge the execution of the laws against them. 4. Act, ordaining that such as have subscribed the covenant, and speak against the same, shall, if a minister, be deprived, and persisting, be excommunicated; and if he be any other man, shall be dealt with as perjured, and satisfy publicly for his perjury. And, 5. Act, ordaining that expectants who refuse to subscribe the covenant, be declared incapable of a pedagogy, teaching of a school, reading at a kirk, preaching within a presbytery, and shall not have liberty of residing within a burgh, university, or college, and if they continued obstinate they were to be processed.

The private deeds of this assembly were more in number.¹ The greatest part of the assembly's time was spent in transportation of ministers; as of Mr. Robert Ramsay to Glasgow, and of Mr. Andrew Cant from Newbattle to Aberdeen; and planting of other churches, about which the patrons, presbyteries, and people had their several contests, which were all adjusted amicably. Mr. John Paterson, minister at Foveran, one of those who were censured by authority of the former assembly, was, upon a recantation and public confession, reponed against the effects of that censure. Acts were made against several vices and abuses, as the profanation of the Sabbath; concerning charmers; abolishing of idolatrous monuments; ordaining elders to attend

¹ Baillie.

their presbyteries; that for the more effectual execution of discipline, magistrates of burghs be invited to attend their several kirk-sessions; and the assembly appointed the 23th of that month to be observed as a day of public fasting and humiliation over all the kingdom, to deprecate deserved wrath, and to implore favour to our councils and arms. But the two affairs which occasioned the most trouble, were the report of the visitors of the university of Aberdeen, and a contest about private meetings.

Dr. Sibbald of Aberdeen was resolute in his adherence to episcopacy and Perth articles; but the assembly wavered these, and attacked him, and the doctors Forbes and Scrogie, upon other purposes: they found them choked with arminianism.² They pretended they had never seen, or at least considered the decrees of the synod of Dort against them; nor would they admit any flaw in the book of canons or ordination, or in the liturgy or high commission. In Dr. Forbes's treatises they found many popish tenets, tending to a direct reconciliation with Rome; but his ingenuity pleased the committee so well, that on their recommendation the assembly gave him another year to consider of these matters; but Dr. Sibbald adding great obstinacy to his heterodoxy, they deposed him, and ordained him to be further processed if he gave not speedy satisfaction. Dr. Scrogie being almost valetudinary, he with some others were continued, and a new committee appointed, to visit and inspect that university more narrowly.

The other affair of private meetings drew more deep, and was likely to have been attended with more fatal effects. While Perth articles, and other innovations were rigidly pressed, many of the best disposed persons through the land, particularly in Edinburgh, and in the south and west parts of the kingdom, were in use to meet for prayer, reading the scriptures or other good books, and conference on some religious subject, sometimes during public worship. In

² Baillie.

the north of Ireland that exercise had been more universally practised; for their ministers having been driven from them by the bishops, they found the keeping up of such social meetings a useful mean of preserving a lively sense of religion amongst them. But as it is no unusual thing for Satan to present himself amongst the sons of God, and busy himself in sowing his tares among God's wheat, so was it here. A number of the Scotch-Irish intending a voyage to New England, several of them shewed a propensity to comply with independency, the discipline which prevailed in New England; and some Brownists from England having got in amongst them, found access by degrees for some of their conceits—as forsaking the approved public worship of the congregation, discussing of curious and impertinent questions, explaining the scriptures doctrinally, meeting in the night season, and censuring and slighting others of the godly, as less holy than themselves. When the persecution in Ireland became so hot, that multitudes of the commonalty behoved either to sin or suffer, numbers of them came over to Scotland, where they were kindly received, and the singularities which attended some of them, were, on account of their remarkable piety, viewed with a charitable eye, till they reached Stirling. There the laird of Leckie, who had suffered much under the bishops, and who being esteemed an intelligent good man, was much resorted to by the more devout commons, whom he encouraged to associate for religious exercises; several also attended on his family worship, sometimes at the neglect of their own, pretending either that they could not read, or that Leckie's worship was better calculated for their edification; and some who probably came as spies, alleging that Leckie used some expressions in prayer which were reckoned prejudicial to Mr. Henry Guthrie, at that time minister of Stirling, but better known since the restoration as bishop of Dunkeld. He was quickly delated to the presbytery, and through Mr.

Guthrie's influence, the attenders on such meetings were first stigmatised by the presbytery with encroaching on the office and despising the persons of the standing ministry; and then the magistrates of the town were drawn in to expel them forth of their liberties. Mr. Guthrie, not satisfied with rooting these meetings out of his own charge, essayed to have them suppressed in other places also. For that purpose he collected every instance he could hear to their prejudice; he complained of them wherever his word or writ could go; and being then in good credit with many of the best of the ministry, his assertions were too rashly credited by several of them, as Mr. Henderson, and Mr. David Calderwood, who having, while an exile in Holland, seen the wild follies of the Brownists in Arnheim and Amsterdam, was the more ready to suspect those here, who so much as pointed that way. At the former assembly 1639, Mr. Guthrie endeavoured to get a complaint foisted in against these meetings; but many of our chief ministers, particularly those who came over from Ireland, with Mr. Samuel Rutherford, Mr. David Dickson, &c., having been tender of the credit of these very pious people, and afraid lest the reputation of all should suffer through the rashness or imprudence of a few, got the matter kept from a public hearing in that assembly; and to prevent this, had several conferences with those in the opposition, and for peace sake yielded more to them than it was alleged they afterwards thought proper to observe. For satisfaction of all, it was recommended that Mr. Guthrie should preach for advancement of religious exercises in every family, the duty which these meetings were said to encroach upon in Stirling; and that Messrs. Blair, Livingstone, and Maclellan, should preach against night meetings, and the other abuses supposed to prevail elsewhere. These brethren did accordingly endeavour by conference and reasoning to gain any who had offended in that matter; but it was alleged that they were not very fond of

preaching publicly against them ; wherefore Mr. Guthrie still kept up the hue and cry. In June 1640, several ministers having come to town on account of the parliament, those of them who befriended private meetings, being desirous to have this flame extinguished, drew to a conference Mr. Alexander Henderson and Mr. Eliczer Borthwick on the one side, and Mr. David Dickson and Mr. Robert Blair on the other, who in the end agreed on a paper of caveats, of Mr. Henderson's framing, the substance whereof was, that nothing be done in these meetings prejudicial to the public worship in the congregation ; that the number be few ; that unseasonableness of time be avoided, as the time of public worship, of family exercise, or the night season ; that the use of this mean cross not the duties of their particular callings, or the obligations that children owe to their parents, wives to their husbands, or servants to their masters, wherein all are bound to be diligent and dutiful ; that it be only occasional, as God in his providence shall cast the opportunity, or the particular necessities of the godly shall require. Because these meetings cannot be altogether private, care would be taken that the persons ought to be of such quality, that they need not be ashamed to meet together ; the attenders on these meetings would also be careful, that this mean do not divide betwixt them and the rest of the congregation, in estimation nor affection ; impertinent questions, and uncharitable censuring of others, would be avoided, and all things eschewed that may either make or foster schism in the church of God ; and, if they have any doubt concerning the established order, that they represent it, with reasons, to the ministry and assemblies of the church, that it may be seen they seek not division, but edification. That the exercise be prayer and conference, and the difference kept between that which may be done in private by professors, and that which belongs to the function of the ministry ; and finally, all things would be done in holi-

ness, prudence, humility, and charity, that the church may be built up in one body, and not divided or destroyed.

This paper being communicated to the well disposed through the land, gave general contentment, and it was hoped that all disputes concerning that matter were at a close. But Mr. Henry Guthrie was not yet satisfied. He set himself with all earnestness to have the matter concluded in the assembly ; and having privately solicited the northern ministers and elders, who were generally as vehement against private meetings as himself, the matter was, with some difficulty, passed in the committee of overtures. When it came into the assembly, Mr. Guthrie, in a long speech, proclaimed all he was able to say against Leckie and these meetings.¹ Mr. James Simpson at Bathgate reported many things reflecting on them ; and a commissioner from Galloway vented himself passionately against Mr. Samuel Rutherford, Mr. John Living-ton, and Mr. John Maclellan, as great encouragers of these meetings within their bounds. Upon this a great heat and confused noise arose in the assembly, and the northern members, especially the earl of Seaforth, an eloquent man, but suspected of disaffection to presbytery, did take part with the accusers. Many of the rest could not bear to hear good people run down at that rate, without trial, probation, or being so much as called to answer what they had to say for themselves ; and Mr. John Maclellan, for himself and his brethren, craved that a committee might be named to try the disorders complained of, and to censure the offenders, whether those complained on, or the complainers. At this the clamour and noise was shameful. The moderator had neither weight in his discourse, nor dexterity in guiding the argument, so every one might say what they would. Neither side were for Mr. Maclellan's motion. The most of his friends were afraid of marring the peace of the church by too strict a scrutiny, and the opposers of those private meet-

¹ Baillie.

ings were content, if they got an act condemning them in the general.

While the members were busy arguing upon political maxims, the one side yielding that Mr. Henderson's paper should be passed into an act, and Mr. Guthrie and his brethren arguing that caveats had brought in the bishops, Mr. Rutherford, who was never disposed to say much in judicatures, threw in this syllogism,¹ "What the scriptures do warrant, no assembly may discharge; but private meetings, for exercises of religion, the scripture does warrant, Mal. iii.^o 16, 17. 'Then they that feared the Lord spake often one to another, and the Lord hearkened and heard it,' &c. Ja. v. 16. 'Confess your faults one to another, and pray one for another, &c.'" These things could not be done in public meetings, &c. The moderator, with Mr. John Adamson and others, snatched greedily at the argument, but came not near the matter, far less did they answer it formally, which Seaforth perceiving, fell to upbraiding the good man; and then Mr. Guthrie and his northern brethren thought to have carried it their own way, and got all private meetings discharged *simpliciter*; but Mr. David Dickson, Mr. Robert Baillie and others opposing them, they were at length made content with an act of Mr. Guthrie's own framing, intitled, Act anent the ordering of family worship. Of this act I have seen no copy, but Mr. Baillie says, it consisted of these parts, 1. That family worship be performed by those of one family only, and not of different families. 2. That reading prayer is lawful, where none in the family can express themselves with proper knowledge *extempore*. 3. That none be permitted to explain scripture, but ministers and expectants approved by the presbytery. And, 4. That no innovation, as to time, matter, or manner of religious exercises, or as to the number and quality of the persons joining, be permitted, till the reasons of changing be first proponed to, and allowed in a general assembly. Our author adds, that several members who

¹ Baillie.

loved nothing that came from Mr. Guthrie, did question this act more than was needful, and were ready to protest against it, but, being in a place where many were looking on for their halting, and the peace of the church being very dear to them, they were content at last to make no farther opposition.

After the assembly had sat about ten days, they appointed their next meeting to be in St. Andrews, the third Tuesday of July 1641; and that the moderator, in a convenient way, by the secret council or otherwise, as might best serve, should request the king's majesty to send his commissioner to the said assembly. If any extraordinary occasion fell out before that time, they appointed the presbytery of Edinburgh to call a meeting *pro re nata*. And thereafter the assembly was concluded, with giving of thanks, and singing of a psalm as usual. But it is full time we return to relate the preparations for war.

Notwithstanding the long time that the court had been preparing, their success was nowise equal to their labour. The English groaned under heavy grievances as well as the Scots, and many of them saw through the court designs to enslave them, and made no doubt but, if the Scots were once subdned, their sovereign's resentment would next fall on themselves, so they were generally very averse to contribute either men or money to the expedition.² Many of the soldiers were dragged out by mere force, and in some places the king's officers were resisted by the mob. But in Scotland it was far otherwise,—the brave officers were not more ready to lead than the soldiers were to follow. The great equity, and vast importance of their cause, the experience and reputation they had acquired last year, the countenance and favour of the officers, and the suitable exhortations and speeches of the ministers, did so animate the commons, that there was scarce a person avowedly feeble, or refractory, to be found among them.³

² Rushw. vol. iii. p. 165, 166, 169, &c.

³ Baillie.

The greatest difficulty was to raise money to sustain them. The valuation of estates, in order to ascertain the tenths payable to the public, was too tedious for present exigencies.¹ But when one expedient failed, they essayed another, and their minds being bent on the expedition, no difficulty proved insuperable. Those who had money on hand lent it, on the security of the committee; and as the committee acted in this matter by the authority of parliament, and had the parliament's assurance for relief, the subscribers of the securities granted for sums borrowed, run no risk of sinking their own estates by those contractions, further than in common with the rest of the landed interest. And the acts of the next parliament shew that provision was accordingly made for relief of the persons who were bound in these securities; so that bishop Guthrie's observation,² that they repented of their signing ere the work was done, and that of all others the prime committee-men subscribed the fewest bonds, and Argyle, who was the chief, none at all, is very groundless as to the whole, and must have been very malicious as to Argyle; because, as the bishop shews elsewhere, that noble lord was not upon that committee, but was, at the time these contractions were made, employed in preserving the peace in the north, as we have already related; and on that account his lordship engaged his personal credit to a greater extent than perhaps any other in the kingdom did. Besides, the committee desired those who had silver plate to give it in to be coined, upon security; and (says the bishop³) the people became so forward in obeying, as made the royalists to liken it to the golden calf. But as both these devices fell still short of answering the purposes intended, it was recommended to the ministers to gather voluntary contributions in every parish, whereby large sums were raised. We are not able to condescend on the extent; but Mr. John Livingston tells that in his very small parish of Stranraer they contributed L.26,

¹ Baillie. ² Mem. p. 73.

6s. sterling, besides a donation of L.18, 14s. sterling, given by a devout widow,³ by which we may guess at the extent of the contributions made through the many other equally well affected and more populous parishes in the kingdom.

By the time the English army were advanced within five or six days' march of the Scottish border, the general committee at Edinburgh sent orders to their sub-committees in the several counties to cause the regiments march eastward to the general rendezvous.⁴ Accordingly every one accelerated the progress of another, and set out with some thirty, others forty days' provision, in the end of July and beginning of August. Each regiment was likewise attended with a chaplain, one of the most eminent of the ministers in the bounds where they were raised, as Mr. Alexander Henderson, Mr. Robert Blair, Mr. John Livingston, Mr. Robert Baillie, Mr. Andrew Cant, Mr. George Gillespie, and others, who were vested with presbyterial authority, and were to perform every part of the ministerial function to them, proper in such circumstances.

In the beginning of August, the several regiments arrived at Dunse, where they were reviewed by their brave general, and amounted, according to Sir James Balfour,⁵ to 200 companies of foot of 100 men each, and 4,000 horse, besides 2,500 horses for carriages; but according to Mr. Baillie, they amounted to 22,000 foot, and 3,000 horse, besides 2,000 or 3,000 carriages. They lay upon the border near three weeks, improving themselves in the art of war, and preparing for a sudden transition to an eternal state, as their present situation called for. "It was refreshful," says one of their chaplains,⁶ "to remark, that after we came to our quarters at night, there was nothing to be heard through the whole army, but singing of psalms, prayer, and reading of scripture, by the so diers, in their several tents."

³ Livingston's Life, p. 34. ⁴ Baillie.

⁵ Balfour's Passages of this year, MS.

⁶ Livingston's Life, p. 33.

But while they were thus preparing to withstand the threatened invasion, the scene of action was changed, and they found cause to enter into the territories of the invaders. The occasion and cause of which, as we learn from a late author,¹ who had collected the report of former historians on this point, and seen the letter we are to speak of, was as follows:—During our commissioners' abode at London, great resort was made to them, and many secret councils were held with them by the discontented in England, particularly by the earls of Essex, Bedford, Holland, the lord Say, Mr. Hampden, Mr. Pym, &c. By these the Scots were assured of the great backwardness of the English to assist the king in a war against them, and encouraged to stand boldly to the defence of their righteous liberties, hoping no doubt, as it shortly fell out, that our forwardness and success in this matter would, by degrees, change the face of affairs even in England.

Accordingly, when the Scots found it necessary to arm in their own defence, Sir Archibald Johnston, who kept a constant correspondence with lord Loudon, as yet under confinement, wrote to his lordship, 23d June, desiring him to get some solid assurance of assistance from their friends in England. This letter was shewed by Mr. Henry Darley to lord Saville and others of the discontented English, who agreed in promising the Scots all good offices and services upon occasion, in general terms, but never came to particulars, nor a formal invitation. However, the lord Saville, who knew their good intentions, resolved to make the most of it, and he and Darley concerted a letter which he wrote. To it were adhibited the subscriptions of Bedford, Essex, Brooke, Warwick, Say and Seal, Mandeville and Saville, and it was addressed to Mr. Darley, to be communicated to the Scots, which he did on the border, immediately after the army reached it, encouraging them to invade England without delay, and promising to strengthen them all they could, not indeed by men, arms, or money at first,

¹ Stuart's Hist. vol. i. p. 141.

but by their interest, influence, and advice with the king and the English, and some other fair generals, which, say they, is not yet fit for the Scots to know, as it is impossible to keep such secrets long concealed in an army. And, adds the same historian, Saville wrote letters to all the lords, on purpose to get answers to them; and by their names to those answers, he so well counterfeited the names of the several lords, that when these lords afterwards saw their pretended hand-writing, they declared every one of them they could not swear they did not write their names, though they could swear they had signed no such letter.

To corroborate this forgery, Saville wrote to the lord Loudon, positively assuring him, that their English friends in the south were mutually engaged to one another, upon the first assurance of the Scots entering England, to unite themselves in a considerable body, and to draw up a remonstrance to the king, wherein they would comprise the grievances of both nations, and require a mutual redress; that it was the judgment of all, that our army and entry were the sole and principal means, in any probability, to effectuate both our desires; that part money would be ready for them before they could come in an ordinary march; that some troops of horse, and a regiment of foot, besides particular persons out of every regiment, would turn to them; that the gentry would willingly afford them victuals in a plentiful manner, and the meaner sort upon very easy conditions; that they would, when the work is finished, be sent back with a liberal recompense for their charges, &c.

This encouraging letter animated the Scots very much. However, they did not hasten their march, till one of their chiefs received the following letter, dated the 9th of August:²

“WORTHY SIR,—Such is our affection to your cause, and care of your affair, that nothing hath been omitted which might conduce to the furtherance of your design, nor the discharge of our

² Stuart's Hist. vol. i. p. 141.

own promises. But your often failing in point of entrance, after solemn engagements by word and writ, hath deadened the hearts of all your friends, disabled the most active to do you any further service, and disappointed yourselves of near L.10,000, which was provided and kept for you till you had twice failed, and that there was little or no hope of your coming. The Lord hath given you favour in the eyes of the people, so as I know not whether they are more incensed against our own soldiers, or desirous of yours. If you really intend to come, strike while the iron is hot; if you be uncertain what to resolve, let us know it, that we may secure our lives, though we hazard our estates by retiring. Here is no body of an army to interrupt you, no ordnance to dismay you, no money to pay our own; the city hath once more refused to lend, the trained bands to be pressed; the country storms at the billeting of soldiers—quarrels arise every day about it. If you have a good cause, why do you stand still? if a bad, why have you come so far? Either die or do, and so you shall be sons of valour.—P.S. If there be any thing of consequence, you shall have speedy intelligence of it. Your friend,
I.H.R.”

The Scottish army being thus encouraged with the prospect of large supplies of men and money from the English, considering also, that, by complying with the advice suggested, they would carry the war out of their own country, and be the more ready to administer relief to their brethren in England, were inclined to take the hint. For that purpose, the committee attending the general, met the 3d of August, and having called to their assistance the whole noblemen, colonels, barons, ministers, and burgesses, who were with the army, after much debate and reasoning, resolved unanimously, and without any contradiction, to carry the war into England. This resolution was sent back to Edinburgh, where it was agreed to the day following by the committee who sat

there. Upon all which an act was extended and signed by the committees, both with the army and at Edinburgh.

For justifying this expedition, the committee framed and dispersed two papers, one of them intitled “Six Considerations, manifesting the lawfulness of their expedition into England,”¹ of which this is the substance: “The *first* consideration is the great force of necessity, which justifies actions, otherwise unwarrantable; for they must either seek their peace in England, or undergo burdens they are not able to bear. As, 1. They must maintain armies on the borders, for the defence of their country, which, otherwise, would be quickly overrun by a hostile invasion. 2. They shall be debarred from trade by sea, which would deprive them of necessaries, and undo their burgesses, merchants, mariners, fishermen, and others, who deal in commodities exported or imported. 3. They should want administration of justice, none of their judicatures sitting of late, which, in time, would turn all to confusion. The *second* consideration is, This expedition is, on their part, defensive: for, 1. His majesty, not they, hath begun this year’s war; and although the articles of pacification had been performed on their part, the ratification in parliament, of what was agreed by the said articles, was denied, and their commissioners, whom they sent to inform his majesty of the reasons of their proceedings, were refused audience, and, before his majesty was content to hear them, war was concluded at the council-table in England, and a commission given to the earl of Northumberland to command in chief. 2. The parliaments of Ireland and England were convened to grant subsidies for this war against them, their ships and goods seized at sea, and disposed of as lawful prize; and men, women, and children killed by the garrison in the castle of Edinburgh. 3. They are ready to lay down their arms as soon as they shall get a sure peace, and be satisfied in their just demands, upon which grounds some of those who would seem

¹ Rushworth (abridged,) vol. iii. p. 186.

the greatest royalists, held the wars of the protestants of France against the king and Guisian faction, to be lawful defensive war, because ready to disband, on assurance of peace and liberty of religion: That in all their remonstrances there is not one word against a defensive war, which, they conceive, is as lawful for a whole nation, when invaded or blocked up, as for a private man, when his house is blocked up so that he can get no supply for himself and family, and is in continual hazard of being assaulted, to fight his way through with the forces he can make. A *third* consideration is, They are called to this expedition by that divine providence which hath guided them hitherto, as being expedient for the glory of God, the good of the church, the advancing of the gospel, and their own peace. After seeking of God, they find their hearts inclined to it, and he hath given them zeal, courage, ability, opportunity, unanimous resolution, and encouragements from providence to go on with it, particularly from the proceedings of the last parliament in England, whose grievances and desires are so like theirs, that they have endeavoured, by their supplications and all other means, to avoid this expedition, but are constrained to it by their enemies, who, they hope, will be disappointed; and that their coming into England, instead of producing a national quarrel, (which is what their adversaries aim at), shall link the two nations together in a straiter bond. They observe the order of the Lord's steps in this work of reformation, which, beginning at the gross popery of the service-book and book of canons, he hath followed it to the smallest innovations in this church, which will lead yet further to prelacy in England, the fountain whence all those Babylonish streams have issued unto them, and they trust he will follow it so far as to chase home the beast and the false prophet to Rome, and from Rome out of the world. And they viewed the national covenant as an additional obligation to this defence. The *fourth* consideration is, The lawfulness of this

expedition appears by the party against whom it is, not the kingdom of England, but the Canterburian faction of papists, atheists, arminians, prelates,—the misleaders of his majesty, and the common enemies of both kingdoms. And they hope their brethren in England will not make themselves a party against them, as the Benjamites made themselves against the Israelites in defending the Gibeathites, but that they will imitate the wise woman in Abel, who kept Joab from being an enemy to her city. They know they detest the churlishness of Nabal, and the inhumanity of the men of Succoth and Penuel, and that they will furnish them with victuals and necessaries, seeing they do not seek them for nought, but for money or security; and if they should deny them, it would be as culpable as the barbarous cruelty of Edom and Moab, who denied Israel bread and water. The *fifth* consideration is, The end for which they come. Not to do any disloyal act against his majesty, or to enrich themselves with the wealth of England, but as well to do that kingdom all the good they can, as a deserved recompence for freeing them from the French at the beginning of the reformation, as for the suppressing and punishing in a legal way, by an English parliament, the troublers of Israel, the firebrands of hell, the Korahs, the Balaams, the Doegs, the Rabshakehs, the Hamans, the Tobiahs, and Sanballats of these times, which done, they are satisfied. For compassing whereof, all other means have failed, and this is the only remedy left. The *sixth* consideration is, The blessed effects which will follow the success of this expedition: Scotland reformed as at the beginning; the reformation of England, so long prayed for, brought to pass; papists, prelates, and all other members of the antichristian hierarchy packed away; the names of secretaries and separatists no more mentioned; and the Lord one, and his name one throughout the whole island."

The other paper, and that which the committee do specially refer to in their act afore-mentioned, was entitled, "The

intentions of the army of the kingdom of Scotland, declared to their brethren of England;" and was to this effect:¹—That the best and greatest works have been censured and condemned by the ignorant and malicious, who cannot be pleased, even when God is best pleased; the deliverance of God's people from the Egyptian servitude; the redemption of the church by Christ; the planting of the Christian religion, and the vindication of it from Romish superstition and tyranny, have been hitherto bitterly calumniated by the wicked. The nature and quality of this good work, wherein the Lord hath honoured them to be actors, may teach them to expect the gain-saying of sinners, and that nothing that can be hatched in hell shall be wanting to make them odious.—That it will be said, that by their entering into England they intend an invasion, and to enrich themselves with the possessions and goods of their dear brethren: But their peaceable carriage to this time; their declarations and remonstrances, wherein they have condemned all national invasion; their willingness, when in arms, to lay them down, upon some small hopes of enjoying their religion and liberties; and their forbearing now to make reprisal upon the ships and goods of the English, for those taken from them by the king's ships, are plain and sure evidences of their meaning.—That above all the favours they have received from the good people of England, one there is which they of Scotland, and their children's children after them, shall never forget—that when the council of England had concluded a war, and the parliament of Ireland had offered their persons and estates against them, when a parliament was called for that very end in England, and they were proclaimed traitors and rebels at every parish church, no threatenings, fears, promises, hopes, or suggestions could move that parliament to grant subsidies for a war against them, but rather by their speeches, complaints, and grievances, they justified the cause which we defend.—That they should

¹ Rushworth, p. 189.

look for vengeance from God, if they should move hand or foot against that nation represented in that honourable meeting: In this thankful acknowledgment they give the city of London a large share for their affection to religion, and the peace of both kingdoms, notwithstanding the misleaders of the king call them seditious. They offer their religious attestation of the great name of God, that they intend no enmity or rapine, nor shall engage themselves in blood by fighting, unless forced to it by papists and prelates, for they believe not that any such thing will come from godly men or good patriots. The designs of the enemy are, that their religion may be turned into superstition and atheism, and their liberty into bondage; of this they conceived the blocking up of Scotland by sea and land would prove a powerful and infallible mean, for thereby they should be brought to poverty and confusion, and to accept of the conditions they now despise and decline, which would be a precedent for the like in England; or else be constrained to break into England, that so the English being stirred up against them, and entered into blood, may with their own swords extirpate their own religion, lay a foundation for the building of Rome in the midst of them, and be made the authors of their own perpetual slavery. But although the enemy have by cords of their own twisting drawn them into England, yet the rope they have made may be brought about their own necks, and their wisdom turned into foolishness.—That the wrongs they sustain have reduced them to a necessity of taking some other course than by petitions, supplications, and commissions, which have been unsuccessful.—That before they stirred with a petition, they for many years endured the continual opposition of the power of religion, and the violation of their liberties: And when gross popery was obtruded upon them, in the books of canons and common prayer, they used no other arms than prayers and tears to God, and petitions to their king, which were rejected, and they forbidden to in-

sist on them, under pain of treason. They then renewed their national oath and covenant; and when his majesty was moved by wicked counsel to march towards them with an army, they, rather than seem disobedient to their king, or distrust their brethren in England, disbanded their forces, delivered up such holds as were demanded, and were content, notwithstanding their lawful former assembly, that all things should be again considered and established in a new assembly and parliament.—That matters ecclesiastical were accordingly determined by a new assembly, in the presence, and with the consent of his majesty's commissioner: But the parliament, when convened, was, by the advice of evil counsellors about his majesty, contrary to their laws and constitutions, prorogued, which, to shew their invincible obedience, they suffered, and sent up their commissioners to London, with the reasons of their demands; but they being then neither seen nor heard, they sent them up again with their propositions, which contained no more than what was before granted under his majesty's hand, but could find no answer, which will be wondered at by those who know not that the bishop of Canterbury, and the lord lieutenant of Ireland, assisted by the papists, endeavour to shew their zeal for his majesty, by oppressing the subjects' liberties, and the reformed religion; and instead of a gracious answer, their commissioners were restrained, one of their noblemen imprisoned, garrisons of strangers set over them, their ships and goods taken and sunk, the owners stripped naked, and more inhumanly used than by Turks and infidels, armies prepared against them, and a commission to subdue and destroy them.—That to send new commissioners or petitions, being against sense and experience; to sit still in security, waiting for their own destruction, at the mercy of their enemies, being against religion and nature; and to endure continual threatenings and invasions from year to year being more than they are able to bear, they are resolved to have their proceedings better known

to his majesty and the world, especially to the kingdom of England; and as they desire the authors of their troubles, who have come out from themselves, may be tried at home according to their own laws; so they press no further process against Canterbury, the lieutenant of Ireland, and those other pernicious counsellors in England, than what their own parliament shall judge they deserve. They magnify the providence of God from the beginning of this work of reformation, which hath encouraged them to proceed whither he shall go before them, and lead them on. When the prelates, by their revenues and lordly dignities, their power over all sorts of his majesty's subjects, by their places in parliament, council, college of justice, exchequer, and high commission, were grown to an absolute dominion and greatness, then did the work begin, and this was the Lord's opportunity; then were they raised from the dead, and hopes given them to see a new world; and (which is a providence to be adored) though neither council, session, or other judicature had been all the time sitting, and many thousands have sometimes met together, yet they were kept without tumult or trouble; when, after the pacification, they would have lived in peace at home, their wicked enemies would not let them rest, but will make them do that which the Lord hath decreed against them.—That they have strong grounds of assurance that God hath accepted their work, and will not leave them; and though the Lord may use some wicked men in his service, yet this is no just ground of quarrelling against the work of God.—That all the encouragements they have, could not have made their entry into England warrantable, if their peace could have been found at home; but where it is to be found, there they must seek after it, and when secured to them, they will lay down their arms, and manifest to the world that they took them up for defence, not invasion.—That what they do they are compelled to by necessity, for which no positive law need be pleaded,

it being written in every man's heart by nature ; and no greater necessity can there be than the preservation of religion, their country, their lives, and the honour of their king, all which are in hazard. The question is not, whether they shall content themselves at home with their own poverty, or enrich themselves in England? nor, whether they shall defend themselves at home, or invade their dearest brethren? but, whether they shall keep themselves at home till their throats be cut, and their religion, laws, and country destroyed, or seek their safety, peace and liberty in England. And, whether they (a whole kingdom) shall lie under so many accusations, receive the service-book and the whole body of popery, embrace the prelates and their abjured hierarchy, renounce their solemn oath and covenant, forget their former slavery, fill the hearts of their enemies with joy and of their friends with sorrow, dishonour the Son of God, whose cause they had undertaken, draw on themselves the judgments due to apostates, and wait for their own slavery in souls, bodies, and estates, by barely standing to their defence, which they know is impracticable? Or shall they seek their relief in following the call of God, and entering by the door his providence hath opened to them? Their enemies at first shrouded themselves under the king's authority, but now it appears a crown is not tied to a mitre. They would have men think that to come into England is to come against England, and to pursue them, though legally, is to invade the kingdom where they live ; as if the cutting away an excrescence, or cutting an imposthume, were the killing of the body. Had the wrongs done them been done by the state or kingdom of England, there had been just cause of a national quarrel ; but the kingdom of England, convened in parliament, have refused to contribute any supply against them, and have shewed that they are oppressed with grievances like to theirs, which the king hath declared he will redress out of parliament, whereas national griev-

vances require the hand of the parliament for their cure ; but for preventing thereof they were dissolved. Finally, They exhort all who love their religion and liberty, to join against the common enemies that intend the ruin of them in both kingdoms, their design having ever been, that if they could not engage their dearest brethren and neighbour nation in a war for their destruction, then to tie up their hands in Scotland by some ill-assured peace, until they had laid the yoke of bondage upon England, by the army pretended to be raised against Scotland, and then to break again with Scotland when they were like to stand alone ; so the benefit Scotland would have by such a peace would be, to be the last destroyed. They attest the God of heaven, their intentions are what they have herein declared, and for obtaining those ends, they will not spare their pains, fortunes, and lives: That they will not, without price, or security if the other fail, take from their brethren, from a thread even to a shoe-latchet, they coming amongst them as their friends and brethren, sensible of their sufferings and dangers, and expecting they will concur with them. The malversations of some soldiers usual amongst so great a number, will not, they hope, be imputed to them, who will labour to prevent them. And their professed enemies, the papists, prelates, and their adherents, cannot account necessary sustenance unreasonable, when they remember what counsel they have given for declaring all their possessions forfeited. They shall demand nothing of his majesty but the securing of their religion and liberties ; and their abode in England shall be no longer than in their parliament those may be secured, their just grievances redressed, and sufficient assurance given for the trial and punishment of the authors of their evils. Their return shall be peaceable, and they hope the effect shall be, the extirpation of popery, reformation of the church, flourishing of the gospel, and a durable union between the two kingdoms.

As soon as these papers reached the

ears of the court, they were declared false and treasonable, and the Scots were declared rebels; and upon the 20th of August, the king set out for his army, a good part of which was advanced the length of Newcastle, and the rest were on the way between that and York.¹

Notwithstanding of all the preparations which the Scots had made, they were afraid of running short of money; and, as the English would complain if their planting were cut for rearing huts to the army, instead of tents, with which the Scots had contented themselves during their encampment at Dunse the former year, it was wished they could furnish, at least, eight or ten Scots ells coarse cloth, for a tent to every four men; and to supply these wants the general committee attending the army, sent back Rothes and Loudon, two of the best beloved nobles, with Mr. Alexander Henderson and Mr. Archibald Johnston, to Edinburgh, to use their interest with the citizens to contribute to their assistance in these particulars. They arrived at Edinburgh so late upon Saturday that they had little more than time to tell their errand that night; yet so forcibly did Mr. Henry Rollock, and some other ministers in the city, deal with their hearers' consciences the day following, that on Monday the good women willingly gave webs of harn, or coarse linen, tweeling, and other stuff, sufficient almost to cover the whole army, and the men advanced, upon security, about L.120,000 Scots, presently, and undertook to send as much after the deputies in a little, which they faithfully performed. "Many a time," adds Mr. Baillie, who says he was a witness to these things, "hath that good worthy town promoted our cause, but they never did it more seasonably than at this time." An honourable testimony indeed for the good town, but a testimony which administers reproof to many of the present citizens, who are either stating themselves in avowed opposition to such practices, or betraying such an indifferent temper concerning them, as if

they were none of the children, and were ashamed of the example of so zealous and so pious progenitors; but this only *en passant*.

And now the Scottish army being prepared to march, passed the river Tweed at Coldstream, the 21st of August, in high spirits.² It was resolved, from their first outset, that the regiments should take the van and rear by turns, and the lot gave the van that day to the gallant Montrose, who went first through the river on foot, alone, and then returned and marched through at the head of his regiment, and all the other colonels (except two, who had the charge of the horsemen, who were placed in the river, as a wall on both sides of the foot till all were passed over,) marched also through on foot, at the head of their regiments, to show their men that they resolved to be first in every danger. This passage was effected with the loss of one man only of Montrose's regiment. Upon the arrival on the English border, their ministers did again, as they had done at their first outset, recommend them by prayer to the good conduct and care of the Lord of Hosts; and then, for the conveniency of forage to their horses, and to the great droves of cattle and sheep which they carried alongst with them out of Scotland, they divided the army into three bodies, one under the command of lord Almond, the lieutenant-general, another was led on by major-general Baillie, and the brave general Leslie brought up the rear. They kept all within eight or ten miles of one another, and after a slow march through Northumberland, they met, by appointment, the 26th, at a place called Frewick, in Newcastlemuir. From thence the committee wrote two letters, one to the commander-in-chief of the army at Newcastle, and another to the mayor and aldermen, inclosing the two papers before abridged, as the motives of their march, and declaring that their present appearance in arms was not intended to wrong any, but to defend themselves against all who would obstruct them

¹ Baillie, p. 1073.

² Baillie.

from access to lay their grievances before their sovereign, and desiring passage through that town as the king's highway. These letters they sent by the drum-major of lord Montgomery's brigade, but they were sent back unopened; whereupon the army turned to the right, and encamped beside Newburn, about five miles above Newcastle, where the river Tyne is passable at low water, at which place they obtained a signal victory over the English, upon the 28th of that month, a day which, by the last general assembly, was observed over all our land in fasting and humiliation. The circumstances of this victory, as appears from comparing the report made by the committee, and Mr. Baillie's account, with the relation given of it by the English historians, were as follows:

Of the English 3000 foot and 1500 horse, according to Rushworth, but 4000 or 5000 foot and 2500 horse, according to our committee's account, were sent to guard the pass at Newburn, under the command of the lord Conway. There they raised two batteries on the south side of the river, one opposite to each ford, and set about 500 of their choicest musketeers, with four pieces of cannon, to defend each battery, and thereby stop the passage of the Scots, if they should attempt to go through the river; and the rest of their forces were drawn up in a meadow, at the foot of a hill near a mile behind them. Opposite to them lay the Scottish army, amongst the north banks of the river, and the ground on that side being higher than on the south, they had the advantage of seeing the exact posture of the English trenches, and by the help of the houses in Newburn, and of the trees and shrubs, to plant their cannon directly opposite to them, without being discovered. While this was the situation of both parties, the earl of Stafford sent an express to the lord Conway, acquainting him of his near approach with the rear of the king's army, and ordering him to gather the rest of the army together, and to prepare for an engagement.¹ But, before this

¹ Rushworth, vol. iii.

order could be put in execution, the Disposer of them both brought about a remarkable change of affairs, by the means of a very small incident. A Scottish officer watering his horse in the river, an English soldier seeing him fix his eyes on their trenches, shot him, and he falling from his horse, the Scots musketeers fired upon the English, and their cannon, especially some which they had placed upon a steeple, fired with so much success upon the English trenches, that, incontinently, the men placed in them were greatly disordered; about twenty of them were killed, and notwithstanding the bravery of Colonel Lunsford, who commanded there, the rest could hardly be restrained from flying. By this time it was low water; wherefore Sir Thomas Hope the younger of Craighall having the van of the horse, was ordered to march through the river with his troop, consisting all of gentlemen, members of the college of justice, commonly called the general's life-guard; and, to support these, passed also colonel David Leslie, with four troops of his own, and a troop of Sir Patrick M'Ghie's, who pursued the English with great success, and made every man prisoner who had the courage to abide by their batteries. The rest fled towards their main body, till they came to a narrow pass, where they again rallied. Sir Thomas Hope's troop being still in the van, encountered them with great bravery, and, being well supported by colonel Leslie, bore down all before them; but, pursuing their advantage too far, were in hazard of being cut off: for no less than twelve troops of the best horse the English had, were by this time come up to support their foot, and the rest of their forces were fast advancing, which general Leslie perceiving, he wisely sent up the colonels Ramsay and Blair, with six troops of horse and 1000 musketeers to their relief, with orders to retire, if forced to it, under the protection of our cannon, till a sufficient number of foot were got through to support them. The English horse, not adverting to our cannon, adventured too far, and received two

or three smart fires, which put them into great disorder, and obliged them to retire back in the utmost disorder, for the assistance of their main body. This animated our soldiers so, that scarcely did they wait for orders. The whole army did run, with great courage, towards the river; but by the time that the brigades commanded by the lords Loudon, Lindsay, Queensberry, and Montgomery, who were in the van of the foot, had joined the horse, victory gave her suffrage to the Scots, and the English, contrary to their wonted custom, threw down their arms, and retired in great disorder, their foot to a wood not far off, and their horse, covering the retreat, were considerably worsted, a number of them killed, and several taken prisoners. In short, to use the words of the committee with the army to the committee at Edinburgh,—(which is the more necessary on this occasion, as bishop Guthrie,¹ whose probity is hard to be found where he hath ado with any who were chief instruments in the reformation of that period, avers very roundly, that Sir Thomas Hope and his troop were scarce well entered the ford, before they wheeled about, and retired with discredit)—“All our horsemen,” say they, “did not get up to the charge, but all who came did their part so bravely, that we cannot tell whom to commend most. Sir Thomas Hope had the van, whose troop being charged by the English, howbeit in a strait passage, did so acquit themselves, that they beat back the English, killed several of them, and took some prisoners. Colonel Leslie seconded him with great courage and resolution. All the rest who came to the charge acted their part so resolutely, that, if there had been more hours of daylight, in all appearance, there had been many more of the English slain and taken.”

This victory was attended with the loss only of about a dozen of men to the Scots, the chief of whom was a brave youth, the only son of Sir Patrick M'Ghie sheriff of Galloway, and about twice that

number were wounded.² Of the English, the loss is more uncertain. Clarendon, and some others, won't let them exceed a dozen; some, on the contrary, count upon 500. But the more impartial of their historians reckon on 300 killed, besides what were made prisoners by the Scots.³ Among their slain was Endynnan Porter, who carried the royal standard; and the lord Wilmot's eldest son, Digby the commissary-general, and colonel O'Neil, were amongst the prisoners. The English neglecting the burial of their dead, the Scots saw them interred with decency, and, upon the first appearance of an accommodation, the general dismissed their prisoners with all respect.⁴

The night after the engagement the Scottish army rested on their arms; for, as there were about 11,000 of the English lying at Newcastle, and the rest of their army at no great distance, the general thought it best to be prepared against any surprise, but the event shewed he had nothing of that sort to fear.⁵ The army at Newcastle, sensible of the injustice of their cause, were in as great a panic as those at Newburn, and fled towards Durham as fast as they could, both officers and soldiers declaring in their march, that they would not fight to maintain the pride and power of the bishops, thus leaving the honour and a great deal of the wealth of the kingdom to the Scots.⁶

The same 28th of August was a happy day to the Scots on two other accounts. The castle of Dumbarton, doubtless a place of the greatest natural strength in Britain, sought a capitulation, which was granted them. In this place was found both provisions and ammunition in great abundance; but the scurvy having got in amongst the men, a number of them died, others were sick, and the rest were unable to endure the fatigue of defending that garrison.⁷ The other incident was the rescue, by the earl of Haddington and his men, of the

² Baillie.

⁴ Baillie.

⁶ Whitlock, p. 34.

³ Whitlock, p. 34.

⁵ Ibid.

⁷ Baillie.

¹ Guthrie's Mem. p. 83.

cannon and ammunition which the garrison of Berwick were carrying off from Dunse, so that in the carts and waggons which they brought to transport the spoil, they carried nothing back but their own slain and wounded men.

For all these advantages the praises of God were cheerfully sounded next Sabbath from every pulpit to which the news had reached, yet, the same day, it pleased God to give them some water to their wine. The earl of Haddington, to whom the committee at Edinburgh had committed the charge of the east country, being in garrison at the castle of Dunglass, in East Lothian, Edward Paris, Englishman, the earl's servant, and who had the keys of the vault wherein the powder lay, having, it was suspected, been seduced by the garrison of Berwick, put fire to the powder, which blew up the whole house, and buried most of those who were in it in the ruins, and the poor wretch amongst the rest. In this lamentable tragedy there perished, of account and good quality, Thomas the second earl of Haddington, (a nobleman who, in the beginning of our commotions, was much devoted to the pleasure of his king, but who having been detached from him by the superior force of duty, embarked most heartily in the common cause), Robert Hamilton his brother, Patrick Hamilton his base brother, Sir John Hamilton of Redhouse, Sir Alexander Hamilton of Innerwick, Alexander Hamilton his son, colonel Alexander Erskine second son to the earl of Mar, Sir Gideon Baillie of Lochend, James Inglis of Ingliston, the minister of Bunkle, lieutenant John Stirling, David Pringle surgeon, George Waugh, and about fifty-four common servants; and about thirty other gentlemen and servants received broken heads, legs, and arms, or were otherwise wounded, of which severals of them never recovered.¹

Yet even of this tremendous dispensation the living got some good; for those who heard the explosion of the powder, having run to the place, and seen the effects of the dreadful catastrophe, gave

the alarm to others, and by their example the inhabitants of the Lothians and Fife set up their beacons: Upon this the garrison in Edinburgh castle apprehending the king's navy was at hand for their relief, fell to rejoicing before the victory, and caroused so jovially, that the small provision they had left was consumed, and of necessity they were obliged to ask a parley the Sabbath following.²

This garrison began, upon the sitting of the parliament in the beginning of June, to use hostility, and killed several of the inhabitants of Edinburgh: Upon this they were summoned in the parliament's name to surrender, and continuing obstinate, they were blockaded, and fired upon from all the eminences in the city. The besiegers played very hard from three batteries, one in the castle-hill, a second in the Greyfriars church-yard, and a third at the West-kirk; and towards the end of July, part of the wall was blown up, and a reasonable breach made; but major Somerville and captain Waddell having been wounded, and a number of inferior rask killed or wounded in the assault, the besiegers were obliged to retire, and the garrison made up the breach again with baskets filled with earth. After this time, the guns of the besiegers being light, they contented themselves with a blockade of the castle, which issued in the surrender of it on the above occasion, upon condition the garrison were allowed to march out with military honours. The committee with the army were much displeased with their brethren, the committee of Edinburgh, for allowing the garrison such conditions after they were so reduced: But the truth was, they had been so troublesome neighbours, that the citizens were glad to get quit of them on any account, and procured the more easy terms to them from the committee. But it is full time we return to the army at Newburn, and enquire into the effects of their late victory.

It is impossible to express the great consternation which the English were

¹ Baillie, and Balfour's Passages.

² Baillie.

in on this occasion: the terror of God as well as of the Scots seems to have fallen upon them. The famous general Fairfax, who at this time had only a command under the lord Conway, is said to have owned, that till he passed the river Tees, his legs trembled under him.¹ The lord Conway and his army never halted till they reached Durham; and we have heard, that the soldiers at Newcastle, accompanied with many of the chief citizens, marched the same way early the next morning; and not accounting themselves secure there, Strafford ordered them to keep in a body, and to retire into York, whither the king had fled back from Northallerton: And expecting the Scots would pursue their advantage, he ordered that the horse and cattle should be every where taken out of their way, and the millstones to be broken or buried. Accordingly the English army left Durham in two days after the defeat of Newburn, and with them fled the bishop of Durham, and the other clergy of the diocese in their van; and it was observed that amongst them all, none made such haste as dean Balcanqual the incendiary.

The same day that the English army left Newcastle, the Scots sent Sir Archibald Douglas of Cavers with a trumpeter, and only two gentlemen as witnesses, to assure the mayor and aldermen that the army would offer no violence to them, except they did procure it by their own behaviour:² He opposed the behaviour of the Scotch army in their march through Northumberland, as a proof of their lenity, and advised that the burgesses would stay at home, and prosecute their several callings: He told them the army would encamp in their neighbourhood; and that the general would put a guard into the town for their security against stragglers in the night, or the like: And thereupon he returned to those who sent him.

Next day the general with his life-guard, the lieutenant general and a con-

siderable number of the committee, and several other nobles and barons, with Sir William Douglas and his troop, entered the town by the bridge, and were heartily received at the port by Sir Peter Riddle the mayor, and by the aldermen.³ After dinner with the mayor, (where, to shew their loyalty, they drank a health to the king) they went to the great church, and heard sermon by Mr. Alexander Henderson; and then having left Sir William Douglas and his troop in the town, the general and his company returned to the camp, and next day brought forward the whole army.

At their first incoming, they found 5000 stand of arms, and plenty of cheese, biscuit, and other provisions, which the English army had left.³ And having set the earl of Lothian with 2000 men to govern the town, the rest of the army encamped on Gateside hill, about half a mile south from Newcastle. From thence they stretched downward, and took possession of Tynemouth and Shields. The coal mines there, which were wont to employ at least 10,000 persons all the year over, were for some time deserted, merely through fear; and of 400 ships that used to carry coals thence for the city of London, very few adventured to come in, till two nobles were sent to assure them that they should not be molested; of which they took care to inform the citizens soon thereafter, in a letter addressed to the lord mayor and aldermen, which their friends improved very much to their advantage.³

The facility of Newcastle encouraged the Scotch on a sudden to make an attempt on Durham, which was also surrendered to them, and the earl of Dunfermline with a brigade was set to govern there.³

By this beginning of affairs we may see of what force and consequence it is to an army to have the belief and full persuasion of the justness of an undertaking, and how hurtful a contrary opinion must be. The English, we find, fled faster and much further than put-

¹ Burnet's Hist. p. 41.

² Paillie.

³ Baillie.

sued, and the Scots, tamed by good discipline and the superior influence of religion, shewed that they had no worse aim than the rescuing of their sovereign from his prejudices against them, or if that failed, to rouse their brethren of England from the lethargy into which they were fallen in so great a measure.

For, notwithstanding the success of the Scots army, all the advantage we find they took of it, was a dutiful attempt to recover king Charles from the consternation and grief with which he was afflicted on the defeat of his army, in a humble petition to his majesty from Newcastle, the 2d of September, inclosed in a letter to lord Lanark the secretary, which they sent by Mr. Hugh Cathcart of Carleton, to this effect:¹ That after their many sufferings, extreme necessity had constrained them to come into England, where they had lived upon their own means and provisions, harming none in their persons or goods, till they were pressed by strength of arms to put such forces out of the way, as without their deserving, and (as some of them at the point of death confessed) against their own conscience opposed their peaceable passage at Newburn, and have brought their blood upon their own heads: That from this submissive way of petitioning, no provocation, adversity, or prosperous success shall divert them. They pray his majesty would at last consider their pressing grievances, provide for repairing their wrongs and losses, and, with the advice of a parliament in England, settle a firm and durable peace, that they may cheerfully pay their duty to his majesty as their native king, and his throne may be established in the midst of them.

In about four hours after the above petition was presented, there came another from the lords Bedford, Essex, Hertford, Warwick, Rutland, Bolingbroke, Exeter, Mountgrave, Say and Seal, Mandeville, Howard, and Brook, all complaining of their own grievances, and praying that a parliament might be called to redress them; and in a short

¹ Baillie.

time after, petitions were sent to the same effect, from the city of London, and the gentry of York, and some other counties.² "The Lord Wharton and the lord Howard of Eserick, undertook," says Bishop Burnet, "to deliver some of these, which they did, and were clapped up upon it. A council of war was held, and it was resolved on to shoot them at the head of the army, as movers of sedition. This was chiefly pressed by the earl of Strafford. The marquis of Hamilton spoke nothing till the council rose, and then he asked Strafford if he was sure of the army, who seemed surprised at the question. But upon enquiry, he understood that very probably a general mutiny, if not a total revolt, would have followed, if any execution had been attempted."³

To the Scots' supplication the king seemed to pay little regard, but was much affected with the English petitions, and began at length to discover the general discontent of that nation, and the great distress he was in. "But," adds the author just now mentioned, "he had not the dexterity to extricate himself out of it. He loved high and rough methods, but had neither skill to conduct them, nor genius to manage them. He hated all that offered prudent and moderate counsels; he thought it flowed from a meanness of spirit, and a care to preserve themselves by sacrificing his authority, or from republican principles. And even when he saw it was necessary to follow such advices, yet he hated those that gave them; and therefore, it seems, he would not deign an answer to any of them, except the lords' petition, and to theirs in such a way, as shewed his contempt of it."⁴ But, lest the Scottish army had advanced further, he returned by the earl of Lanark this answer, dated at York, September 5, "That their petition being only in general terms, he requires them to set down their particular demands, he having been always willing to hear and redress his pe'

² Rushworth.

³ Burnet's Hist. of his own Times, p. 42.

⁴ Ibid. p. 43.

ple's grievances. And, for matnre deliberation herein, he hath given out summons for the meeting of the English peers at York, the 25th of this month, that with their advice they may receive an answer to their petition. He commands them, in the meantime, to advance no further with their army, which is the way to a reconciliation, of which, he assured them, they were not more desirous than himself."

Accordingly, the committee with the army, which at this time was composed of his excellency general Leslie, the lords Rother, Cassilis, Montrose, Dunfermline, Lindsay, Loudon, and Napier, Sir Thomas Hope of Carse, the laird of Riccarton, Sir Patrick Hepburn of Waughton, Sir David Home of Wedderburn, Sir George Stirling of Keir, and John Smith, and James Sword, burgesses, sent their answer, explaining what was complained of as general, in a letter to the earl of Lanark, dated the 8th of September; wherein, after professing that nothing on earth gave them greater pleasure, than that of their sovereign's beginning to listen to their humble desires, they say, the particulars of their desires are contained in the conclusions of the late parliament, and their printed declarations, and are briefly these: 1. That the acts of the last parliament be published in his majesty's name, as well as in the name of the estates. 2. That the castle of Edinburgh, and other strengths of the kingdom, may be used for their defence and security. 3. That their countrymen in England and Ireland be free from censure for subscribing the covenant, and from oaths and subscriptions contrary thereto. 4. That the common incendiaries may receive their just censure. 5. That the ships and goods taken from their countrymen be restored, with the damage they have sustained there-through. 6. That the wrongs done to them, the losses sustained, and charges incurred by them, be repaid. 7. That the proclamations against them as traitors be recalled. And finally, That his majesty would, by the advice and consent of parliament, remove the garrisons

from the borders, and remove all other impediments of a free trade; and, with their advice, condescend to all things which may establish a firm and well-grounded peace. They regret that the meeting of the peers is so long prolonged; and assure his majesty, that the more time can be saved, the more able will they be to obey his majesty's prohibition, not to advance with their army, which they shall observe, unless in the case of invincible necessity.

At this time the treachery of the earl of Montrose was discovered.¹ We took notice last year that he betrayed a propensity to desert his country's cause; and now a letter which he wrote to the same effect, without the knowledge of any of the committee, having been intercepted, general Leslie gave the committee information of the same, and it was expected he would have met with the punishment which his behaviour deserved; but he having craved pardon, and come in all obedience, and it having been shrewdly suspected that the lords Drummond, Fleming, Boyd, and some others were tainted with his infidelity, and a breach in the army at such a critical juncture being of the most fatal consequences, this spark which began to smoke so unseasonably, was, by the wisdom of the good old general, and the diligence of the ministers, happily extinguished.

Nor was this the only inconvenience which took place in the army, even in the midst of success. The provisions which they carried with them were by this time almost exhausted, and what provisions the English offered to them were greatly over-rated, sometimes at double the value.² To redress these, general Leslie and his council found it needful to require those over whom they had now the authority, to furnish them with provisions, not gratis, but for ready money or good security, to the extent of L.350 a-day,—for so much the daily expense of the army amounted to; and of that they imposed L.200 on the town of Newcastle, L.300 on the county of

¹ Baillie.

² Rushworth, vol. iii.

Northumberland, and L.350 on the bishopric of Durham. But they were greatly imposed on in the proportioning and uplifting of the same; for though those to whom the orders were directed could not dispense with them, their obedience was purposely conducted so as to incense the English still the more against the Scots. "In some places they exacted double of what they gave to our army, and laid the heaviest burden on the back of the dissenters. Yea, several English vagabonds having (to be like the Scottish commonalty) procured bonnets, fell to plundering their country under the name of Scotsmen. And it was remarked that many of the servants of the clergy, who had made their elopement, betrayed their trust, and spoiled their masters of the furniture and utensils left to their care, and yet laid the blame of all to the door of the Scots."¹

Of these things loud complaints were made to the king against the Scots, (from which, when they came to the knowledge of it, they quickly cleared themselves,) but he was in no capacity either to relieve or redress the oppressed, and therefore the gratifying of their wishes was of necessity deferred till the ensuing meeting of the peers.

However much king Charles would have had his subjects depend on that meeting, his own expectation, or rather fear, seems to have foreboded otherwise; for about this time all the trained bands on this side Trent were ordered to be ready for marching on the twenty-four hours' warning, and the utmost diligence was to be exerted for furnishing provisions, arms, and ammunition, and supplying his majesty's garrisons.¹

Nor was the prudent general Leslie less careful of his duty; he had a just notion of the king's disposition, which, joined to the report that ten thousand of the Irish papists were sent for by lord Strafford to assist the king, he determined to be in readiness for the worst, and therefore required a reinforcement of four or five thousand men from the committee at Edinburgh.¹ Accordingly, the

¹ Baillie.

country being now free from intestine commotions, the lords Marischal, Home, and Lindsay, and major-general Munro, were dispatched with near 4000 foot. In a little space after, the earl of Argyle set out with a pretty band of gentlemen, all friends or vassals of his own; and the earl of Eglinton, and others well affected at home, were ordered to be ready for marching on a call: but God did in his merciful and good providence suspend the need of them, and the effusion of more blood at this time, as the sequel will show.

The king having, September 7th, issued out writs to convene his English peers at York, the 24th of that month, near sixty of them met at the time and place appointed, when his majesty had a speech to this effect:² "That it having been the custom of his predecessors, upon sudden invasions, which would not admit of the delay of calling a parliament, to assemble the great council of peers for their advice and assistance; and an army of rebels being now lodged within the kingdom, he thought fit to conform himself to the custom of his predecessors. He said he desired nothing more than to be rightly understood of his people, and to that end had resolved to call a parliament, and had ordered writs to issue out for their assembling the 3d of November: In the meantime he desired their advice in two points—1. What answer he should give to the petition of the rebels, and in what manner he should treat with them. And, 2. How his army should be maintained till parliamentary supplies might be had." For justifying this war, the lord Traquair was brought in to repeat the speech he had to the privy council in February preceding; and then the correspondence betwixt the Scots and the earl of Lanark, their supplication to the king, and explication thereof was read; as should also the supplications presented to his majesty from all the corners of the kingdom, subscribed by many thousands of the most considerable hands in England, all crying out for a parliament; but

² Rushworth, vol. iii.

these were branded with temerity, unreasonableness, disaffection, &c.

Nevertheless it was resolved to send to Northallerton against the 1st of October, the earls of Bedford, Hertford, Essex, Salisbury, Warwick, Bristol, Holland, and Berkshire; and the lords Mandeville, Wharton, Paget alias Kimbolton, Brook, Pawlet, Howard, Saville, and Dunsmore, as commissioners to treat with the Scots; and for their assistants were appointed the earls of Morton, Traquair, and Lanark, secretary Vane, Sir Lewis Stewart of Blackhall, and Sir John Borrough.¹

The same day lord Lanark, by the king's order, wrote to the committee at Newcastle, acquainting them of the nomination of the above sixteen commissioners, (without taking any notice of their assistants,) and that his majesty was ready to grant a safe-conduct to those they should employ on their part, and ordered that fair quarters be kept betwixt both parties. Next day the king was advised to alter the place of meeting to Rippon, a small town fifteen miles from York, as more commodious than Northallerton; and notice of this was immediately dispatched to Newcastle. Then the peers entered on the consideration of what sum would be sufficient to maintain their army till supplied by parliament, and how it should be raised. Strafford represented from the king, that the army, consisting of 20,000 foot, 2300 horse, and three regiments of loyal Scots, required L.60,000 a-month for their maintenance; and as his majesty's treasures were now exhausted, he proposed the borrowing of L.200,000 from the city of London: The motion was applauded, six peers were deputed to request the city to advance the above sum, and to treat with them about the security and days of payment; and the whole peers offered to join in any further security that should be agreed on. It is unnecessary to dwell on this; the loan was obtained on the security offered, whereby the king was enabled to keep up his army for three months longer.

¹ Rushworth, vol. iii.

In the meantime the committee with the Scots army nominated John earl of Rothes, Charles earl of Dunfermline, John earl of Loudon, Sir Patrick Hepburn of Waughton, Sir William Douglas of Cavers, William Drummond of Riccarton, John Smith of Edinburgh, Alexander Wedderburn of Dundee, Hugh Kennedy of Ayr, Mr. Archibald Johnston advocate, and Mr. Alexander Henderson minister, their commissioners for the treaty at Rippon; and having, September 29th, obtained a safe-conduct to them under the great seal of England, and alongst therewith a letter to the same effect from fifty-six of the English nobility, they instructed them to receive all the answers to their demands, expressed in the acts of parliament, and in their letter to the earl of Lanark secretary, in writing: To insist for L.40,000 a-month, to subsist our army till the conclusion of the treaty: To obtain a safe-conduct to what other commissioners they might judge proper to send after them, and free passage for our posts, and for our ships to carry up provisions to Newcastle: To decline Traquair's mediation, and that of any others not named in the list of the English commissioners which was sent them: To give the English full information of our proceedings, and how some of our countrymen and the English bishops have conspired to disturb our peace: To insist for the granting of our desires, as absolutely necessary for our satisfaction, &c.

October 1st, the commissioners of both kingdoms met at Rippon, where the occasion of their meeting having been opened by the earl of Bristol, and their commissions exchanged, the English were for proceeding upon the footing of the pacification at Dunse, and the Scots upon their petitions presented to king Charles, and his answers since that time;² but first, they insisted that some things preparatory to their treating might be agreed upon, and with these the convention began. The Scots would not yield to Traquair's being on the commission, because of his misrepresentations to the

² Rushworth, vol. iii.

king and his council, which had incensed them to the last degree against the Scots; nor were they willing that Lanark, Morton, Sir Lewis Stuart, nor Sir Henry Vane, should have any share in the matter, because not named in the English commission. In the next place, the English proposing a cessation of arms, the Scots professed their readiness to comply, on condition their army were in the meantime supported by the English; they urged, that the countries where they lay were grown poor; that they could not, as affairs then stood, think of returning home till proper conditions were agreed to; that his majesty had forbid them to advance further, so that a treaty without previous security for subsistence to their army was worse than a war; and that if it were expected they should advance no further, which nothing less than invincible necessity should cause them do, they must have maintenance for their army. This pill was very hardly got digested by the English, yet upon debate in the great council, to whom the English commissioners remitted the same, it was judged necessary, for preventing the further advance of our army, and the utter ruin of the country, to allow a competency to our army during the treaty. For this purpose our commissioners demanded L.40,000 monthly; but in regard the English treasures were exhausted, and as they had their own army to maintain, our commissioners were obliged to satisfy themselves with L.25,000 a-month, till the middle of December,¹ with fit lodging, and coals regularly furnished to them; victuals for the army were to be custom free; the prices of victuals, forage, and other necessaries were to be agreed on by persons nominated on both sides; the arrears due preceding the time these preliminaries were agreed on, were to be paid up, and a committee named by the great council at York were to regulate the contribution of L.850 a-day out of Northumberland, the bishopric of Durham, and town of Newcastle, and to use means for

¹ Rushworth, vol. iii.

their relief from the rest of the nation. On this interim security a cessation of arms was agreed to, and the Scots undertook not to molest either papists, prelates, or their adherents, during payment, and to abstain from imposing any taxes, and not suffer any plundering.

This beginning of the treaty having taken up near three weeks, the English commissioners, finding that matters were not to be accommodated without full deliberation, and that some of them could not be determined before the parliament met, petitioned the king to transfer the treaty from Rippon to London;² at first the king hesitated to grant this request, but finding the peers resolute for it, he condescended, and empowered his commissioners, or any ten of them, to settle with his subjects of Scotland all particulars belonging to their removal.

Accordingly, the Scots having made some demur about the security for payment to their army of the L.850 a-day, and the English being afraid of their committing hostilities, if all previous satisfaction were not given them, the commissioners on both sides met, the 26th of October, and signed the following articles: "1. That from this time there be a cessation of arms both by sea and land; and that all acts of hostility cease. 2. That during the treaty both parties should retain what they now possessed. 3. That those in his majesty's forts beyond the Tees should not exempt their lands in Northumberland and the bishopric of Durham from the contributions agreed on. 4. That the king's forces in those bounds should not hinder the contribution, or take any thing but what the owners voluntarily bring them, and that any detention of victuals, &c., made by the Scots for their maintenance shall be no breach. 5. That no recruits shall be brought to either army during the treaty. 6. That the L.850 a-day shall be raised only out of Northumberland, the bishopric of Durham, Newcastle, Cumberland, and Westmoreland; and that the non-payment thereof shall not be a breach of the treaty, only

² Rushworth, vol. iii.

the Scots shall have power, in case of failure, to raise the same, with allowance for the expenses of driving, to be fixed by the commissioners of the forage. 7. That the river Tees shall be the boundary for both armies, with liberty, nevertheless, to the Scots to send out necessary convoys to gather their contributions if unpaid. 8. That private insolences committed shall be no breach, provided, on complaint, reparation be granted. 9. If victuals be refused on the agreed price, it shall be no breach to take the same on payment thereof. 10. No new fortifications to be made on either side during the treaty. 11. The subjects of both kingdoms to go freely to and fro, but not the soldiers without a formal pass under the hand of the chief commander. And, 12. That the ports be opened, and free trade permitted."

These preliminaries, and the transferring of the treaty to London, having been equally acceptable to the Scots, the same commissioners who were appointed to treat at Rippon were ordered to go forward to London.¹ And because great hopes were entertained by friends in England from their presence and influence at London, the committee at Newcastle ordered Mr. Robert Blair, for his dexterity in dealing with the independents; Mr. Robert Baillie, for his eminence in managing the arminian controversy; and Mr. George Gillespie, for his nervous and pithy confutation of the English ceremonies; to accompany the three noblemen as their chaplains; and in a short space, Mr. J. Smith and Mr. Eleazer Borthwick followed them.

The commissioners set out on Friday the 5th of November, stayed at Darlington on Sabbath, where, after public worship, performed that day by Mr. Henderson and Mr. Blair, was concluded, the post brought their safe-conduct, and a letter from the earl of Bristol, entreating them to make haste.² Next Sabbath they rested at Ware, within twenty miles of London; "where," says Mr. Baillie,³ "the minister being well recommended, we heard him preach two good sermons, after

we were warned of the ending of the service." Which we notice, to shew what notions they had of occasional conformity at that time.

On their arrival at London they took up their lodgings in Common-garden; but in a few days after, being solicited by the city of London, they removed thither, and sumptuous entertainment was afforded them gratis, during the whole time of their stay there, which was till June following;⁴ and having employed their learning, pains, interest, and influence with the citizens and many others, they proved a great blessing to that people, and the happy instruments of opening their eyes to see their own corruptions, and to recommend the reformation which they were contending for. But because the treaty was designedly drawn out by the English to a great length, that in the meantime our army being detained in England might contribute to make all bowls roll even there, we shall leave off the treaty, and briefly relate such occurrences in their parliament as were connected with the common cause of the two nations.

On Tuesday the 3d of November, the parliament of England, known by the name of the Long Parliament, met, and consisted of members generally as eminent as any age had ever produced.⁵ The king opened it with a speech memorable only for his calling the Scots rebels; and William Lenthal, Esq. an eminent bench-er of Lincoln's Inn, was unanimously called to the chair as speaker of the house of commons: He opposed his preferment till thrust into it by two of the members, and yet maintained the dignity of that seat equal to any who sat there before him.

At their first entering on business they appointed four grand committees.⁶ The first to receive petitions about grievances of religion, which was afterwards subdivided into above twenty; the second for the affairs of Scotland and Ireland; the third for civil grievances; and the fourth concerning popery, and plots relating thereunto.

⁴ Baillie, p. 1095.

⁵ Rushw. vol. iii.

⁶ Neal, vol. ii.

¹ Crawford.

² Baillie.

³ P. 1095.

The parliament being sensible that nothing but the king's absolute necessity permitted their coming together, they resolved to improve this happy opportunity to free the people from their burdens, and to punish the authors of the late disorders.

In a history of Scotland I cannot dwell long on the affairs of other nations; and therefore passing many entertaining incidents, I observe, that petitions against grievances having been sent up from many counties, attended by multitudes of the best people in England, many of the members of parliament did signalize themselves by learned speeches in support of them. "It was not a few of either house," says a late concise historian,¹ "but indeed all the great patriots that concurred at first to make enquiry into the grievances of this reign. Sir Edward Hyde, afterwards earl of Clarendon, the lord Digby, the lord Falkland, the lord Capel, Mr. Grimstone, who was chosen speaker of the house of commons that brought in king Charles II. and was master of the rolls, Mr. Holles since lord Holles, all which suffered afterwards on the king's side; and in general most of those who took the king's part in the succeeding war, were the men that appeared with the greatest zeal for the redress of grievances, and made the sharpest speeches upon these subjects."

They began with monopolies, and having resolved that all projectors and monopolists should be disabled to sit in the house, several members, conscious of their own guilt, withdrew, and others were elected in their room.²

The opinions of the judges, for exacting ship-money without authority of parliament, they voted illegal, and the proportioning and manner of exacting it unjust, and fined and imprisoned those that had warranted the lawfulness thereof.

And that offenders against the public might not escape unpunished, severals were impeached of treason, and committed to the custody of the black rod, or

sent to the Tower, others were obliged to give bail for their compearance when called for. Secretary Windebank and the lord keeper Finch fled beyond sea, and were voted traitors; and that other offenders might not escape, the house ordered the sea-ports to be diligently guarded, and all passengers to be strictly examined.³

Loud and very grievous complaints were made of the star-chamber, and high commission courts. Archbishop Laud presided in them both; the rest moved, says Burnet,⁴ as he directed: but their manner of procedure will be most conspicuous when exemplified in practice; and therefore we subjoin the instances of William Prynne, Esq., John Lilburn, Esq., Dr. Leighton, Dr. Bastwick, and Dr. Burton.

Mr. Prynne was an eminent lawyer of Lincoln's Inn, a gentleman of high reputation for learning and piety; he wrote a book licensed by an authorised licenser, entitled *Histrio Mastix*, against the obscenity of the stage and the lewd practices of the actors, which were arrived to such a height as to give great offence to all the sober part of the nation. Laud pretended this was a reflection on the queen, who was a great patroness of the women actors, and had herself acted a pastoral at Somerset-house. So, without any shadow of law, reason, or justice, he caused Mr. Prynne be expelled the university of Oxford and Lincoln's Inn, degraded and put from the law, and prosecuted him in his beloved star-chamber, where he pronounces this execrable sentence upon him: To pay the king L.10,000; to stand twice in the pillory; to have both his ears cut off, one at each time; to be stigmatised on both cheeks with red hot irons, making the impression of the letters S. L. denoting thereby a seditious libeller; and to be afterwards imprisoned during life, without the use of pen, ink, or paper.⁵

John Lilburn, a young gentleman of considerable family and fortune, who had lived with Mr. Prynne, and had a great regard for a person of his extraordinary

¹ Welwood's Mem. ² Rushw.

³ Rushw. ⁴ History. ⁵ Oldmixon.

abilities and integrity, could not forbear writing something in his vindication. This soon came to Laud's ears, who immediately ordered him to be whipped from the Fleet prison to Westminster hall, to receive 500 lashes with a treble cord having knots upon it, and afterward to stand at the pillory. He was whipped so bloodily, that every heart bled for him, yet he bore it with a courage that was amazing. While he was in the pillory in that most deplorable condition, he expressed some indignation at the injustice that was done him; this was immediately carried to Laud, who sent the executioner an order to gag him, which was instantly done, at which all the spectators were struck with horror and amazement.¹

Much about the same time Laud prosecuted doctor Bastwick, an eminent physician, for some things in his book called *Elenchus religionis Papisticæ*, and in his other, entitled *Flagellum pontificis et episcoporum Latialium*, denying the supremacy of bishops over other ministers; and asserting the parity of ministers; and Dr. Burton, a divine, for some expressions to the same purpose, uttered in two sermons at his own parish church of St. Matthews, Friday Street. They were each condemned to pay L.5000 to the king; to stand in the pillory; to have both their ears cut off, and to be imprisoned during life, without the use of pen, ink, or paper; and their wives were discharged at their highest peril to set their foot upon the islands of Scilly and Guernsey, whither they were carried prisoners.¹ And, to trouble the reader only with one instance more, our countryman, the reverend and learned Alexander Leighton, doctor of divinity in the two universities of St. Andrews and Leyden, was arrested by two ruffians belonging to the court of star-chamber, who dragged him with force and cruelty to Laud's house, where they told him he was to be examined concerning his book entitled *Zion's Plea against Prelacy, &c.* But instead of that they carried him through a sub-

¹ Oldmixon.

terraneous passage, to a place not opened since queen Mary's bloody reign; from whence, having fettered him there with heavy bolts, they hurried him to Newgate, where, in the entry, his wife was almost killed; he was there cast into a nasty dog-hole full of rats and mice, with no light but from the uncovered roof, with no meat from Tuesday night till Thursday at noon. In this doleful place and plight they kept him fifteen days, suffering none to come to him. Four days after his commitment, Laud's officers came to Dr. Leighton's house in Blackfriars, under a pretence of searching for books; here they laid violent hands on his poor distressed wife, and used her with so much inhumanity as is a shame to express; they rifled every one in the house, and held a cocked pistol to a boy's breast not above five years old, threatening to kill him if he would not discover where the books were. They broke open his cabinets, drawers, &c. and carried off his books and papers. At the end of fifteen weeks he was served with a subpoena, on an information laid against him by Sir Robert Heath, attorney-general, whose dealing with him was full of cruelty and deceit. But he was then sick, and in the opinion of four physicians thought to be poisoned, because all his hair and skin came off. Yet absent and sick, he was sentenced to undergo the dreadful punishment, of which we have an account as follows in his own petition to the parliament: "This horrid sentence was to be inflicted with knife, fire, and whip, at and upon the pillory, with L.10,000 fine, which some of the lords of court conceived could never be inflicted, only that it was imposed on a dying man to terrify others. But Laud and his creatures caused the said sentence to be executed on the 29th of November following with a witness; for the hangman was animated with strong drink all the night before in the prison, and with threatening words to do it cruelly. Your petitioner's hands being tied to a stake, besides all other torments, he received thirty-six stripes with a treble cord; after which he stood

almost two hours in the pillory, in cold, frost, and snow, and then suffered the rest, as cutting off the ear, firing the face, slitting up the nose." (Here the clerk of the house of commons, when the petition was reading, was ordered to stop; and when he was going on again, he was ordered to stop a second time, till the auditors recovered themselves a little, for the house was melted down with tears, tenderness, and compassion.) The petitioner proceeded: "He was made a spectacle of misery to men and angels; and being so broken with his sufferings that he was not able to go, the warden of the fleet would not suffer him to be carried in a coach, but hurried him away by water to the further endangering of his life. And on that day se'ennight, the sores upon his back, ears, nose, and face not being cured, he was again whipped at the pillory in Cheapside, and there had the remainder of the sentence executed, by cutting off the other ear, slitting up the other side of the nose, and branding the other cheek." "But," adds that historian, "my hand trembles, my heart bleeds, and I can go no further."

To sum up these shocking tragedies, these prisoners were set at liberty, brought back from their confinements with great honour and public demonstrations of joy from thousands: And the parliament, *nemine contradicente*, found that these whole sentences were illegal, bloody, wicked, cruel, and tyrannical, and ought to be reversed; the fines and imprisonment thereby imposed on them were discharged; those sufferers restored to their dignities, offices, and places; the prosecutors and judges found liable to them for large damages and expenses; and Dr. Leighton, for his reparation, had a vote of the house for L.6000, (which it is said was never paid him), and was made warden of that prison where he had lived so long in loathsome confinement; but being now in the seventy-second year of his age, and worn out with poverty, weakness, and pain, he was rendered very unfit for that office. To conclude this disagree-

able part, those oppressive courts were utterly abolished the beginning of July next year.

In November, alderman Pennington and five others carried up from the city of London to the parliament a petition, craving a reformation of the liturgy, ceremonies, and discipline of the church of England:¹ And, that having been undervalued by the generality, as the deed of a few factious spirits, the same venerable senator, attended by four or five hundred of the best citizens, presented a new petition in December following, subscribed by about fifteen thousand hands, craving the total extirpation of episcopacy: And much about that time, seven or eight hundred ministers gave in a remonstrance to the same effect; but their friends were not as yet able to carry the point, so it was deferred to a more favourable opportunity. However, in March following, the commons voted that bishops voting in parliament was a great hinderance to the due exercise of their spiritual function, and that they ought not to bear any authority in temporal matters; and that no clergymen should be in commission as justices; and in April they voted down deans and chapters.

About this time also they proceeded against papists, who swarmed to that degree, that information was given that in one parish in the city of Westminster there were above 6000 recusants. This occasioned a strict inquiry to be made after them; and one Goodman, a seminary priest, was condemned, to terrify the rest, but the king reprieved him, and protected others. This drew a remonstrance from the parliament, on which the king promised to leave him to the law; nevertheless he was not executed.²

Because the necessities of our army were very craving, the commons voted L.100,000 for their supply. Some difficulty occurred in the raising of it; but Mr. Harrison, a young gentleman, making offer of L.50,000 instantly, on the security offered by the house, that served the

¹ Baillie.² Neal.

present exigence, and the city of London afforded L.100,000 more in a short time after, which was divided betwixt their own and our armies.

And now the commons having two armies to pay, and all men suspecting they might be abruptly dissolved, as had often happened before, and therefore refusing to lend them such sums as were necessary, unless an act were made to secure their sitting till they should think fit to dissolve themselves;¹ the king, rather than want money for present exigencies, gave his assent to an act drawn up and passed to that purpose. Another act likewise passed both houses, ordaining, that according to the ancient fundamental laws of England, a parliament ought to be held every year; and directing that in case one was not called in three years, the lord chancellor, or keeper of the great seal, should issue out writs, as is therein expressed; and if he fail in his duty, a certain number of lords are empowered to summon the said parliament; and if they should neglect so to do, the sheriffs and constables are vested with the same authority; but if it should happen that all the forementioned powers should be wanting in their duty, the people of England are thereby authorised to put the said act in execution, by meeting, and electing members to serve in parliament, though not summoned by any officers appointed to that end.

Because the late convocation had exceeded their powers in granting subsidies, imposing an oath without authority of parliament, and unlawful in the nature and matter of it, the commons resolved that the clergy had no power to make canons to bind either clergy or laity; that the canons made by the late convocation were against the laws of the land, and tended to faction and sedition.² They condemned the subsidies granted by that convocation, as illegal; and a committee was appointed to examine who were the promoters of those canons, and who were the principal actors; likewise to consider how far the archbishop of Can-

¹ Ludlow.

² Neal.

terbury in particular had been an actor in the great design of subverting the laws and religion of the realm; and to draw up and prepare a charge against him, &c.

For their help in this matter, the commissioners from Scotland presented to the house of lords a charge against the said archbishop, wherein they complained, that innovations in religion, the known causes of their present troubles, were many and great; these they ranged under three heads.³

The *first* branch of the charge consisted of divers alterations imposed upon us without order and against law, contrary to the received order of the church of Scotland; as his enjoining the bishops to appear in the chapel in their whites, contrary to the custom of our kirk, and the archbishop's own promise; his directing the English service to be read in the chapel twice a-day; his ordering a list of those counsellors and senators of the college of justice, who did not communicate in the chapel according to a form not received in their kirk, to be sent up to him, in order to their being punished; his presumptuous censuring the practice of our church in fasting sometimes on the Lord's day, as opposite to christianity itself; his obtaining warrants for the sitting of a high commission court once a-week at Edinburgh; and his directing the taking down of galleries and stone walls in the kirks of Edinburgh and St. Andrews, to make way for altars and adoration towards the east.

The *second* branch of the charge was his obtruding a book of canons and constitutions ecclesiastical, devised for the establishing a tyrannical power in the persons of their prelates over the consciences, liberties, and goods of the people, and for abolishing the discipline and government of our church, which was settled by law, and had obtained amongst us ever since the reformation: For proof of this, they appealed to the book itself, that it was corrected, altered, and enlarged by Canterbury at his pleasure, as appeared by the interlineations and marginal notes in the book, written with the

³ Rushworth, vol. iii.

archbishop's own hand; that he had added some entire new canons, and altered others in favour of superstition and popery; and in several instances relating to the censures of the church, had lodged an unbounded power in the bishops over the consciences of men.

The *third* and chief innovation with which they charged the archbishop was, the book of common prayer, administration of the sacraments, and other parts of divine worship, brought in without warrant from our church, to be universally received as the only form of divine service, under the highest pains both civil and ecclesiastical, which book contained many popish errors and ceremonies repugnant to the confession of faith, constitutions of the general assembly, and acts of parliament. Several of these errors are mentioned in the charge, and they declared themselves ready, when desired, to discover a great many more of the same kind, all which were imposed upon the kingdom contrary to their earnest supplications: And upon their refusal to receive the service-book, they were by Laud's instigation declared rebels and traitors; an army was raised to subdue the Scots, and a prayer composed, and printed by his direction, to be read in all the parish churches in England in time of divine service, wherein they are called traitorous subjects, having cast off all obedience to their sovereign; and supplication is made to the Almighty to cover their faces with shame, as enemies to God and the king. They therefore pray that the archbishop may be immediately removed from his majesty's presence, and that he may be brought to a trial, and receive such censure as he deserved, according to the laws of the kingdom.

When the report of these articles was made to the commons, their resentment broke out into a flame; and Mr. Grimstone moving that this charge might be supported by an impeachment of their own, a question was put thereupon, and voted; and Mr. Holles was immediately sent up to the bar of the house of lords to impeach him, in the name of

all the commons of England, and to desire that his person might be taken into custody, and promising to bring up the particulars of their charge in a convenient time.¹ The archbishop was thereupon ordered to withdraw, and he was taken into custody, and fourteen articles of impeachment were presented against him by Mr. Pym, Mr. Hampden, and Mr. Maynard, three of the leading members in the house of commons; but matters of greater importance prevented his trial for a considerable time.

In pursuance of the design of bringing corrupt ministers to justice, the parliament began with Thomas Wentworth earl of Strafford, who, from a vehement opposer of the court measures turned a violent promoter of them, and a most dangerous enemy to the laws and liberties of his country.² In November preceding he had been impeached by the famous Mr. Pym in name of the commons of England; and all possible discovery concerning his conduct having been made, and a committee of the leading members appointed to prosecute him, he was brought to his trial the 22d of March, which was a very solemn one, and well conducted on both sides. Besides the house of peers his judges, and the house of commons his prosecutors, the king and queen, with the royal family, had a gallery made up behind the peers; and the Scots commissioners and their chaplains, with a multitude of other great persons, witnessed the trial. The chief heads of the accusation were, "That he had governed the kingdom of Ireland in an arbitrary manner: That he had retained the revenues of the crown, without rendering a due account of them: That he had encouraged and promoted the Romish religion: That he had framed and imposed an unlawful oath on the Scots in Ireland: That he had endeavoured to create feuds and quarrels between England and Scotland: That he had laboured to render the parliament suspected and odious to the king: And, that he was the author of that advice, 'That since the parlia-

¹ Neal.² Baillie.

ment had denied to grant the king such supplies as he demanded, he was at liberty to raise them by such means as he thought fit, and that he had an Irish army that would assist him to that end.”

A proof was allowed *pro* and *con* on every article ; but that only which respects our countrymen falls to my share. By the oaths of Sir James Montgomery, Sir John Clotworthy, Mr. Maxwell, and Richard Salmon, it appeared, that the earl contrived the oath ; sent for the Scots gentlemen to take it, and by his commands and threatenings of some who desired time to consider, wrought on them to make it their request : That severals scrupling to take the oath, being new, and imposed without authority of parliament, were forced to leave their habitations, their corn in the fields, with all their goods and fortunes, and fly out of the nation : That Mr. Stuart, &c. were largely fined for refusing it, though the earl himself declared it extended to the ceremonies of the church, whether already established or not, and affirmed the Scots nation were rebels and traitors, threatening, if his majesty would send him back, he would extirpate them root and branch. And that he was likewise convicted of creating feuds and quarrels between England and Scotland, by his advices in the privy council, and speeches to his confidants without doors, is no less evident from the testimonies of the earls of Northumberland, Morton, and Traquair, Sir Henry Vane the younger, the bishop of London, and others.¹

None of these particulars were *per se* accounted relevant to infer the crime of treason, but being put together, were found to be so by accumulation, and so his attainder passed the commons, April 19th, but it is thought would have been lost in the house of lords, had it not been for the following accident, which put it out of the power of the earl's friends to save him.

The king being weary of his parliament, and desirous to preserve Strafford, consented to a project of some persons in

¹ Rushworth's Collections, vol. iii.

greatest trust about the court, to bring the army that was raised against the Scots up to London, in order to overawe the two houses, to rescue the earl, and take possession of the city of London.² The conspirators met in the queen's lodgings at Whitehall, where a petition was drawn for certain officers of the army to sign, and to present to his majesty, with a tender of their readiness to wait upon him in defence of his prerogative against the turbulent spirits of the house of commons. The draught was shown to the king, and in testimony of his majesty's approbation, was superscribed C. R. But the plot being discovered to the earl of Bedford, the lords Say and Kimbolton, and to Mr. Pym, with the names of the conspirators, all of them absconded, and some fled immediately to France.

The court would have disowned the plot, but the flight of Mr. Henry Jermin, master of horse to the queen, Mr. Henry Percy, brother to the earl of Northumberland, and other conspirators ; the depositions of captain Billingsley, Sir William Balfour, and colonel Goring, Mr. Percy's letter to Northumberland, and the letters to Mr. Montague in France from father Philips the queen's confessor, and another of her priests, which were intercepted, and are to be found in Rushworth, put it beyond all doubt, that a plot was intended, though they disagree in the purposes intended by it.

Mr. Pym opened the conspiracy to the house of commons, May 2d, who sent orders immediately to secure the town and harbour of Portsmouth, and to disband the Irish army. They voted that all papists should be removed from about the court, and directed letters to Sir Jacob Ashley to induce the army to a dutiful behaviour, and to assure them of their full pay.³

While the commons were alarmed with the discovery of the plot, and the flight of so many of the conspirators, Mr. Pym, Sir John Wray, and others,

² Neal, Rapin, Burnet, Rushworth.

³ Rapin.

moved that both houses might join in some bond of defence for the security of their liberties, and of the protestant religion. Accordingly the following protestation was drawn, viz :

“I, A. B. do in the presence of Almighty God, vow and protest to maintain and defend, as far as lawfully I may, with my life, power, and estate, the true reformed protestant religion expressed in the doctrine of the church of England, against all popery and popish innovations in this realm, contrary to the said doctrine. And according to the duty of my allegiance, I will maintain and defend his majesty’s royal person, honour, and estate, also the power and privilege of parliament, the lawful rights and liberties of the subject, and of every person who shall make this protestation, in whatsoever he shall do in the lawful pursuance of the same. And to my power, as far as lawfully I may, I will oppose, and by all good ways and means endeavour to bring to condign punishment, all such who shall by force, practice, counsel, plot, conspiracy, or otherwise, do any thing to the contrary in this protestation contained. And further, that I shall in all just and honourable ways endeavour to preserve the union and peace between the three kingdoms of England, Scotland, and Ireland, and neither for hope, fear, or any other respect, shall relinquish this promise, vow, and protestation.”¹

Within two days the said protestation was taken by eighty temporal lords, seventeen bishops, nine judges, and four hundred and thirty-eight of the house of commons, and next day it was printed, and sent to the sheriffs and justices of peace in the several counties of England, to be taken by the whole nation.

The bishops, to support their canons, would indeed have interpreted these words, “the true reformed protestant religion, expressed in the doctrine of the church of England,” to have included the government or hierarchy of the church; but both houses declared, that by these words, was and is meant only, the pub-

lic doctrine professed in the said church, so far as it is opposite to popery and popish innovations; and that the said words are not to extend to the maintenance of any form of worship, discipline, or government, nor of rites and ceremonies.

“The consequences of this plot,” says Mr. Neal,² “were infinitely prejudicial to the king’s affairs: the court lost its reputation; the reverence due to the king and queen was lessened; and the house of commons began to be esteemed the only barrier of the people’s liberties; the Scottish army was continued for their security longer than they otherwise would; and by the discovery of this plot, the fate of the earl of Strafford was determined. His bill of attainder passed both houses; the king hesitated to give it the royal assent, but after consulting with the judges and bishops, and a letter from the earl himself, all prompting him to it, he consented, and, May 12, his lordship was executed upon Towerhill, and submitted to the axe with a Roman bravery and courage. But at the restoration of king Charles II., his attainder was reversed, and the article of accumulative treason declared null, because it was said, what is not treason in the several parts, cannot amount to treason in the whole.”

By this time the king observing, that the strength and courage of the commons rose from their confederacy with the Scots, whose army in the north was entirely in their interest, resolved on a journey to Scotland, and to yield them all they desired, in order thereby to disunite, if possible, the Scots from the English, and bring them over to himself. That matters might be in readiness for this journey, his majesty ordered, that what bills were now depending might be prepared for the royal assent within fourteen days. The commons suspecting lest the king should put himself at the head of their army in the north, sent away the earl of Holland with money to pay them off immediately, which was done without disturbance;

¹ Clarendon.

² Neal, vol. ii.

and the treaty with the Scots, which had been depending ever since November, having been agreed to by the commissioners of both kingdoms, August 17, passed the houses without opposition, and was ratified and confirmed the very day the king set out for Scotland. But this treaty having been an affair of great consequence to both kingdoms, we shall give the reader an entire abstract of the same :

“ The commissioners for Scotland having professed their loyalty to the king, and their high respects to the English parliament, as being confident the same was far from any usurpation over that of Scotland, did yet, for satisfying posterity, declare, that by any thing done in the treaty, they acknowledged not any dependency upon the said parliament as judges of their laws; and therefore demanded,

“ 1. That his majesty would please to command, that the acts of the late parliament might be published in his own name, as their sovereign lord, and with consent of their estates convened by his royal authority. To this it was answered, (3d December,) That the king's majesty having called a parliament to meet at Edinburgh, the 2d of June 1640, and that parliament having made several acts, his majesty did command that the said acts should be published amongst with the acts to be made in the next session of the same parliament, and have the strength of laws, to be universally received and obeyed by all the subjects of Scotland. And his majesty promised, on the word of a king, to publish them as such.

“ Their second demand, That the castle of Edinburgh, and other strengths of the kingdom, should, with the advice of the estates of parliament, according to their first foundation, be furnished and used for defence and security of the kingdom, was agreed unto without any variation.

“ 3. It having been demanded, that Scotsmen in England and Ireland might be freed from censure for subscribing the covenant, and be no more pressed with oaths and subscriptions not warranted by their laws, and contrary to their national oath and covenant, approved by his majesty,—it was agreed in the king's name, (8th December,) That all who had been imprisoned, forfeited, or cen-

sured in England or Ireland for subscribing the covenant, or for refusing to take any other oath contrary to the same, should be released, and fully restored to their liberties, estates, and possessions; and that no subjects of Scotland as such, should be henceforth constrained to take any oath contrary to their laws and religion; only such Scotsmen as transported themselves to England or Ireland, and settled there, were to be subject to the laws of those kingdoms.

To the fourth demand, craving, That whoever shall be found, upon trial in the parliament of either kingdoms, to have been the authors and causers of our troubles, should be liable to the censure and sentence of the said parliaments respectively, it was answered, (11th December,) That his majesty believed he had none such about him; however, he promised that all his courts of justice should be open against all evil counsellors and delinquents; that the parliament of Scotland should have liberty to proceed against such. And upon a further demand, the king promised, (30th December,) that he would not employ any person in any office or place, who should be judged incapable by sentence of parliament, nor make use of their service, nor grant them access to his royal person, without consent of parliament.

“ The fifth demand, That our ships and goods, and all damages thereof, may be restored, was agreed to be mutual on both sides: 7th January 1641, eighty Scots ships and their cargoes, which had been detained in English harbours, were ordered to be immediately released, L.4000 to be expended on fitting them out, and the damage and loss sustained by their detention to be referred to the sixth demand.

“ To the sixth demand, concerning the losses which the kingdom of Scotland had sustained, and the vast charges they had been put to by the late troubles, and the reparation desired from the justice and kindness of the kingdom of England, towards relief thereof, in manner and upon the grounds expressed in their paper, dated the 7th of January,—it was agreed in parliament, (January 22,) that a friendly supply should be given the Scots, in consideration of their losses; and that L.300,000 was a fit proportion to be allowed, L.80,000 of which having been wanted to clear their quarters and contractions in England, was

promised to be paid before disbanding of their army, and the rest in two equal payments, one at Midsummer 1642, and the other at the same feast 1643. It was also resolved in parliament, that the earl of Bedford, and seven other peers, with sixteen commoners, should be commissioners for paying the same, in the chamber of London.

“The seventh demand, that all declarations, proclamations, acts, books, libels, and pamphlets, that have been published against the loyalty and dutifulness of his majesty’s subjects of Scotland, be recalled and suppressed; and that at the close of the treaty of peace, their loyalty should be made known at the time of public thanksgiving in all places, and particularly in all parish churches of his majesty’s dominions, was fully agreed to, upon the commissioners’ promise they would take care the same should be done concerning such (if any such were) as were written to the prejudice of his majesty’s honour.

“The eighth demand, that the garrisons of Berwick and Carlisle should be removed, and all things reduced to the state they were in before the late troubles, was likewise agreed to, (June 14,) after advising with the parliament.

“The Scots urged unity in religion, and uniformity of church government, as a special means for preserving of peace betwixt the two kingdoms, upon the grounds and reasons contained in a paper given in by them to the English commissioners and parliament.

“By this paper, which is only referred to, but not engrossed in the treaty, they wish there were one confession of faith, one form of catechism, one directory for all the parts of the public worship of God, and prayer, preaching, and administration of the sacraments, &c., and one form of church government in all the churches of his majesty’s dominions; because, 1. This would be acceptable to God, who delighteth to see his people walking in truth and unity. 2. It would preserve peace, and prevent many divisions and troubles. 3. The sovereign would thereby be eased of much trouble, arising from difference of religion. 4. Convenience pleads strongly for it: wherever king or subjects had occasion to go, they might then find an opportunity, without any scruple of conscience, to be partakers of one and the same form of divine worship. 5. The names

of heresies, sects, papists, &c., which rend the bowels of church and state, and are matter of much stumbling to the people, would be no more heard of; but as the Lord is one, and his name one, so should the name of the people be one in all the three kingdoms. 6. This unity of religion would afford time to ministers to build with both their hands, whereas now the one hand is taken up in opposing the other party, and the many and unpleasant labours of writing and reading unprofitable controversies, would then be turned into treatises of mortification, and the study of devotion and practical divinity.

“But because this matter was of great weight, and large extent, and therefore required time, they desired that for the present some course might be taken for uniformity in government. 1. Because there can be small hope of unity in religion, which is the chief bond of peace and human society, unless there be one form of ecclesiastic government. 2. Because difference in this point hath been the principal cause of all other differences between the two nations since the reformation of religion. 3. Because (although it ought not to be so) it proves true in experience, that churchmen through their corruption, are more hot and greater zealots about government than about matters more substantial, their worldly dignities and wealth being herein concerned. 4. It is observable, that churchmen do sometimes foment and cherish contrary factions, that they themselves may grow big, &c. And, 5. None of all the reformed churches, though far distant, and under different magistrates, disagree so widely in church government as these two kingdoms, which are in one island, and under one monarch.

“For discovering whether of the two church governments should have place in both nations, they represent; 1. That the government of the church of Scotland is the same with the government of all the reformed churches, and was by them universally received and practised, with the reformation of the doctrine and worship; whereas the government of the church of England was not changed with the doctrine at the time of reformation. The pope was rejected, but his hierarchy was retained, which hath been a ground of jealousy and suspicion to the reformed churches, of continual conten-

tion to the church of England since the beginning of queen Elizabeth's reign, and of hope and expectation to the church of Rome. 2. The church of Scotland hath been vexed and disquieted by the bishops of England continually, and by many ways they condescend on. 3. The reformed churches hold, without doubting, their church officers, pastors, doctors, elders, and deacons, and their church government by assemblies to be *jure divino* and perpetual, as is manifest in all their writings; but on the other part, episcopacy, as it differeth from the office of a pastor, is almost universally acknowledged, even by the bishops themselves, and their adherents, to be but an human ordinance, established by law and custom, for conveniency, without warrant of scripture, which therefore by human authority may be altered and abolished upon so great a conveniency as the hearty conjunction of all the reformed churches, and a durable peace of the two kingdoms. 4. The church of Scotland had by consent of authority abjured episcopal government, as having no warrant in scripture, and by solemn oath and covenant established the government of the church by assemblies; but England having neither abjured the one, nor sworn the other, hath liberty from all bonds of this kind, to make choice of that which is most agreeable to the word of God. And, 5. King Charles would thereby accomplish the great and glorious design of uniting all his dominions in one religion and church government, in a much better way than had been projected by his father; all which they submitted to his majesty and the estates of parliament, as a testimony of their faithfulness in acquitting themselves in the trust committed to them, without forgetting their distance, or intending to pass their own bounds, in prescribing rules to the wisdom and authority of the English parliament.

"To the above demand it was answered, June 15, that his majesty, with the advice of both houses of parliament, doth approve of the affection of his subjects of Scotland, in their desire of having conformity of church government between the two nations; and as the parliament hath already taken into consideration the reformation of church government, so they will proceed therein in due time, as shall best conduce to the glory of God, the peace of the church, and of both kingdoms.

"Their request, that the king's majesty, and the prince of Wales might come and reside sometimes in Scotland, was taken in good part; and his majesty promised, that so far as his occasions would permit, he and the prince his son would repair thither, to know and be acquainted with the people of Scotland.

"To the desire, concerning the manner of choosing and placing of the officers of state, counsellors, and lords of session within the kingdom of Scotland, by advice of the parliament, it was answered, June 9, that his majesty will give ear to the information of parliament, and when that is not sitting, to the council, and college of justice, so far as to make choice of some one of such as they by common consent shall recommend to places of trust, in the council, the session, and other judicatures; or if his majesty shall think any other person fit, he shall acquaint his parliament, to the intent, that if by their information any just exception shall be made to the said person, his majesty may nominate another.

"To their desire, that some Scotsmen of respect, and well-affected to the reformed religion, might be placed about the king, the queen and the prince of Wales, it was answered, that some noblemen, &c. of the Scots nation shall be placed about the king, and that his majesty would endeavour to give just satisfaction to his people, with regard to his placing none but persons of the reformed religion about his own and the prince's person.

"The last demand, concerning the copper coin, was remitted to the Scotch parliament, to do therein as they should see cause.

"Then follows an act of pacification and oblivion, for burying in forgetfulness all hostilities between the king and his people or otherwise, and importing, that whatever has happened in the late troubles, whether encroaching on his majesty's honour or the subject's liberty, shall not be mentioned to the reproach of either, but reputed as if it had not been; and this to be extended, not only to the king's subjects now living, but also to their heirs, &c. in time to come, with an exception of the Scotch prelates, and of John earl of Traquair, Sir Robert Spotiswood, Sir John Hay, and Mr. Walter Balcanqual, prosecuted as incendiaries, and for bribery, corruption, and many other

gross crimes. It was also agreed, that an act should pass in the English parliament, signifying that neither England nor Ireland should ever denounce war against Scotland without consent of the said parliament; and that not without three months warning. Also, that the Scots should be under the same restrictions with respect to these nations. No ships of trade to be stopped on either side; and each kingdom was obliged to punish those who acted otherwise, as breakers of the peace. Likewise, if any of the subjects of either kingdom make war upon their fellow-subjects without consent of parliament, they shall be reputed and treated as traitors to the state, both kingdoms being engaged to concur in repressing such offenders. Some to be appointed by the king and parliament of each nation, having commission to preserve the peace agreed on in this treaty, who should endeavour to compose any difference that might arise, or not being able to effect it themselves, to refer the same to his majesty and the ensuing parliament.

“It was further agreed, that the armies being disbanded, and the Scots forces returned home, this treaty should be ratified and confirmed in the parliament of Scotland, the king's commissioner having full power given him to confirm all things deliberately concluded therein. Also, that the said parliament shall sit without any prorogation or interruption, till all things necessary for this purpose be finished, unless with their own consent they be adjourned to some other time.

“It was likewise agreed, that natives, or other residents, who having committed any crime in either kingdom, and being censured by the parliament thereof as incendiaries to the other, shall enjoy no benefit nor protection in any part of his majesty's dominions, but be remanded upon the desire of the said parliament. And the whole is concluded with a ratification, in these words:

“Be it therefore enacted by his majesty, with the assent of the lords and the commons in this present parliament assembled, that the said treaty, and all the articles thereof, assented to as aforesaid, be and stand for ever ratified and established, and have the force, vigour, strength, and authority of a law, statute, and act of parliament.

And his majesty, for himself and his successors, doth promise, *in verbo principis*, never to come in the contrary of this statute and sanction, nor anything therein contained, but to hold the same in all points firm and stable, and shall cause it to be truly observed by all his majesty's lieges, according to the tenor and intent thereof, for now and ever.”

We have now given as large an account of the English affairs as seems necessary in this place, and therefore shall only observe further, that the English ascribed, and probably not without some reason, the success which they had in getting their grievances in so far redressed, to the army and influence of the Scots. On the other hand, Mr. Baillie seems to lay as much weight, under God, upon the prayers, tears, and frequent fastings of the many penitent English, who, as if they had been the people foretold by the prophet Jeremiah, (chap. I. 4, 5.) were asking the way to Zion with their faces thitherward, going and weeping in their search for the Lord their God. “Many tears,” says he in a letter to the presbytery of Irvine, “are sown here. Again, many here are very gracious people; they far exceed us in private fastings. And again, the godly here meet several times in the week, for fasting and prayer, and to hear gracious sermons.¹ Once more, Mr. Henderson, Mr. Blair, Mr. Borthwick, Mr. Gillespie, Mr. Smith, and I, take our tour with some of the London ministers twice a-week, namely, on the Sabbath and Thursday. The people throng to our sermons as ever you saw our folks to Irvine communion; and their numbers increase daily. During my last sermon on Psal. cxxvi. 3. ‘The Lord hath done great things for us,’ scarce a face could I look to, but the tears were trickling down.” From him also we learn the truth of that promise, “He that watereth others shall be watered himself:” “For,” says he, “God is clearly with us; I love him, blessed be his name, better than ever, and I am assisted by him in all that I have to do.” And his work was not small; for, be-

¹ Baillie.

sides preaching and converse, &c., he wrote The *Canterburian Self-conviction*; a *Parallel betwixt the English Liturgy and Mass-book*; an *Antidote against Arminianism*; a *Discussion of the Question about Episcopacy*; a *Reply to the Modest Advertiser*; a *Supplement to the Canterburian Self-conviction, &c.*

The king set out for Scotland, August 10th, attended by the elector palatine, the dukes of Lennox and Richmond, and the marquis of Hamilton, in order to attend the parliament there: but in regard the general assembly sat down the 20th July, we shall leave his majesty by the way, till we relate their proceedings.

CHAPTER VI.

Of the Proceedings of the General Assembly, anno 1641.

ACCORDING to the appointment of the former assembly, this sat down at St. Andrews on Tuesday, July 20th, after a sermon on Psal. exxii. by Mr. Andrew Ramsay, the former moderator. His majesty's commission to John earl of Wemyss, a nobleman remarkable for modesty and simplicity, was presented and recorded.

One clause in the commission, importing the assembly's translation by the commissioner's advice, was demurred on by the clerk, as encroaching on the assembly's liberty; but he did not challenge it publicly.

Next, a letter was read from his majesty to the assembly, as full of grace and favour as they could wish. The forming of an answer to it was laid on Mr. David Lindsay at Belhelvie, and revised, and much abridged afterwards, by Mr. Henderson. And then the commissions to the several members were called for, but many were absent; a number of them were members of parliament, and several others, expecting the translation of the assembly to Edinburgh, had not come over.

The parliament sent over lord Cassilis, with the laird of Auldbar, and the provost of Dysart, to intreat that as many of the members of parliament were like-

wise chosen to the assembly, and could not leave the one to attend the other without prejudice to the public, it would please the assembly to translate themselves to Edinburgh, before choosing a moderator, or entering on any business of importance.

The motion pleased all, but some difficulty cast up in delaying the choice of a moderator. Mr. Henderson was earnestly desired in so hard a time, but was scarce arrived from England. However, that no exception might be made to the constitution of the assembly, it was carried by plurality of voices, that the moderator of the last assembly should preside till a new one were chosen; and then the next session was appointed to be holden at Edinburgh, the 27th of July.

At the time appointed, the assembly met at Edinburgh. Mr. Andrew Fairfoul, from the presbytery of Edinburgh, demitted his seat to Mr. Alexander Henderson, who was now returned, in regard he had been chosen to sit, only in case the other came not home in time. And then the assembly made choice of Mr. Henderson to be their moderator, under declaration, that neither that translation, without first choosing a new moderator, nor election of one whose place as a member was supplied ere he came, should be drawn into a precedent. Mr. David Calderwood, though not a member, having been allowed *ex gratia* to sit in the assembly, argued warmly against Mr. Henderson's election, which gave some offence; and the lord commissioner commanded him to be silent.

On the 28th of July, the overtures which Mr. Baillie had drawn up for ordering the assembly-house, and had been approved by the last assembly and printed with their acts, were again read, and approved by this assembly; but our author complains, that they were too little observed.

On the 30th, Dr. Robert Howie, in the new college of St. Andrews, having complained of some defect of humanity in his colleagues towards him, under the infirmities of old age, had the favour,

through the interest of his good friend the moderator, to get an act made, not only securing him in the full enjoyment of his salary or stipend during life, but also that other ministers and professors, rendered unable for the discharge of their office, merely by old age, should likewise enjoy their benefices for life.

The 2d of August, the assembly, on occasion of a petition from Mr. John Guthrie, late bishop of Moray, praying that his place might be kept vacant some time longer, without giving any demonstration of his sorrow for his byepast conduct, ordained the presbytery of the bounds to settle his charge without longer delays; and that ministers deposed for the public cause should not be received again to the ministry, till they gave satisfying evidence of their repentance to the presbytery and the synod of the bounds. And the same were reported to, and approved by the general assembly; and agreeably thereto, Mr. Andrew Logie, who had been deposed at Aberdeen, having been well recommended to this assembly, was restored to his own kirk at Kirkenboug.

On the third day, certain overtures, concerning universities, which are to be found amongst the printed acts, were approved and recommended to the parliament.

As yet the ashes of the flame kindled by private meetings were not fully extinguished. The decision at Aberdeen had rather augmented than diminished the difference betwixt Mr. Henry Guthrie and the laird of Leckie; and through their means misunderstandings were like to creep in amongst others. Leckie, and many who favoured him, were positive not only to accuse Mr. Guthrie, but to have the act of Aberdeen cancelled; and, on the other part, Mr. Guthrie, and many with him, were as resolute to defend what passed there, and to have all who opposed it severely censured. In Edinburgh, likewise, differences ran very high: the ministers, for the most part, would have been at the absolute discharge of all private meetings, except those of a family; and

the act of Aberdeen was pled in support of that conduct, by them and others; but many of the best disposed citizens kept up those meetings, and were so fully convinced of their warrantableness, that nothing else would satisfy them than a repeal, or at least an explication of the act made at Aberdeen; and some less prudent than was necessary, vented their dislike in ways which highly displeased their ministers. These things being duly weighed by the earls of Argyle, Cassilis, and Loudon, and by Mr. Baillie, Mr. Archibald Johnston, and some others, they convened Mr. Henderson, and the other ministers of Edinburgh, with Mr. David Calderwood, and Messrs. Dickson, Blair, Rutherford, Cant, and some others, who, after a full hearing of all that could be said on both sides, found it necessary to overlook Aberdeen act altogether, as if it had never been; and that some other should be substituted in its place. And accordingly, when the matter came to be moved in the assembly, it was remitted to Messrs. Henderson and Colville of Edinburgh, with Messrs. Dickson and Blair, jointly to draw up the form of an act on the head. That form proving tedious, it was laid on Mr. Dickson, and whom else he pleased to assume to himself, to write down his mind. But fault being still found with it, Mr. Henderson was left to his own discretion in the matter; and made out an act, which was approved of the 4th of August, and did pretty nigh satisfy all parties, of which this is the tenor:

“ Act against Impiety and Schism.

“ The assembly, seriously considering the present case and condition of this kirk and kingdom, what great things the Lord hath done for us, especially since the renewing of our covenant, notwithstanding our former backslidings and desertion; and if we shall either become remiss in the duties of piety, or shall not constantly hold and keep our religion, unto which we have bound ourselves so strictly and solemnly, what dishonour we do to the name of God, before men who have their eyes upon us, and how great judgments we bring upon ourselves. Upon these and

the like considerations, the assembly doth find it most necessary to stir up themselves, and to provoke all others, both ministers and people of all degrees, not only to the religious exercises of public worship in the congregation, and of private worship in their families, and of every one by themselves apart; but also to the duties of mutual edification, by instruction, admonition, exhorting one another to forwardness in religion, and comforting one another in whatsoever distress, and that in all their meetings, whether in the way of civil conversation, or by reason of their particular callings, or any other occasion offered by Divine Providence, no corrupt communication proceed out of their mouth, but that which is good to the use of edifying, that it may minister grace unto the hearers. And because the best means have been, and may still be despised or abused, and particularly the duty of mutual edification, which hath been so little in use, and so few know how to practise in the right manner, may be upon the one part subject to the mocking of ungodly and worldly men, who cannot endure that in others which they are not willing to practise themselves; and, upon the other part, to many errors and abuses, to which the godly, through their weakness, may fall, or by the craftiness of others may be drawn into, such as error, heresy, schism, scandal, self-conceit, and despising of others, pressing above the common calling of Christians, and usurping that which is proper to the pastoral vocation, contempt or disregard of the public means, idle and unprofitable questions which edify not, uncharitable censurings, neglect of duties in particular callings, meddling with other men's matters and callings, and many such others, in doctrine, charity, and manners, which have dolefully rent the bowels of other kirks, to the great prejudice of the gospel: Therefore the assembly, moved with the zeal of God against all abuses and corruptions, and according to their manifold obligations, most earnestly desiring and thirsting to promote the work of reformation, and to have the comfort and power of true godliness sensible to every soul, and religion to be universally practised in every family, and by every person, on all occasions, doth charge all the ministers and members of this kirk whom they do represent, that according to their several places and vocations, they

endeavour to suppress all impiety and mocking of religious exercises, especially of such as put foul aspersions, and factious or odious names upon the godly; and upon the other part, that in the fear of God they be aware, and spiritually wise, that under the name and pretext of religious exercises, otherwise lawful and necessary, they fall not into the aforesaid abuses, especially that they eschew all meetings which are apt to breed error. scandal, schism, neglect of duties, and particular callings, and such other evils as are the works not of the Spirit, but of the flesh, and are contrary to truth and peace, and that presbyteries and synods have a care to take order with such as transgress the one way or the other."

"Further, the assembly ordained, that according to acts of the assemblies 1639 and 1640, no innovation in doctrine, worship, or government, be brought in or practised in this church, unless it be first propounded, examined, and allowed in the general assembly; and that the transgressors of this act be censured by presbyteries and synods."

By the next act, every presbytery are enjoined to maintain a bursar. Mr. Bailie adds, that the moderator recommended to Edinburgh and other of the principal burghs, to entertain some good geniuses at foreign universities, that thereby themselves and the church might be provided with the greater advantage. Farther, peculiar care was to be taken of the religious conversation, as well as learning, of expectants for the ministry; and they were not to be suffered to preach without the bounds of the presbytery who licensed them, without reporting a testimonial of their license to any presbytery whither they went.

Upon the seventh of August, the parliament sent one from each estate to the assembly, desiring their judgment of a bond entered into by the earl of Montrose and others, tending to divisive measures; a copy thereof was laid before them, and the reason why the parliament wanted their opinion of it, was, they said, because Montrose avowed to a committee of parliament, that however the parliament had ordered it to be burnt, the

subscribers were nevertheless bound to the matter thereof. As this was a matter attended with some delicacy, the assembly advised on it till the 9th, and then, without pointing their judgment against individuals, as that might have increased the flame, they rested satisfied with a declaration in general terms, that the bond being against former resolutions, to do nothing without mutual consent, and tending to divisive measures, was unlawful, and not obligatory on any; and that whoever of the subscribers would testify under their hand their acquiescing in this opinion, should be no further troubled about it. On this the lords Kinghorn, Seaforth, and Lour, three of the subscribers who were present, subscribed to this opinion, and most of the others did it afterward.

As Montrose and a few others were still left under the lash, and a process commenced against them before the parliament, (the relation whereof is deferred to the next chapter), the assembly—imagining, that as several members of parliament had been the happy instruments of taking away some differences that were like to arise in the assembly, it might be proper for them to offer to the parliament the assistance of any in the assembly they pleased, to help to remove the present difference amongst the members of parliament,—sent Dr. Strang and Mr. Andrew Cant to intimate their readiness to contribute their endeavours for peace. However, this well meant motion was slighted, because it was said Montrose's affair was not to be viewed as a difference betwixt subjects, but of treason against the state, which could not be taken away by advice or counsel.

A number of ministers in and about London, having wrote by Mr. Henderson, congratulating our happy attainments, professing their hopes of getting presbyterial discipline established there, telling their hinderances to that design by some brethren for independency, who gave out, that some of the most eminent in the ministry with us, (meaning Mr. Dickson and Mr. Cant) inclined their way; and desiring advice. The assem-

bly, all in one voice, rejected independency, as directly contrary to the national covenant, and appointed the moderator to write a courteous answer to the London brethren, which he did in that accurate letter which is printed with the acts of this assembly; in which they were careful to inform them, that all their members were of one heart and soul, as well against independency as episcopacy.

The last public act conjoins the Scots congregation at Campvere to the church of Scotland, for the more easy maintaining of correspondence with the reformed churches abroad; and ordered Mr. Baillie to write to Mr. William Spang minister at Campvere, and the kirk-session there, desiring them to send their minister and a ruling elder to the next assembly.

Besides the foregoing public acts, which are all printed, there were a variety of other affairs, which deserve to be noticed; as,

One for drawing up a confession of faith, a catechism, a directory for all the parts of public worship, and a platform or model of church government, wherein it might be hoped the English and we would agree. This motion was much approved, and it was laid on the moderator, who proposed it, to make all the progress in that affair he could; and for his encouragement, he was allowed both to abstain from preaching, and to crave the assistance of whom he would; but he declined the task, as too arduous.¹

A committee was appointed to consider the state of our remote parts, as Orkney, Zetland, Lochaber, and the Isles, and to contribute all that was possible for their speedy reformation from several corruptions and abuses, and the comfortable settlement of ministers amongst them, which at length produced very good effects.²

A petition from the earl of Wigton, for the constitution of a presbytery at Biggar, to be made up of about a dozen of ministers, in the parishes next adjacent, was remitted to the visitors for the

¹ Baillie, p. 1241.

² *Ibid.* p. 1242.

bounds and not long after the desire of it was granted.¹

Many references and appeals concerning the transportation of ministers were tabled before the assembly, and received judgment :² Mr. George Gillespie had a call from the town of Aberdeen, but the lord commissioner and himself pled his cause so well, that he was continued at Weems. Mr. Edward Wright was also continued at Glasgow, notwithstanding of a call to be divinity professor in the Marischal college of Aberdeen. A third disappointment that town met with, was of the assistant minister at Scotsraig. Arthur Erskine of Scotsraig gave of his own liberality L.500 to that man annually during the life of their old minister, and got him provided to the survivancy ; and having otherwise, by his zealous attachment to the cause, convinced all men of his good deserving, these, with the tears which fell in great plenty from the good old gentleman, while pleading his cause, prevailed with the assembly to continue his favourite with him. On these disappointments, the Aberdonians were filled with indignation, and openly threatened to recall their deposed doctors ; but the wiser among their commissioners having given in a fourth bill for the transportation of Mr. John Oswald at Pencaitland, their desire was granted, which satisfied the whole.

This last incident made way for the admission of Mr. David Calderwood to the kirk of Pencaitland.² As that reverend divine had been famed for his *Altare Damascenum*, and other writings, and had suffered much for his steady opposition to the corruptions introduced in the end of king James's reign, it might have been expected, that more populous places would have been contending for him ; but it is said, his utterance was unpleasant, and his age great, so that it was not without the moderator's influence, that he obtained even that landward place. I only mention the transportation of Mr. Andrew Kerr from Carridden to the burgh of Linlithgow ; of Mr. William Bennet to

Edinburgh ; and of Mr. John Collins to Campsie. Some overtures concerning the transportation of ministers were proposed, and left under consideration till the next assembly ; and the moderator finding he did not keep his health in Edinburgh, obtained an act of assembly loosing his relation to that place, to the great grief of his people. Some supposed this was owing to a petition from St. Andrews, to have him principal of their college ; but he declared he should never transport, unless it were to some small country charge ; yet, after all, he continued at Edinburgh.

During this assembly, an unhappy accident fell out in the hands of Mr. Thomas Lamb, a minister from the presbytery of Peebles, who had, for his contention, been suspended by his presbytery :³ This man having, in his return from Leith, on a Sabbath, after the public worship was over, gone in among the growing corn to ease nature, a young man, son to the owner of the corn, seized on his cloak ; and some quarrelling having ensued, Mr. Lamb struck the young man so severely, that he died immediately. The murderer obtained more easily than might have been expected, a letter of Slanes from the friends of the deceased. But the crime being attended with many aggravating circumstances, the lord high constable claimed him, as keeper of the peace in time of parliament, and had him tried, condemned, and executed.

At the same time, one Thomas Fraser, who had also been condemned for murder, and had been laid under the greater excommunication, having supplicated to be relaxed from that sentence, the assembly, after causing examine the truth of his repentance, ordered Mr. Andrew Cant to relax him on Sabbath after sermon in the New church, and on Monday he died like a christian.⁴

From this assembly a number of petitions from ministers, complaining for want of necessary stipends, were referred to the parliament, with a recommendation in favour of the petitioners.⁴

¹ Baillie, p. 1249.

² Baillie.

³ Baillie, and Balfour

⁴ Baillie.

The only other thing we name, was the nomination of a commission to finish what of the assembly's work was not got overtaken; who were to attend in town during the sitting of the parliament, for taking care of the concerns of the church, and to visit and reform the universities; which is the more noticeable, that it seems to have been the first time commission courts had a being.¹

The last deed of this assembly, was appointing their next meeting to be at St. Andrews, the 27th July 1642; and then they concluded with giving thanks to God for the special assistance vouchsafed them, and with singing the 23d Psalm.

CHAPTER VII.

Containing the History of the Parliament 1641.

THE parliament 1640 adjourned from time to time, till July 15, 1641; for the design of their meeting having depended in a great measure upon the issue of the treaty betwixt the two kingdoms, they could do little, besides naming a committee for managing business that could not admit of delay, till that treaty was concluded.² But that impediment being now removed, there convened without riding, 39 nobles, 49 barons, and 57 burgesses, making in all 145 members, who sat together in one house, well prepared, and hung with curtains.

After prayer by Mr. Henderson, the lord Burleigh was chosen preses, and it was moved, that they should immediately enter on business; but the lord Loudon and some others having assured them that the king would be with them in person by the middle of August, it was carried by a majority of fifty votes, that they should not till then conclude any thing, unless necessity should visibly constrain them, but only sit, and prepare business against his majesty's coming.²

The proceedings of the last parliament, and of the treaty of London, hav-

ing convinced the court what might be expected from this parliament, the king judging wisely, that ploughing with them behoved, if successful to be with their own heifer, instructed Dunfermline and Loudon to insist that the parliament would be content with such a share in the nomination of the officers of state, as he had expressed in the answer to the fourth article, under the eighth demand of the treaty; that they would restore the keepers of Edinburgh and Dumbarton castles to their offices and estates; that no more new acts be proposed, derogatory to his royal power, honour, or benefit; that lord Traquair's submission to the parliament should be accepted by them; and that they would pass from all who had been cited to answer before the parliament, unless some crimes were first proven against them: for, John earl of Traquair, Sir Robert Spotswood of Dunnipace, Sir John Hay clerk register, Dr. Walter Balcanqual, and Mr. John Maxwell late bishop of Ross, having behaved themselves as incendiaries, and stirrers up of strife between the king and his subjects of Scotland; and James earl of Montrose, Archibald lord Napier, Sir George Stirling of Keir, and Sir Lewis Stuart of Blackhall, pretended concurreurs with the covenanters, having turned underminers of the common cause, and plotters against the unity wherewith it was conducted, it had been judged needful for the public safety, to incarcerate those of them who were in the country, and to deprive others of them who fled, of their privileges as countrymen, till they returned, and made satisfaction for the crimes and offences complained of.

Traquair was of the first class, and offered to submit himself to the parliament, which the king thought might suffice without a trial; but the estates judged otherwise, and therefore rejected Traquair's request.³ To his majesty's other demands, they thought proper to suspend a particular answer till he came down; and a copy of the treaty with England was laid before each estate, that

¹ Baillie. ² Balfour's Journal. Baillie.

³ Baillie.

they might be ripe for advising the same, when an approbation of it should be urged.

It was recommended to the earl of Loudon and lord Almont, the lairds of Dun and Craigievar, and the burgesses of Dundee and Aberdeen, with the earl of Kinghorn, (tutor to the earl of Errol, lord great constable,) and the earl of Mar for the earl of Marischal, absent, to draw up orders for regulating the house, which they did very accurately.¹ By these orders, in number thirteen, absent members, and those who came too late, were to be fined, every nobleman, L.10; every baron, L.6, 13s. 4d.; and every burghess, L.3, 6s. 8d. Scots for each fault. None were allowed to come into the house but members. The lords Durie and Craighall intreated, that the lords of the session, who were judges to the laws, might be present at their making; but they behoved to content themselves with admission only, when they should be called for.² The lord advocate insisted on being present and voting, as his privilege; and after much debate, it was yielded, that he should come to the house when called for, and sit covered at the president's feet, with this declaration, that he shall not have any voice, but only sit and give his advice, or plead when commanded by the states; his lordship protested for preservation of his liberty.³ Mr. Archibald Johnston moved, that the presence of some ministers, commissioners from the general assembly, might be permitted, to attend to the interests of the church; but Argyle checked the motion, as introductory to their claiming voice in parliament; and so it was no more heard of.⁴ But of all others, the eldest sons of the nobility were the most dissatisfied with this order, and could not put up with exclusion from a place, where, after their fathers' death, their birth did entitle them to be judges; and therefore, the lords Angus, Montgomery, Maitland, and Elcho came to the house, and stood upon their privilege;⁵ but the barons and burgesses ad-

hering to the orders of the house, would do nothing till they were removed. These young lords brooked their disappointment the worse, that they believed the barons intended by this preparative to infringe their dignities; for, before king James's accession to the crown of England, the eldest sons of the nobility were only masters, and their younger brethren pretended not to take the place of barons; and now they dreaded, that the barons were for reducing them to their former situation, but could not help themselves, and therefore they bare their discontentment quietly till the king, the fountain of their honour, should come and decide the question. Another order of the house was, that no business, merely respecting particular persons, should have a hearing, till that which concerned the public were first discussed. And, to name only one more of these orders, an oath was, after long advisement, agreed upon to be taken in this and all subsequent parliaments, by all the members, before they were allowed to sit and vote. This oath was intended for excluding all disaffected members: for this end it was made a constitutional law, the very first after his majesty's coming, and is accordingly engrossed amongst the acts of that parliament.⁶

Upon the 16th of July, a long information, of twenty-six sheets in length, was read against lord Traquair, and a committee named to revise and abridge it. Some days after that, his lordship and the other incendiaries were called on three several times at the bar of the house, and failing to compear, the parliament prohibited the using of his name as treasurer, in the passing of signatures.

The 3d of August, the lyon king-at-arms proclaimed, by order of the parliament, that if any of the five incendiaries returned to the kingdom, they should immediately enter into prison; and if any did reset and conceal them, they were to be punished in their persons and estates. Upon the 11th, Sir Robert Spotswood of Dunnipace and Sir John

¹ Balfour.² Baillie.³ Balfour.⁴ Baillie.⁵ Ibid. and Balfour.⁶ Baillie.

Hay returning home, were apprehended, and committed to the castle; and commissioners from the assembly having the same day craved that all such acts as lord Traquair had, with his false declarations, inserted in the council books concerning the national covenant, contrary to what he had done in the general assembly anno 1639, might be cancelled and razed out, their desire was granted next day without a contrary voice.

Some days after, the lord Balmerino, president of the committee for inquiring into the conduct of the plotters in the castle, desired their discoveries might be heard, and they exonerated of their trust. Their report was accordingly read, amounting, says Mr. Baillie,¹ to a very odious libel against lord Montrose, Napier, Keir, and Blackhall. Their friend bishop Guthrie says,² it principally concerned a bond, wherein they and some others had combined to oppose the course of those who then ruled all. And Sir James Balfour adds,³ that (August 6th) a scurvy infamous libel, found in Montrose's cabinet, wrote by John Graham his servant, from his direction, and interlined with his own hand, against the country, in defence of the divisive band and banders, was read publicly in the house, and his lordship ordered to subscribe a recantation of the same. Further particulars I have not been able to collect; but that the crimes complained of were reckoned sufficient to infer a very high punishment, is clear from an order of the house for citing them to answer within fifteen days, and requiring Mr. Roger Muat, Mr. Alexander Pearson, Mr. James Baird, and Mr. Thomas Nicolson, to assist the town lawyers in their prosecution.

On this occasion, lord Montrose made a speech to the house, in which he expressed his sorrow for being ranked with evil doers, and professed his resolution to do what he could to satisfy them; but finding that would not satisfy them, he desired that Mr. John Nisbet and Mr. John Gilmour, lawyers, might be or-

dained to plead his defence; which was allowed; and they did their part with so much ingenuity, as procured them the favour of the whole party. Lord Napier also justified himself in a confused discourse; but Keir did, in all humility, honour and reverence the order for his imprisonment, and referred himself frankly to the pleasure of the house: These two had also lawyers appointed at their request. Sir Lewis Stuart asked no assistance, and it was thought needed none, the presumptions of the time being, that he turned informer against the others; yet he, with the other three, were remanded back to the castle till the parliament's conveniency.⁴

The lord Loudon said so much in favour of the incendiaries, and, indeed, discharged himself so effectually of all the orders his majesty laid upon him, that some, forgetting the particular obligations he came under to the king, of steering with an even hand, began to suspect him of changing sides; and he was nigh being left out of the commission to England with our parliament's agreement to the treaty.⁵ This distrust offended his lordship so much, that he supplicated the parliament to be exonerated of his bygone negotiations, if they found him faithful, which grieved the wiser part of the members very much. The house declared indeed, that that noble lord had behaved himself faithfully and wisely in all his public employments, and that he not only deserved to have an act of approbation, but likewise to be so rewarded by the estates, that their favour and his merit might be known to posterity; but they would not pass his exoneration till the treaty were finished.⁶ They considered that the loss of so eminent an instrument could not be easily supplied. The English dealt not so freely with any of our commissioners as with Loudon, nor did ever any of our commissioners use the same ingenuous freedom with his majesty as his lordship did; so he behoved once more to return to London with the trea-

¹ P. 1259.² Guthrie's Mem. p. 89.³ Journal, Parl. 1641.⁴ Journal, and Baillie.⁵ Baillie.⁶ Balfour's Journal.

ty, now revised by the parliament, and subscribed by the lord president Burghley, and four others. With lord Loudon they also wrote to the king, informing him of all their proceedings; and in about ten days after, they sent up the earl of Dunfermline with instructions to get payment of L.80,000 sterling of the arrears due to them, or otherwise 1000 horse and 10,000 foot were to continue in England till that sum were paid; and the army were to take care that the garrisons of Berwick and Carlisle were disbanded before they repassed the river Tweed.

The inquiry made into the conduct of the earl of Montrose, discovered a mischievous attempt to wound the reputation of the earl of Argyle, and to set the king at perpetual variance with his lordship.¹ Amongst the other offensive speeches uttered by lord Montrose, one was, that when the earl of Athol and the eight gentlemen taken up with him by the earl of Argyle, for carrying arms against their country in the year 1640, were in his lordship's tent at the ford of Lyon, Argyle should have said publicly, "That they (meaning the parliament) had consulted both lawyers and divines ament the deposing of the king, and gotten resolution that it might be done in three cases: 1. Desertion; 2. Invasion; 3. Vendition; and that once they thought to have done it at the last sitting of parliament, and would do it at the next sitting thereof."² Montrose condescended on Mr. John Stuart commissary of Dunkeld, one of the eight taken up with Athol, as his informer; and some of his lordship's friends having brought the commissary to Edinburgh, he was so fool-hardy as to acknowledge and subscribe that acknowledgment of his report to Montrose, in the above terms. Argyle denied the truth of that report in the strongest terms; and having been advised to prosecute Mr. Stuart for the same before the court of justiciary, his lordship, and Sir Thomas Hope his majesty's advocate, petitioned the parliament for a dispensation to that

court, to sit and try him, (for none of the courts sat in time of parliament); and so earnest was Argyle for a fair and impartial trial, that lest the court should be suspected of favouring him, he desired some members of the parliament might be joined as assessors to the judges.³ This reasonable request was granted; and according to the petitioner's desire, four lords of the session having been *hac vice* added to the court of justiciary, Mr. Stuart was accused upon the laws against leasing-makers of the state, and particularly of a principal statesman. To avoid the impending danger, the commissary wrote a letter to the earl of Argyle, wherein he cleared him of the speeches imputed to him, and acknowledged that himself had forged them out of malice against his lordship; and he likewise confessed, that by advice of Montrose, Napier, Keir, and Blackhall, he had sent a subscribed copy of those speeches to the king, by one captain Walter Stuart.⁴ But though Argyle's innocence was cleared thus amply, it was thought needful, for preventing collusive imputations, to let the trial go on. Mr. Stuart's own subscribed confession, and the witnesses present at the same, affording ample proof of the fact charged in the indictment, he was condemned to die. Some thought this sentence proceeded on an obsolete law, and therefore application was made for a mitigation of it. Argyle also would most willingly have seen the exertion of royal clemency to the unfortunate criminal; but his crime having affected others also, and tended to mar the very design of the late treaty, it was judged needful, for the terror of that restless party, to make an example; and so the pannel was beheaded, in terms of his sentence, on which occasion he discovered a good measure of remorse for what he had done.

From this detail of the matter, it seems a piece of justice due to the memory of Argyle, to presume his entire innocence of the treasonable speeches

³ Balfour's Journal.

⁴ Guthrie's Mem. p. 93.

¹ Baillie.

² Guthrie's Mem. p. 92.

charged on him, and to be sorry at the injustice and trouble thus given him : but who can stand before envy? Bishop Guthrie hath represented this affair in a light which presumes, at least, his lordship's guilt of these speeches, and Mr. Stuart is presumed innocent of every thing but the guilt of retracting that accusation ; and after the restoration, this incident is made the first article of accusation against the noble martyr. It is not my inclination to turn history into controversy ; yet I must be allowed to observe, that when the subject-matter of those speeches is said to have been deliberated on in parliament, and yet never heard tell of till published in the midst of nine disaffected persons in arms against their country, and when I hear of no proof offered of what was said to have been uttered even in that disaffected company, either by Mr. Stuart in his own exculpation, or by the prosecutor at the restoration ; I cannot help viewing the propagation of a calumny upon a noble peer, on a tale so unconnected and self-contradictory, as a public insult on the common sense of mankind. But to return to the parliament.

The estates spent the rest of their time, till the king's arrival, in instructing their commissioners at London to examine witnesses, and collect all the evidence they could concerning the five incendiaries, and in appointing a committee of six of each estate to proceed in the processes against them ; and upon a doubt moved by that committee, whether any being a judge, might be a witness, the house voted, that any one of the three estates might be admitted both as a witness and to vote as a judge against any of the incendiaries.¹ Further, upon information that the English parliament were for retaining the half of the £.80,000 to pay the furnishings made to our army by the northern counties of England, they instructed their commissioners to insist that these claims might be left to the last ; but the cry of their own necessities was more prevalent than that of ours. Four petitions for so many

¹ Balfour's Journal.

ministers in the north and north-west, maltreated by some of the disaffected Camerons and Macgregors, were remitted to a committee for the north, and strong measures recommended. To name only one instance more,—the house resolved, that the officers of state be excluded from any voice in parliament, conform to the act of the last parliament, the 22d June 1640, approved in the treaty, and that all the acts be repealed, which gave them place and vote in parliament ; and that no nobleman, being an officer of state, have place, but according to his creation, except the lord chancellor of the kingdom only. And, to prevent misrepresentations, they concluded with an appointment on the lord president, and two of each estate, to represent to his majesty, on his arrival, all the business which had passed in parliament.

We took notice, that the king set out from St. James's upon the 10th of August ; the 14th he dined with general Leslie at Newcastle, and behaved graciously to all the officers who had the honour of access to him.² At his majesty's arrival on the Scots border, he was attended by multitudes of gentlemen and others, in their best apparel ; and at Gladsmuir he received a hearty welcome from the earl of Argyle and lord Almond, the lairds of Innes and Kerse, and the burgesses of Aberdeen and St. Andrews, sent out for that purpose from the estates, and arrived at Holyroodhouse the evening of the 14th, having in his retinue only his nephew, the elector palatine, the duke of Lennox, the marquis of Hamilton, and lord Willoughby. Notwithstanding the fatigue of his long journey, he returned the compliments of the nobility and barons the same night, by allowing every one of them to kiss his hand in the long gallery.

On Sabbath he heard Mr. Alexander Henderson preach a good sermon from Rom. xi. 36. And so long as he continued in Scotland, he not only attended public worship punctually, though some-

² Baillie.

times drawn out to a length tedious enough, but had family worship in all its parts regularly performed by his Scottish chaplains, in his presence, without betraying any discontent at the want of a liturgy and ceremonies.¹

The 16th, his majesty stirred not abroad, but concerted with his privy council, whether or not the parliament should now ride. The advocate condescended on several precedents for its riding; yet in the end it was resolved there should be none, but that after sermon on Tuesday morning in the Abbey church, his majesty should go up in coach, and alight at the ladies' steps.² A warrant was given to the treasurer-depute to bring the regalia to that place, and it was ordered that the marquis of Hamilton should carry the crown, the earl of Argyle the sceptre, and the earl of Sutherland the sword before his majesty.

The 17th, the king came to the house about 11 o'clock before noon, in his robes, preceded by the honours, these by the heralds, and these by the trumpets;³ and having come to the house, did there meet with the earls of Argyle, Sutherland, Mar, Buchan, Eglinton, Cassilis, Glencairn, Home, Wigton, Kinghorn, Kelly, Haddington, Seaforth, Queensberry, Southesk, Wemyss, Dalhousie, and Findlater; the viscounts of Stormont and Kenmure; the lords Lindsay, Forbes, Yester, St. Clair, Elphinstone, Borthwick, Boyd, Balmerino, Blantyre, Burleigh, Cupar, Cranstoun, Johnstone, Forrester, Balcarras, Fraser, and Lour; the following commissioners for shires, viz. Sir John Wauchop of Niddric, and Sir David Crichton of Lugton, for Edinburgh; Sir Thomas Morton of Cammo, and William Rigg of Adernie, for Fife; Sir John Dundas of Dundas, and Sir John Stirling of Caridden, for Linlithgow; Sir James Baillie of Lamington, and Sir Walter Stuart of Minto, for Clydesdale; Sir Robert Grier of Lag, and Sir John Charters of Amisfield, for Dumfries; the lairds of Balvie and Carrick, for Dumbarton; Sir Charles Erskine of

Banteith, and Sir James Murray of Polmaise, for Stirling; Sir John Hamilton of Preston, and, in absence of the laird of Wauchton, Sir Patrick Murray of Elibank, for Haddington; Sir David Home of Wedderburn, and Sir William Cockburn of Langton, for Berwick; the laird of Pulrossie, for Sutherland; Sir Thomas Hope of Carse, for Clackmannan; Sir Thomas Innes of Innes, for Elgin; the laird of Mains, for Nairn; Sir John Murray of Blackbarony, and the laird of Stenhope, for Peebles; the laird of Kaims, for Bute; Hugh Montgomery of Giffen, and Sir Hugh Campbell of Cessnock, for Ayr; Sir Gilbert Ramsay of Balmain, and Sir Robert Graham of Morphy, for Angus; Robert Pringle of Sticheil, and — Elliot of Stobs, for Roxburgh; Sir John Moncrief of Moncrief, and Sir Thomas Ruthven of Freeland, for Perth; Sir Alexander Gordon of Earlston for Galloway; the lairds of Killhilt and Merton, for Wigton; Sir William Forbes of Craigievar, and John Forbes of Leslie, for Aberdeen; Sir Ludovick Houston of Houston, and Sir Patrick Maxwell of Newmark, for Renfrew; James Lyon of Auldbar, and Sir John Erskine of Dun, for Forfar; Sir William Scot of Harden, and — Pringle of Torwoodlee, for Selkirk; the lairds of Dunevegen and Loseline, for Inverness; Sir Robert Campbell of Glenorchy, and Sir — Campbell of Auchinbreck, for Argyle, and the laird of Birkenbog for Banff; with two commissioners from the city of Edinburgh, and with one from each of the following burghs, viz. Perth, Dundee, Aberdeen, Stirling, Linlithgow, St. Andrews, Glasgow, Ayr, Haddington, Dysart, Kirkcaldy, Montrose, Cupar, Anstruther-easter, Dumfries, Inverness, Burntisland, Inverkeithing, Kinghorn, Brechin, Irvine, Jedburgh, Kirkcudbright, Wigton, Pittenweem, Dunfermline, Anstruther-wester, Selkirk, Dunbar, Dumbarton, Renfrew, Lanark, Elgin, Peebles, Craill, Tain, Culross, Banff, Nairn, Forfar, Rothsay, Whitehorn, Lochmaben, Arbroath, Forres, Rutherglen, North Berwick, Cullen, Kilrimny, Lauder, Annan,

¹ Baillie.² Balfour.³ Journal.

Sanquhar, New Galloway, Dornock, and Queensferry.

The elector palatine was allowed to enter the house, and to sit on an embroidered seat near his majesty's left hand, for which his majesty gave the house thanks; but the duke of Lennox, the marquis of Hamilton, and the earls of Morton, Roxburgh, Annandale, Kin-noul, Lauderdale, Perth, Lanark, Galloway, Dumfries, and Carnwath stayed in the outer house, in respect of the act that none should enter nor have voice in the house, until they did first subscribe the covenant, bond, and oath; but in two days after, finding the said covenant, bond, and oath were made a part of the constitution, all of them except Carnwath conformed with the time, and were admitted.

The king having kindly saluted the house at his incoming, addressed them in the following gracious speech from the throne:

“My lords and gentlemen,—There has been nothing so displeasing to me, as those unlucky differences which of late have happened betwixt me and my subjects, and nothing that I have more desired than to see this day, wherein I hope not only to settle these unhappy mistakings, but rightly to know and be known of my native country. I need not say (for I think it is well known to most) what difficulties I have passed by and overcome to be here at this time; yet this I will say, that if love to my native country had not been a chief motive to this journey, other respects might easily have found a shift to do that by a commissioner, which I am come to perform myself. All this considered, I cannot doubt but to find such real testimonies of your affection for the maintenance of that royal power which I do enjoy, after one hundred and eight descents, and which you have so often professed to maintain, and to which your own national oath doth oblige you, that I shall not think my pains ill bestowed. Now, the end of my coming is shortly this,—to perform whatsoever I have promised, and withal to quiet those

distractions which have, and may fall out amongst you; and this I mind not superficially but fully and cheerfully to do; for I assure you that I can do nothing with more cheerfulness, than to give my people contentment and a general satisfaction; wherefore not offering to endear myself to you in words, (which indeed is not my way), I desire in the first place to settle that which concerns the religion and just liberties of this my native country, before I proceed to any other acts.”

In return to this speech, the lord Burleigh had a pretty harangue, wherein he thanked his majesty for all the former demonstrations of his goodness, and for the present expressions of his love to this his ancient and native kingdom.¹

And after his lordship had finished his speech, the earl of Argyle made another, in which he compared this kingdom, for some years bygone, to a ship tossed in a tempestuous sea; and seeing his majesty had, like a skilful pilot, steered her in the times of most danger, through many rocks and shelves, and for her safety given allowance to cast out some of the most troublesome baggage to lighten her, he humbly intreated he would not leave her till he had graciously brought her to a safe anchor, and settled her in her desired haven.

The first step the king proceeded to, was to touch with the sceptre the thirtynine acts of parliament 1640.² The forwardness of his majesty's zeal seemed very plausible to many, but the more judicious did easily perceive, that the intention thereof was to destroy the validity of those acts till touched with the royal sceptre, and consequently to bring in question all that was done in virtue of them for a year past, yea, even to unhinge the large treaty itself, as from that parliament our commissioners had their authority to treat. They observed, that the plea of our estates with their sovereign, and what had been secured to them in that treaty, was, that the acts made in the parliament 1640,

¹ Journal.

² Ibid. and Baillie.

should be accounted laws from that date, and it only remained that his majesty should now consent to their publication as such. This being considered, it was thought proper to defer that matter till the exemplification of the treaty were sent down from the English parliament.

In the afternoon of that same day, a committee of two from each estate were sent from the parliament to the king, to remonstrate against his confining one of their members.¹ For there having been a contest betwixt the earl of Wigton and Sir William Cockburn of Langton, concerning the office of heritable usher to the parliament, Langton, (whose title was afterwards sustained), having made several interruptions to Wigton carrying a mace before his majesty, at his entrance into the house, the king had too hastily granted warrant to send him to the castle, and Langton was in fact taken into the custody of a messenger for that effect. But the estates being offended at thus dismembering their house without their own consent, his majesty in two days after declared in face of parliament, that he knew not, when he signed that warrant, that Langton was a member of the house, and promised for him, his heirs and successors, that they should never commit any member of parliament during session time, without the advice and consent of parliament; which declaration gave the house the most ample satisfaction; and his majesty and the estates ordained this declaration to be recorded, *ad futuram rei memoriam*.

Next day the lord Burghley desiring a dismissal from his office as president of the parliament, his former conduct was approved, and John lord Balmerino, one of the most eloquent nobles, and well seen in the laws and customs of his country, was named to be president by his majesty, and unanimously elected as such, by the whole house.²

Wednesday, the 18th of August, the national covenant, with the bond subjoined to the 33th act of the parliament 1640, binding the whole subjects and

liesges to obey, maintain, and defend the conclusions, acts, and constitutions of that session of parliament, was approved by the king, and the estates of parliament; as was likewise the following oath, and the same appointed to be taken by all members of parliament, before they proceed to any act, viz. :³

“We, under subscribers, and every one of us, do, in the presence of Almighty God, promise and vow, that in this present parliament we shall faithfully and freely speak, answer, and express ourselves upon all and everything which is or shall be proponed, so far as we think in our conscience may conduce to the glory of God, the good and peace of the church and state of this kingdom, and employ our best endeavours to promote the same; and shall in nowise advise, voice, nor consent to anything, which, to our best knowledge, we think not most expedient and conduceable thereto: As also that we shall maintain and defend with our life, power, and estate, his majesty’s royal person, honour, and estate, as is expressed in our national covenant, and likewise the power and privileges of parliament, and the lawful rights and liberties of the subjects; and by all good means and ways oppose and endeavour to bring to exact trial all such as, either by force, practice, counsel, plots, conspiracies, or otherwise, have done, or shall do anything in prejudice of the purity of religion, the laws, liberties, and peace of the kingdom; and further, that we shall in all just and honourable ways endeavour to preserve union and peace betwixt the three kingdoms of Scotland, England, and Ireland, and neither for hope, fear, nor other respect, shall relinquish this vow and promise.”

It was expected this barrier would have effectually kept out the whole herd of disaffected members from places of power and trust; but where the conscience is not impressed with the awe of God, these sons of Belial make no account of the most solemn obligations. In a few days there was not, as we said,

¹ Journal, and Baillie. ² Balfour.

³ Baillie.

a person found who could not swear that oath, either cordially or pretendedly, except the earl of Carnwath. And accordingly we will find them giving vent to their disaffection on every occasion where the superior strength and influence of the well-affected was not able to check and bear them down.

Friday the 20th, the king gave into parliament his manifesto in favour of the elector Palatine his nephew, with the resolution of the English parliament to promote the ends of it, both which were left to the consideration of the estates; and in a few days it was unanimously resolved to raise and maintain 10,000 men, to concur with the English in endeavouring to recover the inheritance and rights of that prince, and to restore peace in Germany; for which the house received the hearty thanks of the king and his highness.¹ And though first the Irish rebellion, and then the civil wars in England prevented the execution of that noble resolution, yet that pious prince had such a deep sense of gratitude, and of the valour and upright sentiments both of the Scots nation and of the English dissenters, that all the artifices used to seduce him could never prevail with him to act the part of his brothers, the princes Rupert and Maurice, in taking part in the civil wars raised by his uncle against them.

On Tuesday the 24th, the earl of Loudon produced in parliament an exemplification under the great seal of England, of an act of the English parliament, ratifying the treaty, of which an abstract is before inserted; and of another act for payment of L.220,000 sterling, the remainder of the brotherly assistance to Scotland; one half thereof at midsummer 1642, and the other half at midsummer 1643.² The day following, the king signed the treaty with England, in presence of the parliament; and the next day after that, the same was turned into an act of the Scottish parliament, ratified by the touch of the royal sceptre, and the superscription of his majesty, and the same ordered to be exemplified

under the great seal of Scotland, and delivered to lord Edward Howard, Mr. Hampden, and the other commissioners sent down from the English parliament to attend on the king.

In consequence of this, the king, after a short speech, did the same day, with consent of the three estates, ordain, that the thirty-nine acts made by the parliament in June 1640, should, conform to the foresaid treaty, be published and printed in his majesty's name, as laws, from the time of their framing. And those acts were proclaimed accordingly, upon the first day of September following. In like manner, the king and parliament gave orders for disbanding the army, paying off their arrears, exchanging captures with the English, levelling trenches thrown up on the border; and ordered lord Almont, lieutenant-general, and such officers as he pleased to take with him, to go and bring home the army. The 7th of September was also appointed to be observed as a day of solemn thanksgiving in all the churches of this kingdom, for God's blessings bestowed on this island, and the happy conclusion of the treaty with England.³ And to say no more of that important affair, the whole commissioners employed in that treaty, the committee with the army, the general, the lieutenant-general, and commissary-general, received the parliament's sincere acknowledgments, and public approbation of their great care, fidelity, and diligence in the discharge of the trust respectively committed to them.⁴ And though the earl of Rothes, gained to the court by the bait of a marriage with a rich English lady, from which death snatched him when nigh the top of his hopes, and the earl of Dunfermline, the lairds of Waughton, Cavers, and Riccarton, and the clerk of Dundee, by their lukewarmness in the public cause, fell into discredit with their country, the unwearied zeal of the other commissioners, and of Sir Alexander Leslie the general, was amply rewarded.⁵ General Leslie got an order for 100,000 merks Scots, of the bro-

¹ Baillie, and Balfour.

² Balfour.

³ Balfour.

⁴ Baillie.

⁵ Balfour.

therly assistance; Mr. Henderson got a gift of the emoluments in use to be paid to the dean of the chapel-royal, computed at 4000 merks a-year.¹ And we shall, in the course of this history, see others of them meet with still greater testimonies of the public favour.

The order of time leads us to speak of the election of the officers of state. That point had been much disputed in the treaty at London, and now the dispute betwixt the king and parliament was resumed with as great obstinacy as ever. His majesty took the nomination of these to be a special part of his prerogative, and a chief prop of his government; and alleged the long possession of the kings of Scotland, and the unquestionable right of the kings of England, in support of his claim. On the other hand, our parliament shewed in a variety of instances, that by law and ancient custom, the election of those officers was with advice of parliament, and that the election of these by the king alone had been the source of many evils, and, unless redressed, was like to produce corruption both in church and state. And in the end, the king was prevailed with (whether by force of argument, or to attain his design of gaining them to his interest, must be left to others' judgment) to yield to their desires.² On his intimating this in the house, every member in it arose, and bowed himself to the ground. Then was there an act made, and voted, without a contrary voice, except the lord Yester's; which proceeds upon the narrative of his majesty's willingness to give this his native kingdom all possible satisfaction, and of his distance from it, whereby the qualifications of persons may not at all times be so well known to him. And his majesty, for himself and his successors, declared, that he would make choice of the fittest persons for statesmen, counsellors, and senators, and that with the advice and approbation of the estates of parliament during their sitting, and in the interval by advice of his privy council, to be warn-

¹ Baillie.² Balfour.

ed fifteen days previous to their meeting; and that he would in like manner choose his privy counsellors and senators with the advice and approbation of the majority in these respective courts.³ After which, Sir Thomas Hope of Kerse, speaker for the barons, returned their hearty thanks to his majesty, for his so gracious condescension to their desires.

This rule being established, it might have been expected there would not have been much difficulty in following it; but the event proved otherwise, for although the offices of keeper of the privy seal, advocate, justice clerk, and treasurer-depute were easily supplied, there was a mighty contest concerning the filling of the other places.

The profits of the lord treasurer's office being greatest, it was reckoned that no man deserved that place so well as the earl of Loudon. But the king judging wisely, that it was more difficult to find a person fit for the chancery than for the treasury, was obliged to make the earl of Loudon chancellor, contrary both to this nobleman's own inclination, and the solicitation of his friends; but to make amends for the smallness of his fees, an annual pension of L.1000 sterling was tacked to it.⁴ Accordingly, upon the 2d of October, that noble lord did solemnly, in face of parliament, and on his bended knees before the throne, first swear the oath of allegiance, then that of a privy counsellor; and lastly, when the great seal (which for two years had been kept by the marquis of Hamilton) was, with the mace, delivered to him out of his majesty's own hand, he did swear the oath *de fidei administratione officii*, and was by the lyon king-of-arms placed in his seat under his majesty's feet on the right hand of the lord president of the parliament. Immediately thereafter he arose, and prostrating himself before the sovereign, said, "Preferment comes neither from the east nor from the west, but from God alone. I acknowledge I have this from your majesty as from God's vicegerent on earth, and the fountain of

³ Balfour.⁴ Balfour, and Baillie.

all earthly honour here ; and I will endeavour to answer that expectation your majesty has of me, and to deserve the good-will of this honourable house, in faithfully discharging what you both (without desert of mine) have put on me." And so kissing his majesty's hand, he retired to his seat.

The most and best part of the estates would have been glad to see the earl of Argyle at the head of the treasury ; but others thought that power, added to the riches and influence he had already, would raise him too far, and their intercession prevailed with the king to pass him.¹ This was thought to have disobliged Argyle so much, that when his majesty named the earl of Morton to be treasurer, Argyle opposed him as a man irresponsible ; and in the end Morton was also overlooked, to the good liking of the most of the estates, who had lately received an evidence of his imperious temper, in some vilifying speeches thrown out against their president Balmerino, which that noble lord took in so bad part that he would not preside till Morton gave him public satisfaction. The next on whom his majesty pitched was lord Almont ; but as the better part suspected him of disaffection to the cause, and that he might then become a head and leader to his old friends the banders and malcontents, this motion was openly opposed, and he also was set aside, to his no small discontentment. These jars having subsisted some months, it was in the mean time thought proper that the king should fill that place by a commission to five, after the English fashion. And accordingly it was given to the lords Glencairn and Lindsay, two of Hamilton's friends, the chancellor, with Argyle and the treasurer-depute.

For the register's office there was as much ado as for any of the rest. To his care are committed the custody of all the registers and title-deeds of the nation, and therefore great caution was needful in filling that place.¹ The marquis of Hamilton was anxious to have

¹ Baillie.

it to his friend Orbiston. The generality of the well-affected thought it the just reward of Mr. Archibald Johnston's great and very happy labours ; but the king, the duke of Lennox, Argyle, &c. being for Mr. Alexander Gibson of Durie, he carried the prize. Mr. Johnston's disappointment was well supplied, by the king's dubbing him a knight, and granting him a commission to be one of the lords of session, with an annual pension of L.200 ; and Orbiston was made justice-clerk.

In the list of privy counsellors named by the king, he proposed George marquis of Huntly, William earl of Airth and Monteith, Alexander earl of Linlithgow, James earl of Home, Patrick earl of Tullibardine, Alexander earl of Galloway, and William earl of Dumfries : But these his majesty deleted at the request of the estates, and in their places were put, John earl of Sutherland, William earl of Lothian, Alexander earl of Dalhousie, John lord Yester, John lord St. Clair, John lord Balmerino, and Robert lord Burleigh. In like manner the estates prevailed with his majesty to put Sir Robert Spotiswood president, Sir John Hay clerk-register, Sir William Elphingstone justice-clerk, and Sir Patrick Nisbet of Eastbank, from being senators in the college of justice, for crimes libelled against them, and to name in their places, Mr. John Leslie of Newton, Sir Thomas Hope of Kerse, Mr. Adam Hepburn of Humby, and Mr. Archibald Johnston clerk of the general assembly.

And now all the places and offices being filled up to the good liking of the estates, the rolls stood thus :

1. *Officers of state* :—John earl of Loudon, chancellor ; the lord chancellor, Archibald earl of Argyle, William earl of Glencairn, John lord Lindsay, and the treasurer-depute, joint treasurers, any three of them a quorum ; Robert earl of Roxburgh, lord privy seal ; William earl of Lanark, secretary ; Mr. Alexander Gibson of Durie, clerk-register ; Sir Thomas Hope of Craighall, advocate ; Sir John Hamilton of Orbiston, lord justice-clerk ;

Sir James Carmichael of the same, treasurer-depute; Sir James Galloway, master of requests. But except the lord chancellor, none of them were to claim peers equal in birth.

2. *Councillors, besides the officers of state*:—James duke of Lennox and Richmond, James marquis of Hamilton, William earl of Marischal, John earl of Sutherland, John earl of Mar, Alexander earl of Eglinton, John earl of Cassilis, James earl of Murray, John earl of Perth, Charles earl of Dunfermline, John earl of Wigton, John earl of Kinghorn, George earl of Seaforth, John earl of Lauderdale, George earl of Kinnoul, William earl of Lothian, David earl of Southesk, John earl of Wemyss, Alexander earl of Dalhousie, James earl of Findlater, Alexander earl of Leven, Archibald lord Angus, John lord Yester, John lord St. Clair, Alexander lord Elphinston, John lord Balmerino, Robert lord Burleigh, James lord Almont, Alexander lord Balcarras, Sir Robert Gordon vice-chamberlain, Sir Patrick Hepburn of Wauchton, Sir William Douglas of Cavers, Sir James Dundas of Dundas, Thomas Myrton of Cambo, Sir David Graham of Fintray, Sir Alexander Erskine of Dun, Sir Robert Graham of Morphy, Sir Robert Innes of Innes, and the provost of Edinburgh for the time. To these were added, of English councillors, Thomas earl of Arundel, Philip earl of Pembroke, William earl of Salisbury, Henry earl of Holland, lord Wiltoughby, lord Howard, Sir Henry Vane secretary for England, and Sir John Cook knight.

3. *Senators of the College of Justice*:

—Sir George Erskine of Innerteil, Sir Alexander Gibson the elder of Durie, Sir Andrew Fletcher of Innerpeffer, Sir James Learmonth of Balcomie, Sir George Haliburton of Fordrens, Sir James MacGill of Cranston Riddel, Sir John Hope the younger of Craighall, Sir John Hamilton of Orbiston, Sir John Scot of Scotstarvet, Sir James Carmichael, Sir Alexander Falconer of Halkerton, Mr. John Leslie of Newton, Sir

¹ Balfour.

Thomas Hope of Kerse, Mr. Adam Hepburn of Humble, and Sir Archibald Johnston of Warriston; to whom were added, as extraordinary lords, the earl of Argyle, and the lords Angus, Lindsay, and Balmerino.²

Although the scrutiny made into the conduct of the banders and plotters, did cool the courage of their confederates for a time, they thought proper, on the back of their late disappointment of preferment, to recur to their old trade of calumniating and plotting; but by the good providence of God, some of the less cautious of them gave vent to their designs before they arrived at maturity.³ The influence of the marquis of Hamilton and the earl of Argyle with his majesty and the estates, and the ready concurrence of the one, and even zeal of the other, to promote the common cause, were arguments powerful enough to draw forth the resentment of all who were disappointed, or otherwise disposed. Accordingly, evidence was brought that lord Carnwath said, “Now there are three kings in Scotland, and by God two of them, (naming Hamilton and Argyle,) should lose their heads.” But as this testimony was single, the accuser escaped punishment. But lord Henry Ker, eldest son of the earl of Roxburgh, having accused the marquis as a juggler with the king, and a traitor both to him and his country, and sent that message to the marquis with the earl of Crawford, which that furious and drunken lord delivered in the presence-chamber before all present, the parliament were filled with great indignation, that one of their members, and of so high a quality, should be thus abused at the king’s elbow, and complained of it to his majesty. When this complaint was presented, the marquis did on his knees supplicate for favour to the offenders. He acknowledged his manifold obligations to lord Ker’s father, and excused Crawford, as if he could do no less than deliver his comrade’s message. However, the house would not rest satisfied till lord Ker publicly confessed his rashness, and crav-

² Balfour.

³ Baillie.

ed pardon both from his majesty and them, and caused that declaration to be put on record.

The marquis judging wisely, that this was a fit crisis to apply for an exoneration, did humbly request that the king and parliament would give judgment in the matter itself. He by that means obtained, that the whole house did, by their unanimous act, clear him of all scandal and disloyalty to his king or country, and declared him to be a true patriot, and a faithful and loyal servant to his majesty.¹

This check, instead of softening, did rather exasperate the resentment of the party, and they became still more daring and insolent. Scarce was the former incident over, till there broke out violent presumptions of a more wicked plot against the marquis and Argyle.¹ The earl of Crawford, colonel Cochrane, and lieutenant-colonel Alexander Stuart, were to have been the chief actors. It was also insinuated, that his majesty, the lords Almont, Ogilvie, Gray, and Kinpunt, and William Murray of the bed-chamber, lieutenant-colonel Home, captain Stuart, and a number of others, were privy to the design, which was, that Hamilton and Argyle, and Lanark, brother to the former, for company, were to have been called for, October 11, in the dead of the night, as if to speak with the king. In the way they were to have been arrested as traitors, and delivered to the earl of Crawford, waiting with a considerable body of armed men in the garden. If any resistance was made, he was to stab them immediately; if otherwise, he was to carry them prisoners to a ship of war in the roads of Leith, where they were to be confined till they underwent a trial for treason. Colonel Cochrane was to have brought his regiment from Musselburgh, to command the town of Edinburgh, and to secure some others of the most forward members of parliament. Many of the Kers, Homes, Johnstons, and other borderers, were said to be on their way to town, and that strong efforts would be made to give the com-

¹ Baillie.

mand of the castle to Montrose and his fellow prisoners. But as, in most cases where numbers are concerned, it is hard to keep a secret, this broke out before it was fully ripe. And a hint of the design coming to the ears of the envied lords the night before it was to have been executed, they thought proper to retire from court, and went to the marquis's house of Kinneil, a place of some strength, at twelve miles' distance, where they remained quiet till the fury of their enemies subsided.

On their departure, both the court and city were in a kind of uproar, and strong guards of the citizens were all night under arms, to protect the well-affected nobles and others, and to preserve the peace of the city.

Next day the king came up to parliament, attended by nearly 500 of the malcontents, all in arms, who entered into the outer-hall of the parliament-house in a menacing way.² At this the estates were highly offended, and would not be pacified till general Leslie had got a commission at large to guard them with all the train-bands and troops in the neighbourhood, and till all who had not business with the parliament were discharged the court and city. Then they proceeded to inquire into the matter, and soon found cause to commit the earl of Crawford to William Murray's house, colonel Stuart to bailie John Fleming's, and colonel Cochrane to John Smith's house, there to remain in the custody of a messenger set over each of them. As colonel Cochrane was carrying to his confinement, he made an elopement, but was soon apprehended, and put in the common jail.²

On opening this affair in the house, the king exclaimed loudly against the marquis for what he called his needless flight;² and if the late declaration had not secured him, was near to have impeached him with treason. He said he had been deaf to informations against him, by persons of the nearest respect and greatest trust about him, but was ready, in the way of justice, to follow

² Baillie.

the best subject in all his dominions. He professed his utter abhorrence of all plots, and swore, "By God,—the parliament, and the fugitive lords too, behaved to clear his honour."

His majesty then required, that the estates should take cognizance of this whole matter in a parliamentary way; that all the interrogatories for expiscating facts might be put in writing; and that the marquis might be discharged from returning to the court.¹ To this it was answered, that as secrecy was absolutely necessary in a trial of this kind, it was more expedient to entrust it to a select committee, than have it in the house, where probably the plotters had their friends. It was said further, that as a necessity for putting new questions to parties or witnesses might cast up, from the answers made in the time of interrogating, it was very improper to confine themselves to writing. It was also urged, that the presence of these lords was necessary to assist the parliament in their inquiries. And in the issue, the latter method was yielded to, and commission was given to the lord chancellor, the lord president of the parliament, the duke of Lennox, and earl of Lauderdale, for the nobility; the lairds of Dundas, Cambo, Kilhilt, and Athernie, for the barons; and the burgesses of Perth, Aberdeen, Glasgow, and Dumbarton, to try this matter; to confront parties; and to sequestrate or imprison them, as they saw proper.² Their quorum was to consist of seven, there being always two of each estate; and each member was to take an oath of secrecy.

In the course of the committee's inquiry, many foul things came out against lord Crawford, and the colonels Cochrane and Stuart, but nothing against any other that amounted to their taking part in the plot.³ The narrative we have given hereof is chiefly taken from the deposition of captain William Stuart, which he had from colonel Stuart, one of the parties. Lieutenant-colonel Home deposed further, that colonel Cochrane

had been carried by William Murray to the king's bed-chamber, which his majesty admitted, and that he had long discourse with him, but that he had promised secrecy, and therefore would not reveal the contents without Cochrane's own consent. And William Murray deposed, that he had repeated a discourse lord Montrose had with him, to his majesty, and delivered three letters from Montrose to the king, and carried back his majesty's answer to them. These letters, the king, at the earnest desire of the barons, laid before a committee of parliament; and one of them containing, "that Montrose would particularly acquaint his majesty with a business which not only did concern his honour in a high degree, but the standing of his crown;" his lordship was ordered to explain himself before the committee for the incident; but he shifted their desire, and would not answer to their satisfaction. In the declaration by lord Crawford, it is said, Montrose undertook to prove the marquis of Hamilton a traitor, but that testimony was single; and, besides, his lordship was so contradicted in other points, by a variety of testimonies, that little could be trusted to his veracity. Upon the whole, it appeared by many violent presumptions, that a plot was contrived to destroy the marquis of Hamilton, and the earls of Argyle and Lanark, or at least to deprive the parliament of the benefit of their assistance; and therefore the parliament declared they had good reason for withdrawing themselves, and desired their attendance. And accordingly, upon a letter from their friends, acquainting them with the parliament's pleasure, they returned and took their seats, and were even in greater favour with the members than formerly.

Before their departure Argyle had nearly accommodated the business of the banders and incendiaries, and at his return he began where he left; but though his influence was greater, he found the task more difficult, by reason of the late incident.⁴ The number of malcontents

¹ Baillie.

² Balfour.

³ Balfour and Baillie.

⁴ Balfour and Baillie.

were visibly increased; and yet the necessity of curbing them did bear proportion to the difficulty of doing it. Argyle and Mr. Henderson were for passing the formality of a trial to gratify his majesty; but others urged, that the parliament oath before copied (which Argyle himself invented) obliged the parliament in direct terms to an accurate trial of all incendiaries; but shortly after, upon a petition from the marquis of Hamilton, and Argyle, they were set at liberty, without caution. And much about the same time, the parliament having, to satisfy his majesty, declared that the committee should only try the crimes, and should not insist upon punishing the persons after named, but remit the same to his majesty, who on his part had the goodness to declare he would not employ any of them in offices or places of court or state, without consent of parliament, nor give them access to his person; the earl of Montrose, lord Napier, Keir, Blackhall, Sir Robert Spotiswood, and Sir John Hay, all banders and incendiaries, and lieutenant-colonel John Monro, (who had been imprisoned for delivering the letter to Sir Donald Goram alias M'Donald, on which lord Loudon's sufferings were founded,) were liberated upon caution for their good behaviour, and that they should appear before a committee the 4th of January thereafter; at which time also lord Traquair, doctor Balcanqual, and Mr. John Maxwell, late bishop of Ross, were ordered to be prosecuted as incendiaries betwixt the king and his subjects of Scotland, and as enemies to the public peace of this kingdom.

While matters were conducted so comfortably in Scotland, the king received an express from the lords justices of Ireland, November 1st, informing him of the most universal rebellion of the natives, and of the most horrible massacre of the protestants there, that ever was heard of in the annals of any age.¹ The papists being set on by the priests, and got the sacrament in token of their acceptance, entered into a cove-

¹ Balfour and Baille.

nant to extirpate all protestants, especially the English. So high did their enmity run against protestantism, that they blasphemed God, bidding the ministers of the gospel, whom they had first stripped naked, to go to their God, and let him give them clothes: they broke into churches, and burned the pulpits and seats, in detestation of the reformed religion;² avowed they would not leave a protestant in the kingdom; dragged several by the hair into the churches, where, stripping, whipping, and cruelly using them, they added these taunting words, "If you come to-morrow you shall hear the like sermon." And to fill up the measure of their iniquity, they cast the holy Scriptures into the kennel, and thence taking them out, dashed them in the faces of professors, as a lesson suitable to them. In other places they tore and burned the Bible, causing a bagpipe play all the while, and pouring forth their execrations against it, as the occasion of all the quarrel. But what pen can set forth, what tongue express, what eye can read, or heart reflect upon the more than barbarous cruelty exercised upon protestants by those bloody tigers! Many thousands were driven into lakes and rivers, and there drowned, and vast multitudes shut up in thatched houses, and there burned, their enemies rejoicing, and saying, they "fried sweetly in the fire;" many thousands were treacherously butchered and hewed to pieces, after quarter had been given them. Some had their bellies ripped open, the end of their guts tied to a tree, and they forced round it, till they were all drawn out of their bodies. Many women had their children's brains dashed out before their faces; others big with child were some cast into prison, others hanged, and sometimes the children fell out of their womb in these agonies, and were cast unto the dogs and swine; some were constrained to hang their own husbands; they often stripped young women naked, and forced them in that manner to

² Remonstrances of the lords-justices and council of Ireland; and Rushworth.

lead their aged parents to execution; many were by violence constrained to go to mass, to profess their belief of transubstantiation, and that the pope is supreme head of the church, and then were barbarously murdered, their popish enemies saying, they would kill them while they owned the right faith, lest they should turn heretics, thus destroying both soul and body; many were miserably wounded, and then fastened into the ground, with their heads above it, and left in that deplorable condition, till they languished to death; and multitudes of others left half murdered, earnestly begged to be quite dispatched, their enemies counting it a favour if after two or three days they came and knocked out their brains; vast numbers they drove in frosty weather on the ice, till the same breaking, they fell in and were drowned; and great numbers whom they immediately killed not, they forced to wander about naked on the mountains and in the woods, till they perished with cold and hunger.

Besides open cruelties, the rebels used stratagems to facilitate their wicked designs; for when small numbers of the protestants joined together, they assured them of their lives, goods, and a safe conduct, confirming their promises with their hands, and sometimes with oaths, but having got them in their power, they set them at the pleasure of the merciless soldiers; in several places they borrowed their arms, under pretence of securing them from those who were in arms in the next county, and then turned them out of doors.¹ And, that they might the more easily destroy the English, and keep the Scots from assisting them, they professed to spare the latter, (which they did at first) pretending they should live quietly among them, not doubting but they should afterwards manage them as they pleased, by which means the English were assaulted on all sides, and could never make head against the rebels. The truth is, that though some small parties did bravely defend some churches and

castles, yet, generally speaking, every one took care to do the best he could only for securing his own family, and so exposed themselves, almost without resistance, to the merciless cruelty of the papists, who having received the watchword from their priests, rose up, as if actuated by one spirit, at the same time; and so rapidly did the destruction overflow, that from the 23d of October, when that dreadful massacre was first begun, to the month of January, when troops were sent from Scotland and England to suppress them, they depopulated all the protestant counties, put about 150,000, some say 200,000, protestants to death, and took possession of, or destroyed their estates, houses, and goods.

The pretensions of the rebels for this so horrid a massacre, were in general, —restrictions on their liberty, property, honour, &c. which were fully confuted in answers published for the protestants at that time; but neither of these belong to the purpose of our history.

We wish we could also bury in oblivion the royal tolerance which that insurrection seems to have obtained; but the truth of history, and the vast influence which that matter had in weakening the affections of the English to their sovereign, and leading them to trust the parliament rather than him with the management of the army, will not permit us to overlook this altogether. The rebels on many occasions, and to all of their own stamp, pretended that they had the king's authority for doing as they did, and shewed a commission for that effect. This, lord Clarendon says, was a fiction,² and that the great seal affixed to it was taken off from some grant or patent; others suppose that the queen, being popish, had surreptitiously obtained a sight of the great seal, and applied it to that wicked purpose, without the king's knowledge; but there were still others who thought the king too much concerned in that black business. It would be very uncharitable, after what hath been said for king Charles, in his *Eikon Basiliæ*, to sup-

¹ Rushworth.

² Clarendon, Rapin, Whitlock, &c.

pose he gave a commission for shedding such a sea of blood as was spilt on that occasion; but that the ringleaders of the papists had his allowance to rise in arms for his interest, (though they abused that liberty, and extended it to further, and quite inconsistent purposes), may be presumed chiefly from these two: 1. The king's aversion to proclaim the Irish papists rebels. No sooner did the Scots appear in a much better cause, but they were forthwith declared rebels in every parish church throughout England;¹ but the king would not declare the Irish rebels, till earnestly pressed to it by the parliament; and though that was complied with, after eleven weeks' delay, there were only four copies of that proclamation printed, and not above a half of them published.² But, 2. And what doth more especially confirm this suspicion, is a letter dated July 13th, 1663, wrote by the command of king Charles II. to the duke of Ormond and the council of Ireland, concerning the marquis of Antrim, (who was early and deeply concerned in the rebellion), wherein, after the king had signified how backward he had been from interposing in behalf of any concerned in the rebellion of that kingdom, he tells them, "He having referred the examination of the marquis's case to several lords, they reported, that they had seen divers letters, all of the hand-writing of his royal father, to the marquis, and several instructions concerning his treating and joining with the Irish, in order to the king's service, by reducing them to obedience, and drawing some forces from them for the service of Scotland: That besides the letters and orders under his majesty's hand, they had received sufficient evidence of several private messages and directions sent from his royal father, and from his royal mother with the privity and directions of the king his father, by which they were persuaded that whatever intelligence, correspondence, or acting the said marquis had with the confederate Irish catholics, was

directed or allowed by the said letters, instructions, and directions; and that it manifestly appears to them, that the king his father was well pleased with what the marquis did, and approved the same." He concludes with saying, "We cannot in justice, upon the petition of the marquis of Antrim, and after a serious and strict inquisition into his actions, but declare, that we find him innocent from any malice or rebellious purpose against the crown; and that what he did by way of correspondence or compliance with the Irish rebels, was in order to the service of our royal father, and warranted by his instructions, and the trust reposed in him; and that the benefit thereof accrued to the service of the crown, and not to the particular advantage or benefit of the marquis."

No sooner did our Scots parliament hear tidings so full of sorrow, but, like true protestants and most affectionate brethren, they made an offer to the king of 10,000 men presently, and more afterwards, if needful, to concur with the English in suppressing that rebellion; and ordered the troops to march westward, and all the shipping in the sea-ports alongst the west coast to be in readiness to transport them to Ireland, with all possible dispatch.³ Had this offer been presently accepted, and those brave troops transported over immediately to Ireland, they might have prevented the effusion of much christian blood that was spilt after this, before any relief was sent them. But all the king did was to thank them for their good will, to propose a fast, and to communicate their reasonable offer to his English parliament: For, such was the misunderstanding betwixt the king and them as to the settling the command of the army, that his majesty chose not to do this of himself. And many of the poor protestants who had fled to Londonderry, Coleraine, and Inniskillen where they bravely defended themselves for a long time, were obliged to surrender those places upon such terms as the rebels were pleased to give them.

¹ Rushworth. ² Rushworth. Baxter's Life. Bennet's Memorial and Defence, &c.

³ Baillie.

We have observed just now, that the king proposed a general fast, to supplicate God, (as his majesty very fitly expressed it), that he might be propitious to us in the prosecution of so great and important a business.¹ And he desired that the commissioners of the general assembly would meet, and resolve upon the reasons and day for it. This motion was made the 2d of November, and upon the 4th those commissioners represented to the house the causes of that fast, which were publicly read and allowed of, and the same ordained to be solemnly kept in Edinburgh and the adjacent shires upon Sabbath the 14th, and through the rest of the kingdom the last Sabbath of the month. And the like order was observed on occasion of the general thanksgiving which was solemnly kept a few weeks before, for the peace with England. We find there was another general fast intimated from all the pulpits of Scotland the 25th of March preceding, to be observed the next Lord's day thereafter, for establishing a perfect peace, &c. By what authority the same was appointed, I have not learned: But, that we may not trouble the reader with repeating the same thing, we observe once for all, that we cannot find one instance in all this period, where the legislature assumed or the church gave up the sole power of appointing general fasts; on the contrary, wherever the authority appointing the same is taken notice of, we find either the church alone appointing the time and causes of fasting, or the legislature proposing the day, and the church the causes of fasting.

Having made this digression about the Irish affairs, we return to carry forward the proceedings of our Scottish parliament. The king being obliged, by this awful emergence, to hasten his return to London, our parliament made all the dispatch possible; and having by their committees, who sat frequently, prepared the business of the house, they finished the same very quickly in parliament, and have to their honour left many la-

dable acts on record. These the reader will find amongst the acts rescinded after the restoration, and therefore we only name a few of the most remarkable. And, to begin with ecclesiastic concerns, we find an act discharging the going to be married in England, without proclamation of banns, under severe penalties: Act reviving former laws concerning the qualifications of patrons, and ordaining, that besides all their former qualifications, they should swear and subscribe the national oath and covenant: Act approving an act of the general assembly 1640, ordaining all monuments of idolatry to be abolished; and that presbyteries see the removal thereof out of all churches, colleges, chapels, and other public places: Act reviving former laws against excommunicated persons, and such as did not communicate in their own parish church at least once a-year, and prescribing proper penalties for the transgressors, whether magistrates, heads of families, children, or servants: An act ratifying former laws against going of salt-pans and mills or hiring of shearers on the Lord's day, and discharging the using of merchandize, and all other profanations or abuses thereof whatsoever, under severe penalties and corporal punishment.

The church revenues, accustomed to be paid to the bishops, were disposed of chiefly amongst the universities.² The college of Edinburgh got the revenues both of the bishopric and deanery of Edinburgh and of Orkney, but found the same greatly impaired by former gifts. The university of St. Andrews obtained L.1000 sterling per annum out of the bishopric and priory of St. Andrews. The duke of Lennox got the temporality of Glasgow, and the college only the spirituality; but to please the college, they got also the bishopric of Galloway, deducting a stipend to its cathedral. Aberdeen university got their bishopric. The town of Perth got a good share of the revenues of Dunkeld, to enable them to rebuild their bridge over the Tay. And the hammermen of Edinburgh

¹ Balfour's Journal.

² Baillie.

through the interest of their convener, got the rest of it to their chapel. The earl of Argyle got that of the Isles; and Ross, Murray, and Caithness were chiefly given to northland gentlemen. The ministers were much dissatisfied with the small share allotted to them; but to make them amends, an act was made, prohibiting all suspension of decrees for stipends, except upon consignation of the sums decerned for; and a commission of fourteen of each estate, with the officers of state, and three lords of the court of session, were named to value the teinds in every parish, and to augment ministers' stipends wherever they found it needful. But the interest of the commissioners was too great in that matter to make quick progress in it, and the troubles of these times proved too good an apology for the slowness of their motions.

Besides these, the parliament made several other acts of a public nature; such as an act for relief of all those who had given bond and security for any sums of money, or other commodities, for the use of the public; and binding the three estates and whole body of the kingdom to relieve them of the same, and of any diligence that might be used for those contractions: An act authorising certain commissioners to examine into the public burthens of the kingdom, and to provide for the relief of the same: A commission to receive the brotherly assistance from England: An act reviving a former act, taxing the freeholders of every county in L.5 Scots a-day to every one of their commissioners in parliament, during the sitting of the same: A commission to four of each estate to settle with the English commissioners certain articles referred to consideration by the late treaty, touching mutual commerce, and the lawfulness and solemnity of the extract of bonds or decrees in both the kingdoms: An act in favour of orphans and fatherless children, extending the benefit of bonds, or other personal obligations taken by a man to himself and his heirs, to belong to the children, or nearest of kin of the defunct, whereas

formerly it belonged to the heir only: An act changing the legal terms from Whitsunday and Martinmas to Candlemas and Lammas, as being more convenient for getting payment of annual rents and debts: An act regulating the commissary courts, and fixing their dues; and several other acts for the better administration of justice, and improvement of trade and manufactures.

One other public act must be noticed more particularly, because of the large superstructure raised thereon; and it was a commission to John lord Loudon chancellor, the duke of Lennox, the marquis of Hamilton, the earls of Argyle, Morton, Eglington, Glencairn, Dunfermline, Roxburgh, Lothian, Lauderdale, Kinnoul, Lanark, and Leven; the lords Lindsay, Balmerino, and Almont; the lairds of Wauchton, Dundas, Cammo, Grange, Kerse, Innes, Warriston, Dun, Wedderburn, Lag, Harden, Amisfield, Frieland, Cessnock, Morphy, Giffen, Craigievar, and Cavers; and the commissioners for the burghs of Edinburgh, Glasgow, Kirkcudbright, Stirling, Irvine, Perth, Dundee, Aberdeen, Kinghorn, Linlithgow, St. Andrews, Jedburgh, Dumfries, Ayr, Dumbarton, Anstruther, and Banff; and Richard Maxwell convener of the trades of Edinburgh; or any twelve of them, to conserve or keep the articles of the late treaty of peace between the two kingdoms until the meeting of the next parliament, when they were to account for their proceedings in virtue of the said commission; and accordingly we will find in the after part of our history, that this committee levied forces, raised taxes, and did several other acts, competent only to the highest authority.¹

A few other incidents shall conclude our relation of this parliament. The 14th of September, a petition was preferred to parliament, in the name of certain of our merchants, representing that they had sustained damages in shipping and goods taken from them by the Hamburgers, to the extent of 300,000 merks, and craving letters of marque to make reprisals.² This petition was referred to

¹ Baillie.

² Balfour's Journal.

a committee, and, November 12, the desire thereof was granted, with this qualification, that the petitioners should first acquaint the Hamburgers with this order, and require satisfaction; but what satisfaction was obtained, we have not learned.

Upon the 2d of November, lieutenant-general King purged himself of disaffection to his country's cause: the lord president asked him if he did not undertake the levying of men and horses in Denmark for his majesty, against his native country?¹ The general answered openly in the face of the king and parliament, that he was sent for by his majesty to England, and urged to do so, but that he altogether refused to comply, in respect it was against his country, and his conscience likewise. Upon this the house ordained him to subscribe the national covenant; and he having done so, he was assoilzied from the charge of disaffection which had been brought against him, and he was reponed to his honour, and declared to be an honest patriot, deserving the public approbation of his country.

We heard formerly of some disturbance of the public peace by the Macgregors, and some other thieving clans in the north. For this reason there was a commission of justiciary granted to a select number of able men, to go in circuit through these disaffected parts, who were to be escorted with 120 armed men; the fines were to be applied for payment of their expenses in the first place, and the overplus, if there was any, to come to the public treasury. A price was set on the heads of certain of the Macgregors complained of, and a reward promised to those who should bring them in dead or alive; and it was ordered that they should be immediately denounced rebels to his majesty.¹

The day following, lieutenant-general Sir Alexander Leslie of Balgony received his majesty's patent to be lord Balgony and earl of Leven, and was solemnly installed by his majesty's order; and the following gentlemen who attended

¹ Balfour's Journal.

him were dubbed knights, viz. John Leslie of Brickhill, John Brown of Forde, James Melvil of Burntisland, and Andrew Sken of Auchtertool.²

The 9th of November, general Ruthven's forfeiture was repealed, and he was restored to his estate, title, honour, and fame.²

Upon the 15th, the king signed a warrant for riding the parliament on Wednesday the 17th, which was published by the lyon king-at-arms in the most solemn manner; and the court of session were ordered to sit upon the 4th of January, which was also published.²

The same day all the commissions granted to, and services and employments performed by, Archibald earl of Argyle, in the service of his country, were approved, and an act of parliament made thereupon, was read, voted, and passed; notwithstanding whereof, several of his former sayings and actions were made a ground of accusation against him after the restoration, by a parliament who had no more right than the present.²

Next day Mr. John Guthrie, late bishop of Murray, was liberated out of the prison of Edinburgh, on condition he gave satisfaction to the church for his excommunication, and returned not to Murray.²

The 17th of November being the last day of the parliament, they rode very solemnly from the palace of Holyroodhouse to the great hall of the parliament-house in this order: ²

The earl of Leven, as general, rode first.
 The commissioners of burghs, two and two in order, Edinburgh last.
 The barons, two and two, Fife and Lothian last.
 The lords, two and two, being sixteen in all, the eldest still last.
 The viscount of Kenmure alone.
 The earls, being twenty-seven in all, rode two and two.
 After them came his majesty's six trumpets.
 Then six pursuivants.
 Next six heralds.
 And then the lyon king-of-arms in the middle, betwixt his majesty's two gentlemen ushers.
 The sword carried by the earl of Mar.

² Balfour's Journal.

The sceptre carried by the earl of Sutherland.

The crown carried by the earl of Argyle.

THE KING'S MAJESTY,

His train being supported by the lords Gordon, Erskine, Drummond, Ker, &c. and Sir Robert Gordon the vice-chamberlain.

The marquis of Hamilton, as master of his majesty's horse, rode next the king.

The duke of Lennox and Richmond, as great chamberlain of Scotland, and of his majesty's house here, on Hamilton's right hand.

After them rode the earl of Kiinnoul, as captain of his majesty's guard, and with him the marquis of Huntly.

His majesty being set on his throne, and the estates in theirs, Mr. Henderson prayed, the rolls were called, and the lyon king-of-arms, by order of the house, proclaimed, that all who pleased should remain in the house and behave quietly.

Then was there an act made, *salvo jure cujuslibet*. The advocate put the king in the humour of protesting, to save his rights; but the house judging it a dangerous novelty, and a covert under which every thing done might be cast loose, his majesty did very wisely pass from that motion. The last public act was appointing the next parliament to convene in Edinburgh, the first Tuesday of June 1644, without prejudice to his majesty to indict one sooner; and ordained all members and others concerned to attend at that time, without any other or further warning to that effect. Then were voted, and passed *in cumulo*, about 360 ratifications, commissions, and protestations in favour of particular persons.¹

All business being over, the king delivered a patent, bearing date at Holyroodhouse, the 15th of November 1641, and passed under the great seal, to the lyon king-of-arms, and he to the clerk-register, who read it publicly, whereby his majesty created Archibald earl of Argyle, and the heirs-male of his own body, marquis of Argyle, earl of Kintyre, and lord of Lorn; which being read, and given back to the king, his

¹ Balfour's Journal.

majesty delivered the same with his own hand to the marquis, who received it in the most submissive manner, and made the most grateful acknowledgments for so great a favour bestowed, as he said, far above his demerit and expectation.

Then Mr. Alexander Henderson closed with a sermon, and it was intended the parliament should have rode back to Holyroodhouse, but it having been eight o'clock at night ere they dismissed, there was no outward pomp, only the castle discharged many vollies of great and small ordnance; and at night, his majesty regaled the nobility and several of the barons with a feast in the large gallery; and having taken his leave of them that night, set out for London next morning at eight o'clock, leaving the Scotch a most contented people.

BOOK IV.

CONTAINING THE HISTORY OF OUR ASSEMBLIES, CONVENTIONS, AND PARLIAMENTS; THE RISE OF THE CIVIL WAR IN ENGLAND; THE SOLEMN LEAGUE AND COVENANT; THE SHARE WE HAD IN THE REFORMATION OF ENGLAND AND IRELAND, AND IN BRINGING THE WAR IN BOTH THESE KINGDOMS TO AN ISSUE; MONTROSE'S BUTCHERIES; THE UNSUCCESSFUL ATTEMPTS MADE TO RESCUE AND PRESERVE KING CHARLES I; AND OTHER OCCURRENCES UNTIL THE TRAGICAL EXIT OF THAT MONARCH.

CHAPTER I.

Of the Rise and Occasion of the War in England, and chief occurrences in Scotland, to the meeting of the Assembly.

No sooner was the king returned home, but the English bishops, being ignorant of his majesty's motives, reproached him with granting to the Scots all their demands, and told him plainly, that he had undone in an instant what his father and himself had with great difficulty been doing for above forty years, which is said to have wrought great remorse in his mind. However, as it was unseasonable to shew

such a disposition at the time, king Charles condescended not only to accept of a splendid entertainment from the city of London, in testimony of the value they put upon his concessions to their brethren of Scotland, but also to order the Scots to be declared his faithful subjects in all the parish churches of England.¹

These halcyon days proved however but as a sun-blink before the shower. The spirits of the English were already too much roused to be allayed, without security given for the limitation of the royal power; and their parliament, encouraged by the example of ours, were thereby prompted to follow our footsteps.²

In order thereto, the English parliament drew out of all the grievances of their nation, such a remonstrance as might be a faithful and lively representation to his majesty of the deplorable state of the kingdom. I omit the grievances of the state, but those which related to the church were as follow: viz. 1. The suspensions, excommunications, deprivations, and degradations of diverse painful, learned, and pious ministers of the gospel, by the bishops, and the grievous oppression of great numbers of his majesty's faithful subjects. 2. The sharpness and severity of the high-commission assisted by the council table, not much less grievous than the Romish inquisition. 3. The rigour of the bishops' courts in the country, whereby great numbers of the meaner tradesmen had been impoverished and driven out of the kingdom to Holland and New England. The advancing those to ecclesiastical preferments who were most officious in promoting superstition, and most virulent in railing against godliness and honesty. 4. The design of reconciling the church of England with Rome, and imposing upon the church of Scotland such popish superstitions and innovations as might dispose them to join with England in the intended reconciliation. 5. The late canons and oath imposed upon the clergy under the severest penalties, and the continuance of the convocation by a

¹ Baillie,

² Neal.

new commission, after the dissolution of parliament, wherein they raised taxes upon the subject, for the maintenance of what was called *bellum episcopale*; the rooting out of the kingdom by force, or driving away by fear, the puritans—under which name they include all that desire to preserve the laws and liberties of the kingdom, and to maintain religion in the power of it. 6. The exempting papists from penal laws, so far as amounted to a toleration, besides conferring upon them many other privileges and court favours; and they complain of a party of popish bishops in the house of peers, that have caused much opposition and delay in the prosecution of delinquents, and hindered the passing some good bills for reforming abuses and corruptions in church and state.

And in the petition which attended this remonstrance, they beseech his majesty to concur with his people in a parliamentary way: 1. For depriving the bishops of their votes in parliament, and abridging their immoderate power usurped over the clergy, and other his good subjects, to the hazard of religion, and prejudice of the just liberties of the people. 2. For the taking away such oppressions in religion, church government, and discipline, as have been brought in and fomented by them. 3. For uniting all such loyal subjects, as agree in fundamentals, against papists, by removing some oppressions and unnecessary ceremonies, by which diverse weak consciences have been offended, and seem to be divided from the rest. And, 4. They conclude with beseeching his majesty to remove from his councils all favourers of popery and arbitrary power, or promoters of the above-mentioned pressures and corruptions, and to employ such as his parliament might confide in; and that, in his princely goodness, he would reject all solicitations to the contrary, how powerful and near soever.³

The king took their freedom in very bad part; and his answer to the above petition was so evasive as to the granting their requests, and expressed so

³ Neal.

strong a resolution to maintain episcopacy, as did rather foment than cure their jealousies; and after this, both king and parliament shewed such a distrust of, and even opposition to, one another, as did soon ripen for, and burst out into, an open rupture.¹

The commons desired a guard; the king refused it. The king urged the sending over 10,000 English forces to suppress the rebels in Ireland; but the parliament fearing lest the king should in their absence suppress them by force, refused to comply with his request. On the other hand, the parliament urged the sending over an army from Scotland, and appointed a committee to treat with the Scots about succours, but the king suggested the danger of the Scots subduing Ireland for themselves; and so, to the shame of both king and parliament, the relief of Ireland was long neglected, and many thousands left exposed to destruction, who otherwise might have been preserved.²

The commons finding that the pressing of soldiers was necessary in the present exigence, passed a vote to that effect, and sent it to the lords: But the king viewed this as an encroachment on the prerogative; and in a speech to the house, he opposed the same. This the lords voted a breach of privilege, and that it belonged not to the king to meddle with any affair in agitation before either house, till he had it from themselves.

The commons tried to have the bishops' vote in parliament taken away, but were not able to carry it; and the king nettled them by filling up the five vacant bishoprics at that very time.³

The king removed Sir William Balfour, lieutenant of the Tower, as too much devoted to the parliament, and put colonel Lunsford, a furious outlaw, in his place.³ The commons opposed it, and recommended Sir John Conyers for that place, which the king slighted.

The city of London becoming impatient, and remonstrating against the committing of the Tower to a person so suspected as Lunsford, he with thirty or

forty officers made an assault on the multitude, and wounded about twenty citizens and apprentices. This naturally produced a general insurrection of the apprentices and others throughout London and Westminster; whereupon the king raised the militia of Westminster and Middlesex to guard his person, and the lord mayor put the trained bands in arms for the defence of the city.

These tumults continuing, twelve of the bishops, by the advice of Williams, archbishop of York, drew up a petition to the king and parliament, setting forth, that they could not attend with safety, and therefore protested against whatever was done in their absence as null.⁴ The lords being now quit of the bishops, and of the popish lords, who likewise went off to keep the others company, found this a deep encroachment upon the fundamental privileges and being of the parliament, and communicated it to the commons, as a thing of great and general concernment. The commons no sooner heard of it, but they resolved to accuse the twelve bishops of high treason; and Mr. Glyn having impeached them accordingly, they were taken into custody. The gentlemen of the inns of court, and a number of disbanded officers, having offered themselves as guards to the king, and been graciously received and entertained, the commons besought his majesty that they might have a guard out of the city, commanded by the earl of Essex. This the king delayed; whereupon they ordered thirty or forty halberts to be brought into the house for their better security.⁴

While matters were in this situation, the king, as if impatient to have them brought to an extremity, did, by the advice of his queen or lord Digby, send his attorney-general to the house of lords to impeach the lord Kimbolton, and five of the most active members of the house of commons, viz. Denzil afterwards lord Holles, Sir Arthur Haslerigg, John Pym, John Hampden, and William Stroud, esquires, upon pretence that of late they had invited the Scots into England, and

¹ Neal. ² Neal and Rapin. ³ Neal.

⁴ Neal.

were the chief fomenters of the present tumults, &c. ; and at the same time he sent officers to their houses to seal up all their papers and repositories ; and these members not being ordered into custody as his majesty expected, he went next day to the house of commons attended with a band of officers and soldiers, armed with swords and pistols, to apprehend them ; but perceiving that they were gone, he retired. Many members cried out, "Privilege! Privilege!" All looked upon it as an unparalleled act of violence, and voted that they could not sit longer there without a full vindication of so high a breach, and a guard for the safety of their persons, and adjourned to the 11th.

Next day his majesty went into the city to demand the members ; but the citizens were so far from delivering up the five members, that they petitioned the king that they might be at liberty, and proceeded against according to the forms of parliament.

His majesty finding that he had lost the city, fortified Whitehall with men and ammunition, and put gunners into the Tower, with orders to use violence, if there was occasion.¹ When the citizens complained of this, his majesty replied, that it was done with an eye to their safety and advantage ; but they had no confidence in the king's protection.

The five members having again come to the house, January 11, were escorted with 1000 mariners by water, and with the train-bands by land. Things being come to this extremity, his majesty, to avoid the hazard of an affront from the populace, took a fatal resolution to leave Whitehall : and accordingly, January 10, he removed with his queen, and the whole royal family, to Hampton court, and, two days after, to Windsor, from whence he travelled by easy journeys to York, and never returned to London, till he was brought thither as a criminal.¹

While the king was at Windsor, he held a cabinet council in presence of the queen, in which, besides the resolution of passing no more bills, it was agreed

¹ Neal.

that her majesty, being to accompany the princess her daughter to Holland, in order to her marriage with the prince of Orange, should take with her the crown jewels, and pledge them for ready money, and that she should therewith purchase arms and ammunition, &c. for the king's service ; and accordingly from the money raised from thence, she purchased a frigate of thirty-two guns, called the Providence, and freighted it with 200 barrels of powder, 2000 or 3000 stand of arms, and seven or eight field pieces ; all which, with some ready money, were safely landed and conveyed to York about the beginning of June.²

It was further agreed, that his majesty should come to no agreement with the parliament, till he understood the success of her negotiations ; and that he should endeavour to get possession of the important fortresses of Portsmouth and Hull, where the arms and artillery of the late army in the north were deposited. But the parliament entered upon more effectual measures for their safety : They sent to colonel Goring, governor of Portsmouth, not to receive any forces into the town, but by authority of the king, signified by both houses of parliament. Sir John Hotham was sent to secure the magazines at Hull, and a guard was placed about the Tower of London, to prevent carrying out any ordnance or ammunition without consent of parliament.²

About this time, petitions were presented to the houses, from the city of London, and a number of counties, to put the kingdom into a posture of defence, and to commit the forts and castles to such persons as both houses could confide in, which produced a debate about the militia. The king claimed the sole disposal of it to himself, but the parliament insisted, that it was not in the king alone, but in the king and parliament jointly ; and that when the kingdom is in imminent danger, if the royal power is not executed in its defence, the military force may be raised without it.² The commons petitioned

² Neal, and Rapin.

several times, that the militia might be put into such hands as they could confide in ; but the king swore by God, he " would not part with the militia, no, not for an hour," and rejected their demands in the gross, with this sovereign reply, *Nolumus leges Angliæ mutari*; whereupon the house protested, that the dangers and distempers of the kingdom were such as would endure no longer delay ; and therefore, if his majesty would not satisfy their desires, they would be forced, for the safety of the kingdom, to dispose of the militia by authority of both houses of parliament. And accordingly, March 5th, they passed an ordinance for disposing of the militia, by both houses of parliament, without the king, in case of extreme danger to the nation, of which they were the judges.

In like manner, the king claimed an inalienable right to all the forts and garrisons of the kingdom, with an uncontrollable power to dispose of the arms and ammunition in them.¹ But the parliament maintained, that they were his majesty's only in trust for the public; and that, in discharge of this trust, the parliament sitting are his counsellors: For if the king had such a property in the forts and magazines as he claimed, he might then sell or transfer them to an enemy as absolutely as a private person may his lands and goods.

And now the mask being taken off, both sides went on to secure themselves against the other as well as they could.² April 23, the king appeared before Hull with 300 horse ; but Sir John Hotham the governor, did, upon his knees, inform his majesty, that by an order of the parliament he was forbid to give him entrance with more than twelve attendants ; upon which the king declared him a rebel, retired full of resentment, and took occasion thence to stigmatise the parliament as the beginners of the war. But besides that, the hostile manner in which access was demanded, shewed plainly the danger of surrendering that strong fort and maga-

zines into his majesty's hands ; it will not be denied, that his majesty had also before that violated the rights of parliament, and that the crown jewels were already pawned in Holland for arms and ammunition. Mr. Eachard is surprised that the king did not put himself in a posture of defence sooner ; but Clarendon resolves that difficulty. The reason, says his lordship, why the king did not raise forces sooner, was because he had neither arms nor ammunition ; and till these could be procured from Holland, let his provocations and sufferings be what they could, he was to submit and bear it patiently. It was therefore no want of will, but mere necessity, that hindered the king's appearing in arms sooner than he did. And yet, under all these disadvantages, we will find his majesty leading the way to his parliament: For, May 12th, the king summons the gentlemen and freeholders to attend him as an extraordinary guard in levying forces through the north. Whereupon the parliament, May 20th, voted, that it was now apparent that the king, seduced by wicked counsel, intended to make war upon the parliament: That whensoever the king maketh such war, it is a breach of trust, contrary to the coronation oath, and tending to the dissolution of the government: That whosoever shall serve or assist his majesty in such war, are traitors, and have been so adjudged by two acts of parliament, Richard II. and Henry IV. May 28th, they ordered the sheriffs to stop all warlike stores carrying to York ; and, June 7th, they ordered the militia to be raised and mustered in the several counties where the spirit of the people appeared for them. The king forbid the militia to appear without his consent, and issued out commissions of array ; whereupon the country declared for the king or parliament as their inclinations led them: And of our countrymen, lieutenant-generals Ruthven and King, and major-generals Ramsay and Hepburn, and colonel Cochrane, were amongst the first who took part with the king, as were Sir

¹ Neal.² Rapin.

William Balfour and Sir John Meldrum amongst the first who declared for the parliament. At first the king was shy of admitting papists, but necessity soon got over that difficulty, and great numbers enlisting in his army, he marched a second time to the siege of Hull; but the earl of Warwick with the navy having declared for the parliament, and the governor having opened the sluices, and laid the country round under water, that attempt was rendered fruitless.

On July 12th, a week after the king was set down a second time before Hull, the two houses, after long debates, came to this resolution, That an army should be raised for the defence of the king and parliament; that the earl of Essex should be commander-in-chief, and the earl of Bedford general of the horse; and now the longest sword must determine the controversy.¹

Because money is the sinews of war, each side had recourse to their friends. The treasury being exhausted, the king had recourse to his courtiers, the universities of Oxford and Cambridge, and to the papists both at home and abroad, who supplied him liberally; and the parliament found still less difficulty, for the cities of London and Westminster being in their interest, about a million and a half sterling was quickly contributed to begin the war.

To justify these proceedings, both parties published their reasons to the world; but instead of these, which are to be found at length in the English histories of that time, this one general remark may serve as a key to the whole: If we suppose the kingdom to be in its natural state after the king left the parliament, and would act no longer in concert with it; if the constitution was then entire, and the most considerable grievances redressed; if the laws in being were a sufficient security against the return of popery and arbitrary power, and there was sufficient reason to believe these laws would have their free course, then the king's arguments were strong and conclusive. But, on

¹ Neal.

the other hand, if the constitution was broken by the king breaking in upon and destroying his two houses, and resolving to act no longer in concert with them; and if, while both houses declared the religion and liberties of the nation in imminent danger, the king would not concur with his parliament in applying such remedies as the wisdom of his two houses thought necessary; then, after proper petitions and remonstrances, the parliament thought they might proceed for the public safety as much as in the case of nonage or captivity of the prince.

In this situation of affairs, the Scots were not idle spectators. While the king was at Windsor, our commissioners, the earls of Lothian and Lindsay, lord Balmerino, Sir Thomas Myreton, Sir Thomas Hope junior, Sir Archibald Johnston, provost Smith of Edinburgh, provost Bell of Glasgow, and provost Barclay of Irvine, who had been sent up to negotiate with the English parliament for the sending forces over from Scotland for the relief of Ireland, waited on his majesty, and offered their mediation between him and his two houses. In a petition presented to his majesty, January 15th, they observe, that the liberties of Scotland and England must stand and fall together; and after expressing their grief for the distractions of England, which they conceived did arise from the plots of papists and prelates, they offer their service to compose the difference; and they beseech his majesty to have recourse to the faithful advices of his parliament, as what would not only quiet the minds of his English subjects, but remove jealousies and fears that might possess the hearts of the subjects in his other two kingdoms. And in a paper presented to the parliament of England at the same time, they return thanks to them for the assistance given us in settling our late troubles: Next to the providence of God, and his majesty's goodness, they acknowledge their obligations to the mediation and brotherly kindness of the English parliament, and now, by way of return, they offer their mediation between them and the

ing, and beseech the houses to consider of the fairest and most likely methods to compose the differences in church and state. And in May following, the council sent up the lord chancellor to his majesty, to offer a mediation betwixt him and the parliament.

The king was highly displeas'd with our commissioners at London, and commanded them not to interfere between him and his English parliament, without first communicating their proposals to him in private, and complain'd of them in a letter to the lord chancellor and the marquis of Argyle, and when the chancellor came to him, he sent him home to keep the country quiet. But the parliament thanked the commissioners for their kind and seasonable interposition, and prayed them to continue their endeavours to remove the present distractions, and to preserve peace and unity. But we must leave the English history, and bring forward that of our own country: And here it may be proper first to dispatch a few things which occurred of a more private nature during the year 1642, that so the thread of our public history may not be broke in upon.

This year Mr. Robert Baillie was preferred to be teacher of the oriental languages, and conjoined with Mr. Dickson in the profession of divinity in the college of Glasgow, sore against the will of his parishioners, but seasonably for allaying some contention which had arisen in that town. For the council having been much at the devotion of the marquis of Hamilton, yielded to the king's naming of their magistrates. These not being of the best affected, brought in Mr. Edward Wright, who, with Dr. Strang the principal, and one or two more, set themselves on all occasions to thwart Mr. Dickson.

That they might accomplish this the more easily, finding Mr. Dickson had great interest with the elders and deacons, it was resolv'd to have a new set chosen, who would be more obsequious than the former. The immemorial custom in that place, it is said, was, that

the magistrates and ministers jointly did choose the session; but Mr. Dickson and his friends urged, as more consistent with ecclesiastic policy, that the old session should choose their successors, but were frustrated: however, in a short time after, the power of electing the new sessions was by the general assembly given to the old.

Another incident at that time drove this town almost to violent measures. Of late, they had got a gift of the deanery as a fund for an additional minister, and were resolv'd to have one settled on it soon. Accordingly Mr. Patrick Gillespie, a young man of excellent parts, having been accidentally there, and preaching to the good liking of many of the people, the provost, to recover their favour, waited on him with the freedom of their town, and expressed his wish, that he had the above charge. Mr. Gillespie took the hint, and had interest to procure a presentation from the crown; but no sooner was this intimated to the presbytery, than the town council took the alarm. They were highly displeas'd that any person, especially that a young man should, without their advice, offer himself to their principal church and highest benefice; and therefore set themselves to oppose him, and carried it so far as to threaten the provost, with G. Porterfield, and one or two more of the council in Mr. Gillespie's interest with the breach of their burgh oath: however, through the importunity of Mr. Dickson, Mr. Baillie, and some of the best burghesses, the marquis of Argyle, the chancellor, and lord Glencairn, offer'd their mediation, which ended in adjusting all differences; and Mr. Gillespie was settled, with the approbation of the most part in the town; and he continued to exercise his ministry there, with great reputation, till the restoration, when he was turn'd out amongst the first.

Much about the same time, Sir John Cochrane of Coudon, a colonel of reputation, and ancestor of the family of Donald, fell into disgrace. Although, after his late behaviour, in the plot

against Hamilton and Argyle, he had again got into favour, and had been entrusted by his country with an embassy to the Swedish court, he betrayed his trust; for having got a ship freighted with copper for the use of the Scots, he sold it at Amsterdam, and put the price into his own pocket. For this he was arrested, brought before the council and examined; but while preparation was making for his trial, he made an elopement, and fled to the king, by whom he was well received, and shortly after was employed by him in some foreign negotiations, whereby he rendered himself still more obnoxious to his countrymen.

One Gairns, a gentleman from Aberdeenshire, having fallen into rigid Brownism, and propagated the same in Edinburgh, the presbytery emitted a warning against his tenets, which was read from all their pulpits; yet such was their zeal against the opposite extreme, that the famous Mr. Calderwood and Mr. Andrew Kirkhall having been reckoned remiss in applying their doctrine to what was reckoned the corruptions of the time, were complained of for it to the provincial synod of Lothian; but their promise of amendment prevented any censure.

The death of Mr. Eleazer Borthwick minister, of the earl of Kelly, and lord Ker, shall finish the more private occurrences of this year. Mr. Borthwick had for some time been employed to reside at London, to maintain a good understanding between the well affected there and his countrymen, in which he was very successful; and being otherwise a pious good man, his death was much lamented. Kelly and Ker were reckoned disaffected, so that their death weakened that faction a little; and lord Ker being the only son and hope of his father, his death proved a heavy stroke to his family, and opened a door for the succession of a younger son of the earl of Perth to the honours and estate of Roxburgh, upon the demise of the old earl, which happened in a few years after. But we proceed to the more interesting transactions of that time.

The committee appointed for the trial of lord Montrose and his fellow prisoners, sat during the months of January and February, and found full evidence of their disaffection to the common cause, which they reported faithfully to the king; but nothing amounting to treason having appeared in their case, and what was proved carrying in it strong marks of personal attachment to his majesty, their opposition to the reformation of the time was overlooked, and he gave them an honourable dismissal.

Our commissioners at London having settled matters with the English parliament, for the sending over of 10,000 men for the relief of the protestants in Ireland, the earl of Leven was requested to take the command of them; the nobles bred to arms were first preferred, and the levying of troops was conducted with great order and expedition; but commotions increasing to the southward, there were only 6000 of our troops sent over to Ireland, under the command of major-general Munro, who arriving at Carrickfergus in the beginning of April, had that garrison assigned for their headquarters, and the rest were kept at home to maintain the peace of the country. For the flames of war being kindled in England, made the Scots think in good earnest how they might best prevent the spreading of it; they had too much interest in the king to be unconcerned spectators of his misery, and they considered themselves bound by many ties to support his just rights and privileges; but, on the other hand, they could not shut their eyes from seeing that the hostile appearance made by their brethren in England was for the cause of religion and liberty, and therefore their interposition at such a critical time seemed no less difficult than necessary.

We observed before, that the first step taken, was, to send up the lord chancellor to see if his counsel could be of use for cementing differences; but his majesty, disliking their way, would not hear, but caused him to return, with an instruction to convene the privy council

¹ Baillie.

against the 25th of May, in order to their considering what had passed between him and his English parliament; and that they, finding how much he was injured by them in his just and legal prerogatives, might declare their sense of these wrongs to the parliament of England; and for insuring success in that meeting, the lords Kinnoul, Roxburgh, and others, best known in those days by the name of *banders*, were sent down to convene their friends in as great numbers as might be.

On the other hand, the parliament of England, to prevent the Scots receiving impressions to their disadvantage, sent down to lord Warriston a declaration of their proceedings, to be communicated both to the general assembly and privy council, hoping thereby to demonstrate, that all their ways with his majesty were just and necessary.

The covenanters, fearing lest the *banders* should prevail with the council to take part with the king against the parliament, set earnestly about the duty of fasting and prayer for averting the threatened storm, and imploring direction as to the present duty; and Warriston, in the entry of that meeting, took care to disperse a letter, which, though expressed in general terms, and with a degree of caution becoming its author, tended to dissuade from speedy measures on either hand, and was of use to inform the minds and determine the judgment of many who till then were unresolved.

To that meeting of council the *banders* and their friends resorted in great numbers, and several of them in a warlike posture, which raised a jealousy that violence was intended against the chancellor and Argyle, who had brought up only their own attendants.¹ As soon therefore as this rumour was spread abroad, the gentry and ministers of Fife, with their friends, came over by hundreds at a time; and the inhabitants of the three Lothians, with the citizens of Edinburgh, cleaving to those two lords beyond expectation, the *banders'* courage and associates melted away. Their

¹ Baillie.

leaders had, however, the courage to supplicate the council to take part with their sovereign, and had so prepossessed the minds of many, that the council were near agreeing upon a threatening embassy to the English; but the covenanters counter-plotted them with a different supplication, and urged their demands so resolutely, that the council were glad to lay aside all such motions, and to part without doing any thing, which gave the king a sorry notion of their influence.

Upon the back of this disappointment, the marquis of Hamilton left the king, and came to Scotland to use his influence, says bishop Burnet, to draw them over to his party; bishop Guthrie even adventures to say, he played the traitor; but Mr. Baillie's opinion, that he left both the king and country interest for a time, to avoid drowning with either the one or the other, seems the most probable opinion of the two, and most consistent with his obligations to both.

CHAPTER II.

The History of the General Assembly, anno 1642.

THE general assembly of the church sat down at St. Andrews, 1642. July 27. Lord Dunfermline was his majesty's commissioner, and Mr. Robert Douglas, minister at Kirkecaldy, who made a very shining figure both in this and a part of the succeeding period, was chosen moderator.

The resort of the nobles to this assembly was uncommon: the chancellor, Hamilton, Morton, Southesk, Yester, and others attended the commissioner; and a report having gone abroad, as if the *banders* intended to extort from the assembly an exposition of the covenant, favouring an expedition into England, Argyle, Eglinton, Cassilis, Glencairn, Lauderdale, Wemyss, Balcarras, Elcho, Burleigh, Sinclair, Gordon, Maitland, and others, gave as punctual attendance, and acted their parts so well, that the plotters had not courage to propose any thing.

The expense of travelling made this

assembly but thinly attended by ministers at a distance ; and in naming the committees, care was taken not to put upon them those members who were known to have wasted too much of the time of former assemblies with innovations, so that the business in this went on more smoothly than was expected.

For preserving good order and uniformity throughout the whole church, all synod books were ordered to be regularly brought up and inspected by the assembly, under pain of deposing the clerks, and censuring the commissioners from the presbyteries where such clerks lived.

On a complaint from the town of Glasgow, this assembly ordained the old session to elect the new, and in case of a vacancy in a session, that the present session fill up the same.

Some ministers in Galloway having insisted, that a brother about to be transported to their bounds from another presbytery, be tried as an expectant by theirs, the assembly found that the presbytery of the bounds were only bound to make trial that his gifts were fit and answerable for his new charge, and that he produced a testimonial from the presbytery from which he was transported, of his former trials, and good conversation.

To redress, in part, the grievance of patronages, his majesty had been prevailed on to agree that he and other patrons should not be left at liberty to present whom they would ; but the presbytery, where a kirk was vacant, behoved to furnish a leet of six, out of whom the patron should present one ; but because six probationers could not be easily found in the Highlands, the leet there was restricted to so many as could be had ; and this the assembly turned into an act. Argyle and some others offered to give up their right of presenting altogether, on condition the ministry would hold themselves satisfied with their present modified stipends ; but they would by no means bind themselves up from asking an augmentation.

The next public act is, approving cer-

tain overtures against papists, non-communicants, and profaners of the Sabbath, all of whom were, it seems, considered equally dangerous to the interests of religion ; and proper rules are laid down for reclaiming them.

Of a piece with this, is their act approving certain overtures for the better observation of family exercises, catechising, &c., and delating adulterers, wizards, &c. to the civil magistrate.

In the eighth session, a number of excellent overtures, respecting the transportation of ministers and settling of schools, which had last year been referred to synods, were reported to this assembly, and approved.

Most of the inhabitants in the north of Ireland who survived the Irish massacre, being descended of Scottish parents, sent over commissioners to this and several subsequent assemblies, intimating their deplorable condition through want of the ministry of the gospel, occasioned by the tyranny of the prelates, and the sword of the rebels ; and desiring some ministers, especially such as had been chased from them, to be sent over to reside amongst them, or declared transportable. The assembly sent over eight ministers annually for some years, whereof two at a time, who were to continue there for three months together, till relieved by other two. Probationers for the ministry were also dealt with to go thither ; and the ministers sent over were, with the ministers who accompanied the army in April preceding to suppress the rebellion there, ordered to establish sessions, and to try and ordain such young men as offered themselves to the ministry there.

In those missions, none of the Scottish ministers who formerly were settled in Ireland were omitted, and the comfort which ensued therefrom, was answerable to their most pleasing wishes ; "the people which were left of the sword found grace in the wilderness." Their desire for the word of life was so vehement, and their sense of the mercy vouchsafed them in those visits so deep and affecting, that ministers were more

pained by their hearers' smart, than their own incessant labour. No church was large enough to contain the auditories; no day long enough to satisfy their craving. The Lord's arm was graciously revealed,—the gospel report believed,—and several of the greatest experience among them declared that they never saw nor felt such sweet and soul-refreshing days of the gospel, as they now enjoyed; insomuch that the ancient prophecy¹ had a glorious accomplishment among them: "In the wilderness shall waters break out, and streams in the desert."

The king and the parliament of England, with many of the dissenting clergy there, being sensible of what importance it was to them to have our good opinion of their disposition and deportment, wrote very soothing and favourable letters to this assembly. The king promises in his, that where any thing is amiss, he would endeavour a reformation thereof in a fair and orderly way; and the parliament express their sorrow, that the reformation of their church should be so long retarded, and throw the blame on the king's advisers. Of all of them, the assembly took this advantage, that it afforded them a fair and necessary opportunity of pressing, as in their answers drawn up by Mr. Henderson, the reformation of that church in worship and government: which, without impeaching any as the hinderers of it, they urge with all the earnestness which arises from a full persuasion of the truth, and sincere regard for the honour of God, and the good of others.

And that their endeavours might have the better success, they supplicated the privy council and the commissioners for conservation of the peace, to concur with them in their desires to his majesty and the parliament of England; and not only appointed a fast to implore God's blessing thereon, but ordered all ministers to remember it in their public prayers.

A few acts of less moment exhaust the public work of this assembly, such as an

¹ Isaiah xxxv. 6.

act joining the presbytery of Skye to the synod of Argyle; an act prohibiting contrary oaths, in purging adulterers, &c.; an act against using ministers' names in any of the public papers, without their own consent; an act against slandering of ministers; an act anent ordering of the assembly house, and a commission to fifty ministers and twenty-five ruling elders to manage the public affairs of the church till their next meeting, and for prosecuting the desires of this assembly to his majesty and the parliament of England; a court which proved very useful, but somewhat arbitrary, in after years.

Besides these public acts, they made a number of private acts; the most material of which were, receiving the commission to Mr. William Spang minister at Campvere; for visiting Orkney and Zetland, and for visiting, and better regulating the universities of St. Andrews and Glasgow; for suppressing popish priests in the north, and idolatrous monuments in Ruthwell; for recovering the books of the presbyteries that attended our army to England, which might have been of special use for clearing the history of that time, but were lost through carelessness; for erecting a presbytery at Biggar; for a contribution to the Irish protestants, and sending over expectants for the ministry to be settled amongst them; recommendation to presbyteries to maintain bursars; to Glasgow, to suppress Monday markets; of the Isles, &c. for want of kirks and schools; and of the presbyteries of Lochmaben and Newbie, for want of a civil magistrate to the privy-council, and conservators of the peace; an act reponing Mr. Gilbert Power, who had been deposed for non-conformity; and reference of Mr. James Fairlie and Mr. Robert Brown, in like circumstances, to the commission of this assembly; an act for giving transumptis of the national covenant and band to every presbytery; references for settling several vacant public churches, as Mr. G. Gillespie in Edinburgh, Mr. Colville in St. Andrews, and Mr. Halliburton in Dundee; and power granted to Sir Archibald Johnston, their

procurator and clerk, to assume an assistant.

CHAPTER III.

Containing a few occurrences respecting Scotland, until the Convention of the Estates.

Soon after the assembly rose, the commission entered on what was entrusted to their care. Mr. Baillie says, a number of good motions were made to them, but few of these are condescended on.¹

To this meeting the lord Maitland, who had been sent up with the assembly's address to the king, and their answer to the parliament of England, came to account for his negotiation, which was much to the commission's good liking; for he brought with him the parliament's assurance of granting the assembly's desire in abolishing the estate of bishops, and their resolution to call an assembly of divines to meet for reformation of religion in November following.¹

The only other deed of this commission which I find on record, is a letter to some presbyteries within the bounds of the synod of Glasgow and Ayr, to beware of innovations.¹ Episcopacy having prevailed for about forty years before the year 1638, it had, it seems, been the custom for the minister to conclude his last public prayer with the doxology, to conclude praising with *gloria patri*, and to kneel in the pulpit. These a number of the ministers accounted superstitious; and several years having intervened since episcopacy was put out of doors, several in the west and southern shires were nigh forming a kind of negative separation from those who observed them. But the generality fearing lest our haste in that matter, after a mutual reformation was set on foot with the English, might give offence to that nation, they condemned the others as bordering upon Brownism. However in a short time thereafter, the greatest sticklers for those forms got the better of their prejudices, and we hear no more of their insisting on the practice of them.

¹ Collect. p. 1425.

For the better attaining of uniformity, and more successful prosecution of the reformation of all ranks, that venerable synod signalized themselves in a variety of acts made at their meeting in October; one was prescribing an excellent order to be observed by ministers, in visiting families; another for procuring more punctual attendance on synodal meetings, as well by elders as ministers; and a third, that each presbytery should visit every parish within their bounds once a-year; and, on these occasions, should minutely inquire at elders and other parishioners into the doctrine and conversation of their minister; at the minister and parishioners, into the conversation and behaviour of the elders, deacons, and beadle; and at the session, into the due exercise of discipline, and the state of the records, and of the poor's funds in the parish, agreeably to the acts of the general assemblies 1596 and 1638; which the curious may find at full length in Mr. Baillie's collections: By which means, ministers, elders, and others, remis in their duty, were prompted to it, and the thriving of practical religion was greatly promoted in those bounds.²

The flame of war being, as we have seen, kindled in England, the king, by the duke of Hamilton and his other ministers, urged the Scottish council to engage the country in his interest; and the parliament of England being no less solicitous in their addresses, the whole country began to declare for the one or the other, according as they stood affected. The covenanters in general were attached to the parliament's cause: therefore they employed their art to dispose others to go their way; and, in order to accomplish this, they moved the council to petition for a parliament, by whose authority public measures would be regularly conducted. On the other hand, Hamilton and his friends were no less assiduous to divert unity of measures among the covenanters, and to gain the ascendant. For that purpose, having most interest with the council, they urged their publishing of his majesty's

² Collect. p. 1425.

letter to them, as the best apology for his waging war against his parliament, and as well calculated for begetting sympathy from his subjects of Scotland; and presented a petition to the council, which, in respect it was diametrically opposite to the other, was called *the cross petition*. But the conservators of the peace being more numerous than the council, they carried a reading of the parliament's declaration along with the king's; that both should be printed and published at the same time; that lord Loudon, Warriston, Mr. Barclay, and Mr. Alexander Henderson, should be sent to the king, importuning him to call his English parliament, as the best expedient to obtain an honourable and lasting peace; and to throw cold water on the opposition, the ministers emitted a warning, and caused the same to be printed and read from all their pulpits, which was readily complied with by all, except Mr. H. Guthrie in Stirling, and Mr. Graham and a few others in the presbytery of Auchterarder under lord Montrose's influence, who, carrying their opposition with more heat than discretion, rendered themselves obnoxious to censure, which was threatened to overawe them, but not inflicted.

That faction did not, however, think fit to give over; and therefore their next scheme respected the annuities. Traquair had lifted these for a number of years without interruption; but the chancellor having of late got the gift of them, a petition was drawn up, and subscribed by a great many hands, praying that these might be discharged in favour of those liable in payment of them. In this the abridging the chancellor's income was the least of their ends: If they succeeded, they thereby engaged the subscribers to the king for his favour, small as it was, to each of them; and should they miscarry, their course was popular, being calculated for the country's ease, and, of consequence, for rendering the chancellor an oppressor.

To counterplot this scheme, the gentry presented a petition to the conservators of the peace, to intercede with the

king for a parliament. And notwithstanding all the opposition made by Hamilton, the calling of a parliament was added to the instructions given to our commissioners, and orders given to insist strongly upon it.

Matters being thus conducted, Montrose, Ogilvie, and Aboyne went express to the king with a design, as afterwards appeared, to get instructions to raise a party for him. And notwithstanding the covenanters had carried it their own way, our author says, that at this time our situation looked very dismal,—our neighbour kingdoms were engaged in a bloody civil war, and little prospect of an end being put to it. In England matters were so balanced as portended a continuance of the war. In Ireland likewise, affairs went on very slowly: The army sent thither from England had possessed themselves of Dublin and some few towns thereabout, and the Scotch were a great relief to the protestants about Carrickfergus and other places in the north; but the former were so few in number, and the latter so ill provided, that neither of them could make the progress which otherwise they might have done: And in our own country, the most part of the nobility and many of the gentry were suspected either of disaffection or want of zeal to the cause in hand; and the security, ignorance, and profanity of many of the commonality, was so great, as called loudly for correction. For these reasons, and to implore a blessing on our embassy to the king, a public fast was appointed and observed with great devotion, upon Sabbath the 26th of February, and upon the Wednesday following. And about the same time, our well affected nobles and gentry did contribute about L.20,000 sterling for the support of our army in Ireland, till the parliament of England should find leisure to attend to them.

We took notice of a deputation sent to the king, then at Oxford, and now it is time to inquire after their reception, and, indeed, it was very disagreeable: His majesty would give our commissioners no audience, till the secretary, lord

lanark, who had fallen among the parliament army, had arrived. Thereafter he wanted to see their instructions, and these being shewed, he questioned their power to treat: This they cleared in a humble representation to his majesty. Three weeks were exhausted in preparing an answer; and though they made a reply in twenty-four hours, other three weeks were spent before the king's counsellors could find leisure to attend to it. The deputies had not the favour of any private or familiar conference; and when the king heard them in public, they were treated with a degree of severity, that plainly shewed their negotiation was very unsavoury. Every part of their conduct was taxed with indiscretion, and the behaviour of the clergy was especially offensive to those who were his majesty's advisers. All our commissioners' letters were broken up and perused, and when they complained, they found no redress; they could not walk the streets without being reviled, and their truest friends advised them to look to their safety, as if they were in danger of being stabbed or poisoned.

The endeavours of our commissioners being thus unsuccessful, and their situation so uncomfortable, they were, by the conservators of peace, peremptorily recalled, and upon their arrival, gave a particular detail of all their proceedings to their constituents, the secret council, the conservators of peace and of the public burdens; and Mr. Henderson to the commission of the church, all of whom met for the purpose, May 10th.

Their conduct was approved, but all testified their great dissatisfaction with many things in the king's answers, and, above all, at his avowed employing of papists in his army, a behaviour reckoned very unpopular and inconsistent with his majesty's true interest; and an apology, by way of answer to some things thrown out against us, was agreed on, and published.

The king having got early notice of this meeting, sent down the marquis of Hamilton, (whom about this time he

created a duke), with the lords Montrose, Angus, Montgomery, Ogilvie, and others, with instructions to convene their friends, and to oppose any motion that might be made in that meeting to his prejudice. But the following discoveries having been made about this time, the estates went further in their resolutions than they otherwise intended, and any opposition the disaffected party could make, tended only to shew the weakness of his majesty's interest.

One discovery made, was, that in the late interview of the disaffected peers with the king, upon the queen's return from Holland, it had been proposed to raise an army in Scotland for him against the parliament of England. It was said Hamilton was to have been commander-in-chief, lord Callender his general, general Baillie his lieutenant, and lord Montrose general of horse; but that bait not satisfying Montrose's proud stomach, who thought himself worthy of the chief command, he absolutely refused to join in any service with Hamilton, and even adventured to accuse him of infidelity and breach of trust. These jars, which were kept up by both sides, and afterwards confirmed by Antrim, frustrated the scheme taking effect at this time; but it plainly shewed what was to be expected from that party, if they were not prevented.

The other discovery, and a much clearer one, was made by major Ballantyne, with our army in Ireland. In a creek near Carriekfergus, the major perceived a ship's boat, and having seized the same, found a servant of the earl of Antrim's in it, who had come ashore to find if there could be safe landing there for his master, who was going to have an interview with the commander-in-chief of the Irish army. Ballantyne by threats made the fellow give a sign appointed to Antrim, who waited in a ship within view, upon which his lordship came on shore, was apprehended, and sent prisoner to Carriekfergus, from which he had made his escape the year before. From the letters and papers found on Antrim, and the examination of him and his servant upon oath, all which

were printed and published, it appeared that Antrim had, after he broke prison, gone immediately to the king; that he was present at the foresaid interview betwixt his majesty and the disaffected lords; that the scheme afore-mentioned having miscarried, a commission was given to Antrim to treat with the Irish rebels, for an accommodation betwixt the king and them. An offer was to be made to general Munro of L.5000 sterling, and the third place in the king's army, to betray the Scots. If Munro was obstinate, the combined army of Irish, and the English there in the king's interest, were to fall upon, and cut off the Scots army under his command; and these being effected, they were to go over to England and assist the royalists in suppressing the parliamentarians. On their landing in England, lord Nithsdale, and some others in the south, were to co-operate with them there. In the Isles, Sir Donald Macdonald, the Macleans, and colonel Kittoch's sons were to rise and over-run Argyle's country. And the marquis of Huntly, with his son lord Aboyne, the earls of Montrose, Marischal, and Airlie, and lord Banff, were to raise the north; while Hamilton and the disaffected lords in the heart of the country, should endeavour what they could to obstruct any opposition that should be made to them, and thus have rendered our country, like the neighbouring ones, a field of blood.

The Irish plot having been defeated by the above discovery, the insurrections in the south and in the Western Isles, depending on its success, were stopped of course; but the disaffected in the north having no immediate correspondence with the others, went on to the execution of the projected scheme. Accordingly the queen having sent down a ship with ammunition to Aberdeen, Montrose convened his friends there, and set on foot an association in support of his majesty, to which he procured the subscriptions of the chief of the Gordons and Ogilvies; but lord Marischal wanting confidence in Montrose's con-

duct, refused absolutely to concur, and even prevailed with Huntly to recall his subscription, which, in the good providence of God, did effectually frustrate the insurrection there also at that time; for Montrose finding himself distrusted, did turn tail to that faction, and began to curry favour with the covenanters, which he had nigh obtained, when new evidences of his disingenuousness appearing, he was set at nought by both parties, and left to his own fate.

The evidence of these plots appeared but obscurely to the vulgar; and therefore, at Argyle's desire, the particulars now mentioned, with Antrim's deposition, and five letters, whereof three from lord Nithsdale, and two from lord Aboyne, found upon Antrim when taken, were, as the evidence thereof, printed and published, and the plot appeared in very legible characters to all.

CHAPTER IV.

Of the Resolutions of the Convention of Estates.

THAT this convention may appear 1643. in its true light, we must first shew the occasion thereof, and for that purpose, cross the Tweed and briefly survey the state of affairs in England.

The battle of Edgehill, fought the 23d of the preceding October, was indeed with equal advantage to both sides, but would in all probability have been very fatal to the parliamentary army, had not our brave countryman, Sir James Balfour, made a gallant defence at the head of the foot, and thereby prevented a total defeat, while Prince Rupert drove the parliament cavalry before him, in the utmost disorder. And the lord Fairfax, assisted by Sir John Meldrum, a Scotsman, defended the town of Hull with great bravery and conduct for five weeks against a vigorous attack, and by their successful sallies obliged Newcastle to raise the siege, while the earl of Essex besieged and took the town of Reading.¹ But Essex being betrayed by colonel Hurry, a Scotsman

¹ Hist. Puritans.

who deserted from him to the king, Prince Rupert, with a party of horse, beat up his quarters, and killed the famous Mr. Hampden. And generally the king's affairs this summer were very prosperous; for besides his army, which had been recruiting in the winter, the queen furnished him with foreign money, and with 2000 foot, 1000 horse, a hundred waggons loaden with ammunition of all sorts, six pieces of cannon, and two mortars. And in the north, the king's armies had a train of successes: Lord Fairfax was defeated by Newcastle at Atherston Moor, June 30th; and Sir William Waller at the battles of Lawnsdon and Roundaway-down, July 5th and 13th, which was followed with the loss of Weymouth, Dorchester, Portland-castle, Exeter, and almost all the west. About the latter end of July, Prince Rupert took Bristol, and had a battle in August with Essex at Newbury, who was saved from ruin especially by means of the city trained bands. By these accidents, the parliament army were at a low ebb, and obliged to throw themselves into the arms of the Scots.

This the Scots foresaw, and fearing lest the king, having once suppressed the parliament, would turn his victorious arms against Scotland, it was, at the meeting the 10th of May, judged necessary to put the kingdom in a posture of defence;¹ and for this purpose, that a convention of the estates should be presently called; and that the lord chancellor, at the council's desire, should issue out writs, summoning a convention of the estates against the 22d of June. Those in the court interest did all they could to divert that resolution, but finding their pains lost, they behaved to rest satisfied with advising his majesty rather to authorise that meeting under certain restrictions, than leave them at large to their own inclination.²

Accordingly, June 22d, the three estates met. Of the barons and burgesses none were absent, and but a few

of the nobles. Lord Lanark presented a letter from the king, permitting them to meet, consult, and conclude upon the best way of supplying the Scots army in Ireland, obtaining payment of the arrears due to them by the English, and preventing groundless jealousies of his majesty, providing that nothing might be done by them tending to raise arms for the English, or contradict any of the foregoing particulars.

Warm reasoning ensued for several days on the legality of this meeting, chiefly between the duke of Hamilton, lord Lanark, and the advocate on the one part, and the chancellor, Argyle, and Balmerino on the other. According to bishop Burnet,³ the grounds of the debate on the one side were, "That by the law of Scotland, no assembly of that nature could be called but on the king's writ, and therefore there was a nullity in the beginning of it. But that now the king, *ex post facto*, allowing them, as a meeting of his subjects, to consider of some particulars, they could pretend to no authority but what that letter gave them; therefore they had not the authority of a convention of estates, but were only a meeting of so many subjects to consult of some affairs." On the other side it was said, that the convention was summoned by a writ under the great seal, which was all that the subjects were to look for, they not being concerned to look into the king's secret orders or private pleasure; so this was a sufficient authority for their sitting. And for the king's letter, though it seemed he was not well pleased with his council for it, yet it did not annul the former writ, nor indeed could it: And it was essential to all meetings of that nature to be free, and not limited to their consultations; for if the king calls a parliament or convention, their freedom cannot be restrained to such particulars as the king would limit them, otherwise the grievances of the nation should never be considered; therefore they concluded, it must either be no convention at all, or if it was one, it must be left at li-

¹ Baillie.

² Mem. Dukes of Hamilton.

³ Mem. Dukes of Hamilton, p. 233.

berty to treat of all the affairs of the nation.”

And at length, June 26th, the meeting declared the said convention to be lawfully called, and as full and free in itself, consisting of all the members thereof, as any convention has been at any time bygone. But from this act Hamilton, Lanark, and the other lords of their opinion, with one commoner, dissented, and withdrew.

The commissioners from the English parliament having been retarded beyond expectation, the convention did not for some time enter on public business, but employed themselves in preparing matters for the issue they expected, and in a new process against incendiaries.¹

Amongst the multitude of our countrymen sent home from Oxford, to help forward the king's interest at the convention, six of the chief, viz. Morton, Roxburgh, Kinnoul, Lanark, Annandale, and Carnwath, in coming through Lancashire, were enticed by the earl of Derby to write to the queen, then at York, that unless 3000 or 4000 men were sent thither, that county would probably be lost to the king. This letter was intercepted and carried to the parliament, who, after declaring them intermeddlers and disturbers of their peace, contrary to the late treaty, sent down one Mr. Walden to accuse them to the convention. To this complaint those lords answered roughly at first; but at length were glad to come under submission, and undertaking not to intermeddle further with English affairs, were excused for that fault. However lord Carnwath did not escape so easily. On a precognition taken, it appeared that his lordship had, to the king's majesty at Oxford, accused his countrymen as rebels, and that our commissioners, not content with their own rebellion, would stir up rebellion in England to ruin the king and his children. For this the estates ordered a macer to summon him to answer before them; but he fled. Whereupon a lyon-herald was ordered to cite him from the cross to present himself in twenty-four

¹ Baillie.

hours; and he proving still contumacious, the estates fined him in L.1000 Scots for the public service.

Lord Traquair was likewise fallen foul of. He was known to be a bad adviser in our affairs at York, and was suspected both of penning the cross petition and the petition against the annuity. On these points he was examined before a committee, where he solemnly protested his entire innocence of all that was laid to his charge; but finding he had the misfortune not to be believed, and that his behaviour would be more closely marked, he also made an elopement. However, his son lord Linton had interest with the estates to prevent further procedure against him.

The general assembly having sat at that time, they, upon a motion from Sir Archibald Johnston their clerk, emitted a remonstrance for joining with the English parliament, for a variety of reasons, whereof these are the substance:² “1st, They apprehend the war is for religion: 2d, The protestant faith was in danger: 3d, Gratitude for former assistances at the time of the reformation, required a suitable return: 4th, Because the churches of Scotland and England being embarked in one bottom, if one be ruined, the other cannot subsist: 5th, The prospect of an uniformity between the two kingdoms, in discipline and worship, will strengthen the protestant interest at home and abroad: 6th, The present parliament had been friendly to the Scots, and might be so again: And, 7th, Though the king had so lately established religion amongst them, according to their desires, yet they could not confide in his royal declarations, having so often found his actions and promises contradict one another.” This the estates took in good part, and suggested other reasons of their own.

At length the English commissioners, Sir William Armyne, Sir Henry Vane the younger, Mr. Hatcher, and Mr. Darley, from the parliament, with Mr. Marshall and Mr. Nye from the assembly of divines, brought down full instructions

² Neal.

to treat and agree with the general assembly upon the score of religion, as will be shewn in its place.¹

Whereupon the convention, August 15th, did, for establishing a stock of credit, lay a duty upon each shire, in proportion to their valuation, which, according to Mr. Baillie, did bear very hard upon the western shires, because there the lands being so high retoured, a forty merk-land sometimes will not yield so much rent as a two merk-land elsewhere: however, in the end they obtained some mitigation. The day following they ratified the gift of the teinds to the earl of Loudon. Upon the 26th of August, the convention authorised a committee of estates to do whatever the exigence of the times might require, either as to raising men or money. And, November 29th, they and the commissioners from the parliament of England agreed to certain articles of treaty, whereof the following is the substance, viz.:

“1st, That the solemn league be sworn and subscribed by both kingdoms.

“2d, That an army of 13,000 foot and 3000 horse and dragoons, with a suitable train of artillery, should be ready to march into England with all convenient speed, well armed, and provided with victuals and pay for forty days.

“3d, That the army be commanded by a Scottish general, but subject to such resolutions as should be agreed on between the two kingdoms, or their committees.

“4th, That the charge be computed by the Scots, as if done for themselves, a regular account thereof delivered to the English commissioners, and the same to be repaid whenever the peace of the two kingdoms was settled.

“5th, That the Scottish army be paid, as if employed on their own account; and towards the defraying thereof, to be paid L.30,000 monthly by the English, out of the estates of papists, &c., and in case the said sum, or any part thereof, were not regularly paid, the balance to

¹ Baillie.

bear five per cent. interest, all upon the public faith of the kingdom of England.

“6th, That L.100,000 be paid in advance, to be discounted out of the first monthly payments that should become due.

“7th, That the Scots pledge their faith jointly with the English, for raising L.200,000 for the purpose mentioned in the last article, and supplying the Scottish army in Ireland, to be repaid by the English.

“8th, That no pacification should be made without consent of both kingdoms.

“9th, That the faith of the kingdom of Scotland be given, that neither their entrance to, nor continuance in the kingdom of England, should be employed to other purposes than are expressed in the said treaty.

“10th, That England assist Scotland in the like extremities.

“And, 11th, That during the time the Scots are so employed, eight war ships should, on the English expense, be employed for protecting the Scottish trade and coasts, under the command of officers named by the Earl of Warwick, admiral to the parliament.”

After this the convention rose, but sat occasionally thereafter, as the exigence of their affairs required, as we may notice in its due place.

CHAPTER V.

Containing the History of the General Assembly, the Solemn League, and other measures taken for uniformity of religion with England, anno 1643.

The general assembly was opened on Wednesday the 2d of August, with solemn fasting.² The king had resolved to name Glencairn or Lindsay his commissioner; but those lords finding it impossible to execute the commission, both to the king and the country's pleasure, refused the charge; and so lord Lanark, to whom, in respect of the precarious state of affairs, the commission was sent blank, filled it up with Sir Thomas Hope of Craighall his majesty's advocate, because it was known he lay under

² Baillie.

personal obligations to the king, and had ability to discharge his duty skilfully; and if he fell short of satisfying both parties, the court knowing his secret affection to the covenanters, were easy whether he preserved his reputation or not.

It had been resolved amongst the leading men, that in respect Mr. Henderson's abilities would need to be employed in the great affairs which were to come before the assembly, his avocation from moderating should be dispensed with, and Mr. Robert Blair was, next to Mr. Henderson, thought the fittest to supply that place; but the flux and a gravel detained him for some days, and so, of necessity, Mr. Henderson was unanimously chosen moderator.

This assembly sat in the New Church aisle, then first fitted up for their reception in the manner it now is.¹ Some small burghs had no members, and some presbyteries at a distance had but one. Exception was made, as usual, to a clause in the commission, giving the commissioner a power of proroguing the assembly *sine die*; but what most offended them, was the uncouth address of the king's letter to his commissioner above named, and the rest convened with him. The commissioner proffered satisfaction in both these respects, but forgot his promises when urged to perform them; and it was remarked, that though many nobles and others of distinction were present as ruling elders, scarce any of them attended the lord commissioner, but all sat at the ministers' table, as well knowing that their influence could be of most use there.

Thursday the 3d of August, Mr. John Scott, as commissioner from the presbytery with the Scottish army in Ireland, was received; after which, the assembly proceeded to call for a report, how the many weighty matters entrusted to the commission had been discharged, and to name committees for bills, overtures, revising synod books, &c. in which care was taken to prefer the most active persons; and their labour in revising the synod books was found of special use.¹

¹ Baillie.

"It was," says Mr. Baillie, "assigned me to be one of the moderator's assessors, amongst whom I found Mr. George Gillespie, though not a member of the assembly, while Mr. James Sharp, a member, and some other forward sparks, were overlooked."

The assembly being impatient of the English commissioners' arrival, their seditious were short. A complaint from the north, that the laws against excommunicated papists were not executed, was referred to the convention of estates then sitting; and the diet was concluded with nominating ministers to preach before his majesty's commissioner, which seldom fell upon the fittest, because the most able were generally the most averse to undertake it.

In their third session, a committee was appointed to try the disobedience of the brethren in Auchterarder presbytery, who had neglected to read the declaration against the cross petition, which ended some days thereafter in suspending some for a year, who had been most guilty, and rebuking others.² And then an affair from the university of Glasgow was laid before them: Dr. Strang the principal, finding that Messrs. Dickson and Baillie (who, though brethren of the faculty, were sent from the presbytery,) had great influence in the assembly, was resolved if possible to frustrate their being elected in time coming; for that purpose he opposed the presbytery's electing any member of the university; and most of the regents being his own creatures, he was sure that these two should be no more members unless he pleased. This was looked on as a dangerous scheme, and therefore the assembly enacted, that professors of divinity, being ministers, might be chosen either from the presbytery or university; and the better to check such measures in time coming, the commission for visitation of that university was renewed.²

Saturday, their fourth session.—The assembly, upon a letter from Mr. William Spang, minister at Campvere, took under

² Baillie.

consideration the practice of burying in churches, and hanging the pensils or honours of the dead there.¹ Eglinton, with some others, stood much in defence of the same; but Argyle joining the opposition, the assembly inhibited these, as indecent in the place where God is worshipped, and his sacraments dispensed.

At this diet a petition from the Scots in Ireland for supply of ministers and preachers was favourably received, and answered in the same manner as they did last year.

And witchcraft abounding much at this time, no less than thirty persons having within a few months been burnt in Fife alone, the assembly named a committee to examine into the nature and cure of that dreadful sin.¹

On Monday the 7th of August, being their fifth session, the long-looked-for commissioner, Sir William Armysyn, Sir Henry Vane the younger, a most acute, grave, young man, Mr. Hatcher, and Mr. Darley, from the parliament of England, with two ministers, Mr. Stephen Marshall, a presbyterian, who, our author says, was a man eminently pious and eloquent, and Mr. Philip Nye, an independent, from the assembly of divines, landed at Leith, where they were met and complimented by a committee in name of the estates. On which occasion the moderator moved, that now when the eyes of strangers were to be upon them, and who might be influenced by our example to think the better of our way, the members would, if possible, exceed their ordinary in a grave and decent behaviour.¹

The only business of this diet respected one Abercrombie, in the presbytery of Garioch, a reputed adulterer, and who having murdered his own son-in-law, had fled from justice. The presbytery having been remiss in censuring him, their members were rebuked in presence of the assembly; the delinquent was laid under the greater excommunication; and it was ordered, that the moderator of the presbytery should intimate that sentence in the parish church where the

murderer lived, next Lord's day after the assembly rose; and that the other members should intimate the same in all their churches the next Sabbath thereafter.²

On Tuesday the 8th, the moderator acquainted the assembly, that the English ministers had been with him, wanting to know the most proper way for their commissioners to deal with the assembly. After advisement, the moderator, with Mr. Samuel Rutherford, Mr. David Dickson, Mr. Robert Baillie, Mr. Robert Douglas, and Mr. George Gillespie, ministers; lord Maitland, lord Angus, and lord Warriston, elders, (whose names we mention the rather that they were the chief actors in all the negotiations between the assembly and these commissioners,) were sent to salute and compliment them in name of the assembly; to signify their free access, whenever they pleased, as spectators; but that as commissioners they behoved to attend in a loft of the new church, next the assembly house, betwixt which and the assembly house correspondence should be maintained by the above committee of the assembly and them.²

When those commissioners came into the assembly, they presented an introductory paper, wrote by Sir Henry Vane and Mr. Marshall, their chief penmen, with their commission from both houses, giving very ample powers to the earl of Rutland and lord Gray, and the four above-named gentlemen, to treat in matters civil, and to the two ministers to assist in ecclesiastic affairs, according to the instructions already given, or to be given them: together therewith, they presented a declaration from both houses of parliament, containing their resolution to reform religion in England, and their desire, both that our assembly would send some ministers to join with theirs for that end, and that they would deal with the convention of estates for help to their afflicted nation.² Their assembly also wrote to ours to the same effect; and about seventy of their divines wrote a separate letter for help, which

¹ Baillie.

² Baillie.

described their situation in such a deplorable style, as drew tears from many.

To all these papers, which are engrossed amongst the acts of that assembly, the above committee made out answers, which are also printed with these acts. The hinge on which all turned was, in our view, the reformation of religion in England; and if we may judge from consequences, the relief of their kingdom was the view of their leading commissioners: for that purpose our church insisted on a religious union with that nation, in the way of solemn covenant. These commissioners again were only for a civil league; but the king having sat down before Bristol, and the English expecting that his next onset would be on the city of London, no time was to be lost; wherefore the commissioners agreed to the solemn league, with a small variation from the form in which it now stands bound up with our confession of faith.

According to some of the English historians,¹ Sir Henry Vane outwitted our assembly, in getting the obligation to reform England qualified, "according to the word of God, and the example of the best reformed churches;" as if that left them to espouse independency, or any other form they thought most agreeable to the word of God, &c. But if our assembly understood presbytery to be most agreeable to the Lord's word; and if their meaning, as a principal contracting party, must be regarded in this question; and if the English, being resolved to cast off episcopacy, as their late declarations shew, knew that presbytery was the form of government espoused by all the reformed churches, (England only excepted), and in a special manner of the church of Scotland, with whom they were now covenanting; it seems no forced inference to say, that the above construction put on the words "agreeable, &c." was but a cheat upon the conscience, and inconsistent with that good faith which all men ought to have in their contracts, especially in those of a religious nature.

¹ Neal, &c.

The form of the solemn league being thus agreed to by the English commissioners, the same was brought to the assembly-house, where, after being well deliberated on, it was received, with not only the greatest applause, (for so many things of small moment sometimes are), but with such a degree of fervent piety and real devotion, as, according to our author,² he never saw the like. And from the assembly it was sent to the convention, where, having been already well known, it was approved the same day.

A solemn covenant for reformation having been thus harmoniously agreed on, the most inconsiderate looked upon it as a remarkable era, and the crisis of affairs; and serious observers, who happily were not, as in our day, the smaller number, viewed it with a still more propitious eye, as a day of the right hand of the Most High, and as implementary of the ancient prediction, Jer. iv. 2, "Thou shalt swear, the Lord liveth, in truth, in judgment, and in righteousness;" and that in this way "the nations shall bless themselves in him, and in him they shall glory." And whatever bye-views some may have had in that solemn transaction, it is most certain that the following forth the same in a religious view, proved as life from the dead to many thousands in the three kingdoms of Scotland, England, and Ireland, as many even of opposite sentiments testify.

It is true, adversaries have all alongst objected, that this covenant was a device of hell, because, say they, it binds to hostile measures, and to the extirpating of popery and prelacy by the sword. But if we would carry in our eye, that an army of papists and bishops were at that instant ruining the cause of religion and liberty, it seems but reasonable to admit, that presbyterians might stand in defence of these; and that, the better to accomplish this, they might warrantably enter into a solemn league and covenant.

Because the English sought ministers only to attend their assembly, ours hesi-

² Paullie.

tated sometime on the propriety of sending any elders. But after reasoning thereon at some length, it was resolved that elders being by our ecclesiastic policy constituent members of church courts, and the great usefulness of their advice and assistance having been often felt by us, some of both characters should be sent up as commissioners;¹ more especially, as our neglecting to send elders might harden the English in their prejudice against them. And so, agreeably to what had been concerted by the commission of the last assembly, the choice fell upon Mr. Alexander Henderson, Mr. Robert Douglas, Mr. Samuel Rutherford, Mr. Robert Baillie, and Mr. George Gillespie, ministers; with John earl of Cassilis, John lord Maitland, and Sir Archibald Johnston of Warriston, ruling elders.

In the seventh session, a recommendation by the last assembly to the several ministers, to search within their bounds for books tending to separation, was turned into a law; and it was earnestly recommended to magistrates to give countenance and support to ministers in the execution of this act.

The committee for revising the proceedings of the commission of the last assembly took up the most of the three subsequent diets; and having made a favourable report, these proceedings were approved.

Session tenth.—Complaint having been made against Mr. Andrew Logie, who had been reponed by his presbytery for slandering the reformation then carrying on; and against Dr. Forbes at Aberdeen, for instigating that synod to elude the sentence deposing him, the assembly ordained, that all sentences of superior judicatures should be effectual till reversed by themselves; and they discharged the reponing deposed ministers, unless by the authority of the general assembly.

Session eleventh.—Former acts against servants profaning the Sabbath, are renewed; and it was ordered, that the censures thereby prescribed, be extend-

ed to the masters whose hired servants they are.

New complaints having been entered against the three afore-mentioned ceremonies, of repeating the doxology, *gloria patri*, and kneeling, this assembly found it necessary, for removing all complaints on either hand, to appoint the moderator, with Mr. Calderwood and Mr. Dickson, to prepare a new directory for the worship of God, which happily had the wished for effect, of quieting the spirits of the discontented in the meantime, and at length bringing about uniformity in all our churches.

In respect of the great scarcity of preachers who had the Irish language, the assembly recommended the preferring Irish students to bursaries; and that they being prepared for the ministry, might with all dispatch be settled in the Highlands.

And because of the scarcity of students of divinity in general, the assembly requested, that the king might accept of a list of three for each vacant kirk in the Lowlands, and of one only for each vacant kirk in the Highlands, in his majesty's presentation, and that he might commend to other patrons to follow his example. But because patronages were a grievance in any shape, and that a petition from the whole commissioners of shires and burghs, against all patronages whatsoever, was presented by William Rigg of Athernie; to please these, a clause was tacked to this act, recommending to every presbytery to devise a proper plan for settling ministers, whereby all contests and differences amongst patrons, presbyteries, and parishes might be removed; notwithstanding, this was not effected for several years after this.

Information being given, that Mr. Andrew Murray minister at Ebdie, having succeeded to the lordship of Balvaire, had met in that character with the convention of estates; and that Mr. William Bennet minister at Ancram, being a freeholder, had voted in the choice of a commissioner from the county to the convention; the assembly found these

¹ Baillie.

honours incompatible with the exercise of the ministry. They ordered Mr. Murray to leave off attending the convention or parliament, under the pain of deposition; and recommended to Mr. Bennet to forbear meeting with the freeholders.

We finish our relation of this assembly with observing, as a further evidence of their concern for the preservation both of piety and morality, that the marquis of Huntly, being delated for neglect of family worship and not joining in the sacrament, and for keeping some papists in his service, was ordered to be admonished. Sir John Seton of Barns being suspected of criminal correspondence with a woman whom he kept in his house, was required to put her away under the pain of censure. One Roger Lindsay, convicted of blasphemy, was summarily excommunicated. And they would not reponne Mr. James Houston minister at Glassford, who had been deposed for fornication, to his old charge, though earnestly solicited to do so both by the patron and parishioners. However, as he was a man well esteemed, they recommended him to a chaplaincy in the army.

The assembly rose the 19th of August, after naming a select commission to attend to the interests of religion during the interval of their sitting; and upon the 24th, the convention emitted a proclamation, containing the heads of the covenant, and commanding all between sixty and sixteen to be ready at a call fully armed, and with forty days' provision; but the corn not being cut down, nor the treaty with the English commissioners ratified in their parliament, preparations went on very slowly, till the harvest was reaped.

In the meantime lord Maitland, Mr. Henderson, and Mr. Gillespie, with Mr. Hatcher and Mr. Nye, set out for London, to get the solemn league ratified there, the other commissioners staying behind till it should be returned. The solemn league having accordingly been approved, with some inconsiderable variations, by the assembly of divines, and

by both houses of parliament, was sent back to Edinburgh, where the commission of the church and committee of estates being met, the commission ordained, that without delay it should be sworn and subscribed throughout the whole kingdom, and sent letters to that effect to every presbytery. And the committee of estates, by their act of 22d October, ordained it to be sworn and subscribed by all the subjects, under the pain of being punished as enemies to religion, his majesty's honour, and the peace of these kingdoms.

This step hath been loudly and long exclaimed against, as laying a foundation for persecution, which, they say, was actually practised, by fining, &c. many who refused to swear the covenant. But, supposing the matter of the league to be just and lawful, which our covenanters took for granted, and is the rule by which the proceedings which followed on it must be judged, it hath been as confidently asserted, that our estates had scripture example for their warrant; 2 Kings xi. 17; 2 Chron. xxxiv. 30—32; and that for the like conduct, king Josiah hath this eminent character given him, 2 Kings xxiii. 25, "That like unto him was there no king before him, that turned to the Lord with all his heart," &c; and they aver, secondly, That the hard measure which several recusants met with, was owing not so much to their avowing scruples at swearing the covenant, as to their seditious and hostile measures against those who were for the same, who were reckoned at least seven to one.

Church and state concurring in this order, upon the 13th of October the solemn league and covenant was, after a pertinent sermon by Mr. Robert Douglas, sworn and subscribed in the great (now the new) church of Edinburgh, by the commission of the church, the committee of estates, and those of the English commissioners who still remained here, with great joy and many tears. About eighteen of the privy-council were present that day, and the rest concurred, November 2d, except Hamilton,

Janark, Roxburgh, Morton, and Kin-noul, who, though they stood out, are admitted to have suffered nothing on that account, by bishop Guthrie, one of the greatest enemies which that league had.¹

In the meantime copies of the solemn league having been printed in quarto, and sent to the moderator of every presbytery, with orders to cause read and explain the same the first Sabbath after their receipt of it, and the sabbath following to cause all of understanding, men and women, swear it in every church of our land, and that it be subscribed by the hand of all men who could write, and by the minister and session-clerk in name of those who could not write; the same was received with solemn fasting and prayer, and sworn, says Mr. Baillie, with a marvellous unanimity everywhere; and that even those who formerly spoke against it, did now feign compliance.²

CHAPTER VI.

Containing the History of the war in England, progress of the Westminster and our own General Assemblies, with other occurrences during the year 1644.

AGREEABLY to our engagements with the English, the Scots were so ready to perform their part, that before the 29th of November, when the treaty was signed, the troops of the most distant counties were upon their march to the general rendezvous. Old Leslie, earl of Leven, was unanimously chosen general, John Baillie lieutenant-general of the foot, and David Leslie major-general of the horse.³

On the 19th of January 1644, our army, consisting of 18,000 foot and 3500 horse, decamped from Hairlaw near Berwick, and crossed the Tweed three days after the king had opened his parliament at Oxford for raising of money.³

The two houses sent a committee to meet them, which being joined with another from Scotland, was called the committee of both kingdoms, and did direct

the motions of the army. Thence the army marched to Newcastle; and notwithstanding the rigour of the season, Leven summoned that town to surrender, but without effect, for the marquis of Newcastle was before it, with six regiments of foot and some horse, to assist the garrison; however, the marquis thought proper to retire to Durham, where the Scots followed him, leaving the command of Newcastle to colonel Bellasis; and not judging himself safe, he retired to York to save that city, which otherwise would have been in great danger.⁴

It soon appeared that the marquis had judged right; for, the 22d of April, the lord Fairfax joined with the Scots at Tadcaster, from whence the two generals resolved to go and besiege York; but as this city was of too large an extent to be invested on all sides by the two armies, particularly towards the river Ouse, over which the marquis had made a bridge of boats, they desired the earl of Manchester, general of the forces of the eastern associated counties, to advance to the siege.⁴

Till Manchester should arrive, the two generals held the city blocked up to the southward of the river; at length his lordship having joined them with his foot, the three armies laid siege to York, and probably had soon succeeded; but the king, being informed of all their steps, drew together troops from all quarters, to the number of 27,000, (an army reckoned superior to the three that were employed in the siege,) and sent them under prince Rupert to relieve the besieged.

On Sunday the 30th of June, the besiegers had notice of Rupert's approach. The three generals, after a short consultation, thought proper to raise the siege, to join their armies together, and went and posted themselves on Marston-muir; and next day, being July 2, prince Rupert having drawn forth the forces out of York to join his army, marched to the muir likewise, where the two armies having engaged, and maintained the bat-

¹ Guthrie's Memoirs, p. 141.

² Collect. vol. iii. p. 53.

³ Rapin.

⁴ Rapin.

tle with equal vigour, the victory was for a considerable time doubtful; but at length success declared for the parliament army, and both horse and foot of the king's army were put to flight; about 7000 of them were slain, and 3000 made prisoners, besides 25 cannon, 47 colours, 10,000 arms, two waggons full of carabines and pistols, and 130 barrels of powder, with all the baggage.¹

The independents knowing Cromwell to be of their principles, fondly sounded his praises, as if the victory had been owing chiefly to him, hoping, as it soon fell out, to acquire, if not esteem, at least fear on his account; but in this they stand corrected by lord Holles and Mr. Baillie,² both of them esteemed for their candour. The first having told that the victory at Marston-muir could never have been gained without the Scots, adds, "However, Cromwell had the boldness to assume much of the honour of it to himself, and to suffer others to magnify him for it. Those that did the principal service that day, were major-general David Leslie, who commanded the Scots horse, major-general Crawford,³ who was major-general to Manchester's brigade, and Sir Thomas Fairfax." And downwards,—“Cromwell having got a slight wound in the neck, Crawford sent him out of the battle, and brought his brigade, then in great confusion, to charge again on the enemy.” And, says Mr. Baillie,⁴ “The independents ascribe to Cromwell the victory of York, but most unjustly; for Humby assures us, that Rupert's first charge falling on him, did humble him so, that if David Leslie had not supported them, he had fled; and major-general Crawford, who had a regiment of dragoons in that wing, assured me upon his oath, that at the beginning of the fight Cromwell got a little wound in the craig, which made him retire, so that he was not so much as present at the service, but Leslie, assisted by Crawford, led on the troops.” After this defeat, the marquis of Newcastle, reckon-

ing he had been slighted by the prince, retired beyond seas with several of his friends and followers, from whence he did not return till the restoration.

Prince Rupert having marched towards Chester, the parliament generals made the most of their victory; they returned to their posts before York, where the governor, seeing himself unable to hold out, surrendered that important place upon honourable terms, and then the three armies separated;⁵ Fairfax with his forces remained at York, while Manchester marched towards Lincoln, and Leven with the Scotch army marched northward to join with the earl of Callander, who was advancing from Scotland with a reinforcement of 10,000 men. When these forces were joined, he went and laid siege to Newcastle; and on the 19th October the city was taken by storm.⁶ Thus the battle of Marston was the cause of the king's losing all the north, and leaving the parliament forces at leisure to penetrate into the west and interior parts of the kingdom.

To return to the church. Our commissioners having reached London about the middle of the preceding November, they, by the time they were recovered from the fatigue of their voyage, and had provided themselves in proper apparel, sent to both houses of parliament for a warrant to sit in the assembly, for without this no man was allowed entrance. The warrant being presented by Mr. Henderson, the assembly sent out three of their number to introduce them. At their entrance, Dr. Twisse the prolocutor welcomed them into the assembly, and complimented them for the hazards they had undergone by sea and land, in so rigorous a season, upon their account; and after that, they were led to a place the most convenient for hearing of any in the house, which they kept ever after.⁶

At first our commissioners were desired to sit as members of the assembly, only to give their advice in points debated, but since they went up as commissioners for our national church, to treat for uniformity, they desired to be dealt

¹ Rapin.

² Baillie's Memoirs, p. 15.

³ A younger son of the ancient family of Jordan-hill, in Fenfrewshire.

⁴ Vol. iii. p. 239.

⁵ Baillie, vol. iii. p. 239.

⁶ Baillie.

with in that capacity; and after some harsh enough debates, the request was granted both by the parliament and assembly.¹

At that time the assembly sat in Henry VII.'s chapel, and, when the weather grew colder, in Jerusalem-chamber, a spacious room in Westminster abbey, both fitted up much like the new assembly-house at Edinburgh. The prolocutor had a chair set at the uppermost end, a foot higher than the earth; before it stood two chairs for Dr. Burgess and Mr. Whyte, assessors; before these, through the breadth of the room, stood a table, at which Mr. Byfield and Mr. Roborough the two scribes sat. Upon the prolocutor's right hand were three or four ranks of forms, at the lowest of which the five Scotch commissioners sat, and at their backs the members deputed by the parliament to the assembly; and on the prolocutor's left hand sat the English divines, to the number of 118 or thereby, of which about two-thirds only attended close; and from the fire to the door was a passage where the lords of parliament had chairs set for them as they came occasionally to the house. The assembly met every day of the week, except Saturday, at nine o'clock, and sat four and sometimes five or six hours at a time; every diet began and ended with prayer. The prolocutor, though a very learned man, and beloved by all, was often mute, so a great part of his duty was left to his assessors. For the better preparing of business, the house divided themselves into three committees, and no man was excluded from attending any of the three he pleased. As the parliament gave order in writing, to take any purpose under consideration, the committee, in their afternoon meeting, prepared matters for the next day: They first set down their mind in distinct propositions, and then supported them with apposite texts of Scripture; and after opening of their next meeting, the scribe read the proposition and Scriptures, and then, whoever stood up of his own accord, ad-

¹ Baillie.

dressing himself to the prolocutor, was allowed to speak so long as he would without interruption; and being generally men who had studied their speeches, and were of prompt utterance, their discourses were most entertaining. When any proposition, with the text brought to confirm it, was duly weighed, which ordinarily was the work of several days, the most part called to the question: whereupon, one of the scribes carrying the book to the prolocutor, he read the proposition to the assembly, and said, "As many as are of opinion that the question is well stated in the proposition, let them say, Aye;" when aye is heard, he said, "As many as think otherwise, say, No." If unanimity prevailed, then the question was recorded by the scribes, and they proceeded to debate and vote the Scriptures adduced for proof of the proposition separately, but in the same order. If the sound of *aye* and *no* was near equal, as many as said *aye* were called to stand up; and while they stood, the scribes and others numbered them in their mind. The same order was observed with respect to the *noes*, and the mind of the majority was recorded without more debate. So much for the external order of the assembly.

It may be further necessary to observe, as a key to the debates which occurred in the procedure of this venerable assembly, that though at first the far greater part were for the divine institution of presbytery, these were much retarded in their work by,—1st, The erastians, so called from Erastus, a German divine, who asserted that the pastoral office was only persuasive, and that it belonged only to the civil magistrate to inflict censures as well as punishment on the flagitious or disobedient. 2dly, The independents, who held that every particular congregation of Christians has an entire and complete power of jurisdiction over its members, to be exercised by the elders thereof within itself. And, 3dly, Though there was not one professed anabaptist in the assembly, their sentiments spread greatly without doors;²

² Neal.

and being, except in the instance of infant baptism, of much the same sentiments with the independents, did greatly corroborate their opposition to the measures taken for the reformation of church discipline and government.

It is not to be wondered, that so many parties with different views should entangle the proceedings of this venerable assembly; but as soon as the solemn league was taken, the parliament ordered the assembly to confer and treat among themselves of such a discipline and government as may be most agreeable to God's holy word, and most apt to procure and preserve the peace of the church at home, and a nearer agreement with the church of Scotland, &c., which they promised to settle in England, instead of the government by archbishops, &c. which they resolved to take away; and ordered the assembly to deliver their advice to both houses of parliament with all convenient speed.¹

On this head our commissioners found the English very warm to their first entrance—their dispute respecting the office of doctor; the independents were for the divine institution of a doctor in every congregation, as well as pastor; but the rest were extremely opposite, and pressed the simple identity of pastors and doctors. Mr. Henderson seeing this, laboured much to reconcile them, and drew on a committee, who agreed that the absolute necessity of a doctor in every congregation, and his divine institution in formal terms, was to be avoided; yet, where two ministers could be had in one congregation suitably qualified for the purpose, the one might apply himself mostly to teaching, and the other to exhortation.²

The next point under consideration was the ordination of ministers, which was the more necessary, as the bishops refused to ordain any who were not in the king's interest; accordingly the assembly being pushed to it by the Scots commissioners, sent up their humble advice to the parliament, September 22d, that in the present exigency, while there were no

presbyteries, an association of some godly ministers in and about the city of London should be appointed by public authority, to ordain ministers for the city and the neighbouring parts, keeping as near to the rule as may be; that the like associations be made by the same authority in great towns and neighbouring parishes in the several counties at present quiet and undisturbed; and that such as are chosen or appointed for the service of the army or navy, being well recommended, be ordained as aforesaid by the associated ministers of London, or some others in the country, and the like for any other congregation who wanted a minister.

According to this advice, the two houses passed an ordinance, October 2d, for the ordination of ministers *pro tempore*, appointing ten members of the assembly, and thirteen other ministers of the city of London, being all presbyters, to examine and ordain all those whom they should judge qualified to be admitted into the sacred ministry, any seven or more to be a quorum; and all persons so ordained to be reputed ministers sufficiently authorised for any office or employment therein, and capable of all advantages appertaining to the same. The like order passed the houses for the benefit of the county of Lancaster; and to obviate the reproaches of the Oxford divines, the following clause was added, "That if any person do publicly preach, or otherwise exercise any ministerial office, that shall not be ordained or thereunto allowed by seven of the said ministers, their names shall be returned to both houses of parliament, to be dealt with as they in their wisdom shall think fit." It was voted further, that no minister be allowed to preach, unless he have a certificate of his ordination, or at least of his being examined and approved by the assembly.³ And, February 16th, at a conference between the two houses, it was agreed, that the assembly of divines be desired to admit none into their pulpits, but such whose doctrine they would be answerable for. Such was

¹ Neal.² Baillie.³ Baillie.

the concern of the parliament in these distracted times, to have a sober and well regulated clergy.

The assembly fell next to consulting about a directory for public worship. The reasons which induced them to discard the old liturgy, and form a new plan, are well represented in their preface to that directory, both of which are bound up with the confession of faith, unto which every one has access; and in no one thing did the different parties in the assembly show greater unanimity.¹

It may not be improper to inform the reader of the following variations in the directory from the common prayer:— Instead of one prescribed form of prayer, the directory only points out certain topics on which the minister might enlarge. The whole apocrypha is rejected; private and lay-baptism, with the use of god-fathers and god-mothers, and the sign of the cross, are discontinued. In the sacrament of the Lord's supper, no mention is made of private communion, or administering it to the sick. The altar with rails is changed into a communion-table, to be placed in the body of the church, about which the people might stand or sit, kneeling not being thought so proper a posture. The presbyterians were for giving the power of the keys into the hands of the ministers and elders, as the independents were to the whole brotherhood; but Lightfoot, Selden, Coleman, and others, were for an open communion, to whom the parliament were most inclinable; for all they would yield was, that the ministers, immediately before the communion, should warn, in the name of Christ, all such as are ignorant, scandalous, profane, or that live in any sin or offence against their knowledge or conscience, that they presume not to come to that holy table, shewing them, that "he that eateth and drinketh unworthily, eateth and drinketh judgment to himself." The prohibition of marriage in Lent, and the use of the ring is laid aside. In the visitation of the sick,

¹ Baillie.

no mention is made of private confession or authoritative absolution. No service is appointed for the burial of the dead. All particular vestments for priests or ministers, and all saints' days, are discarded.²

It has been reckoned a considerable omission, that the directory does not enjoin reading the Apostles' creed, and the ten commandments. Lord Clarendon reports, that when this was observed in private conversation at the treaty of Uxbridge, the earl of Pembroke said he was sorry for the omission; but that upon a debate in the house of commons, it was carried in the negative, by eight or nine voices, which made many smile, says his lordship; but the jest will be lost when the reader is informed, that the question in the house was not whether the creed should be received or rejected, but whether it should be printed with the directory for worship, it being apprehended more proper for a confession of faith or catechism; and accordingly the creed and ten commandments were added to the assembly's confession and catechisms, published a year or two afterwards.

It was a considerable time before this directory was complied with; but in order to give life to it, the parliament, next summer, called in all common prayer-books, and imposed a fine upon those ministers who should read any other form than that contained in the directory.³

In giving the foregoing abstract, we hope to be forgiven for following the English historian rather than Mr. Baillie, as the latter is more prolix, and gives that progressively which the other presents us with under one view. It would not, however, be doing justice to our commissioners, to omit taking notice once for all, that in what preceded, as well as in a great part of what follows, they had a chief hand.³ The practice of our church gave them great advantages, and the English divines paid so great deference to their judgment, that they had the forming of the first draughts

² Neal.

³ Baillie.

of all those pieces ; and none were more useful at supporting them in the assembly than Mr. Gillespie, the youngest of them. "None," says Mr. Baillie, "in all the assembly did reason more, nor more pertinently, than Mr. Gillespie. He is an excellent youth ; my heart blesses God in his behalf." Again, when Acts xiv. 28, was brought for a proof of the power of ordination, and keen disputing arose upon it, "the very learned and acute Mr. Gillespie, a singular ornament to our church, than whom not one in the assembly speaks to better purpose, nor with better acceptance of all the hearers, shewed that the Greek word, of purpose by the episcopals translated *ordination*, was truly *choosing*, importing the people's suffrages in electing their office-bearers." And to trouble the reader with only one instance more, he elsewhere says, "We get good help in our assembly debates of lord Warriston, (an occasional commissioner) but of none more than that noble youth Mr. Gillespie : I admire his gifts, and bless God, as for all my colleagues, so for him in particular, as equal in these to the first in the assembly."

We shall leave the assembly for this year, with informing our readers, that it was honoured with the presence of Charles Lewis, elector palatine of the Rhine, eldest son of Frederick king of Bohemia, who married king James's daughter, and lost his territories by the fatal battle of Prague in 1619.¹ The unhappy father died in 1632, leaving behind him an afflicted widow, with six sons and five daughters ; one of whom, the princess Sophia, was married to the elector of Hanover, of whom are descended the royal family of Great Britain ; his brothers, Rupert and Maurice, took part with king Charles their uncle, and served him in his wars against the parliament, but the elector palatine himself took the solemn league in Holland ; by a letter to the parliament he testified his approbation of the cause in which they were engaged ; and having this summer made a tour to England,

¹ Rapin.

the parliament ordered an apartment to be fitted up for him at Whitehall, and allowed him L.8000 a-year for his maintenance, and L.10,000 for his royal mother, till he should be restored to the electorate.

Religion was the fashion of these times : The assembly was often turned into a house of prayer, and hardly a week passed without solemn fasting and humiliation in several of the churches of London and Westminster ;² the laws against profaneness were carefully executed ; and because the former ordinances for the observation of the Lord's day were not effectual, it was ordained "That no wares, fruit, herbs, or goods of any sort, be exposed to sale, or cried about streets, upon penalty of forfeiting the goods : That no person, without cause, shall travel, or carry a burden, or do any worldly labour, upon penalty of ten shillings for every burden : That no person shall, on the Lord's day, use, or be present at any wrestling, shooting, fowling, ringing of bells for pleasure, markets, wakes, church ales, dancing, games, or sports whatsoever, upon penalty of five shillings for every one above fourteen years of age ; and if children are found offending in the premises, their parents or guardians to forfeit twelvepence for every offence : That all may-poles be pulled down, and none others erected : That if the several fines above mentioned cannot be levied, the offending party shall be set in the stocks for the space of three hours : And that the king's declaration concerning lawful sports on the Lord's day be called in, suppressed, and burnt."

"And," adds Mr. Neal, "the solemn league and covenant was in such high repute at this time, that by an order of the house of commons, January 29, 1644, it was appointed, 'That on every fast-day, and day of public humiliation, the covenant should be publicly read in every church and congregation within the kingdom ; and that every congregation be enjoined to have one of the said covenants fairly printed in a fair

² Neal.

letter, in a table fitted to hang up in some public place of the church, to be read.' Which was done accordingly, and they continued there till the restoration.²

This year the observation of Christmas was, by order of parliament, laid aside.

Much about the same time, archbishop Laud was tried for treason. The grounds of his accusation are narrated under the year 1641.¹ He remained in prison till October 1643, when ten new articles of impeachment were added to the former; but through the ingenuity of his counsel, who furnished new expedients for a delay, his trial was put off till November 1644, when a bill of attainder passed the house of commons; and after some difficulty in point of law, the same passed the house of lords; and on the 10th of January following he was beheaded. Such was the end of this prelate, who, let his favourers say what they please, was one of the chief authors of the troubles that afflicted the three kingdoms—1st, By supporting with all his might the principles of that arbitrary power which the court strove for several years to establish. 2dly, By using too much strictness and rigidity in the observance of trifles in divine service, and in compelling every body to conform themselves thereto.

On the 30th of December, the treaty at Uxbridge, between commissioners named by the king on the one part, and by the parliament of both nations on the other, was begun. The general heads of that treaty respected in general, the disposing of the militia, the state of Ireland, and especially the settling of religion in the three kingdoms. But as that treaty came to nothing, being, as bishop Burnet says, undone by the unhappy success of the marquis of Montrose at this time in Scotland, which being magnified to the king far beyond what it really was, prevailed with his majesty to put such limitations on his commissioners, as made the whole design miscarry.

¹ Rapin.

But it is now time to return to the affairs of Scotland; and first of the insurrections by Montrose, Huntly, and others.

While the king was at Oxford, the marquis of Montrose, with the earls of Crawford, Nithsdale, and Aboyne, and the lords Ogilvie, Rae, Herries, &c. entered into an association to raise forces for the king, intending thereby to draw the Scots army out of England, and leave the king at liberty to bring under the west. And the better to effect these purposes, the earl of Antrim undertook to send 10,000 Irish over to the north of Scotland, under the command of one Alexander Macdonald, a Scotsman.²

In the meantime Huntly, having likewise got a commission from the king, goes to the field with a considerable body of men.³ To suppress these, the convention of estates met April 10th, and gave a commission to the marquis of Argyle to raise three regiments, one in Fife, commanded by lord Elcho, another in Angus, to be commanded by lord Kinghorn, and a third in Perthshire, under the command of Ruthven of Freeland; with these his lordship marched northward, dissipated that insurrection, took the laird of Haddo and captain Logie prisoners, and obliged Huntly to retire to Rae's country for his own safety; but the suppressing the insurrection by the other proved a task much more hard and of long continuance.

Montrose having, by lord Newcastle's favour, levied a considerable number of soldiers in Westmoreland, marched northward, and set up the king's standard at Dumfries, which gave the first notice of his design; whereupon the committee of estates ordered an army to be raised, of every eighth man able to bear arms, and gave the command of it to the earl of Callender; but before he had made much progress in this levy, the sheriff of Teviotdale gathered all the men he could in that and the neighbouring country, and marched to give Montrose

² Baillie.

³ Guthrie's Mem.

battle; but his followers, being generally raw and undisciplined men, fled on the first appearance of the Scots, and Montrose with them, back into Carlisle.¹

For this attempt, the commission of the church laid Montrose, Huntly, and their accomplices, under the lesser excommunication, which was pronounced in the great church of Edinburgh, April 20th, and intimation ordered to be made thereof in all the pulpits of Scotland.

Notwithstanding this repulse, Callender went on with his levies; and finding no forces to oppose him, marched to Newcastle, and joined the Scottish army there, where we shall leave him.

In the meantime Montrose could not be at rest; but being buoyed up with Antrim's promises, he ventured home in the habit of a trooper, attended only by colonel Sibbald and Sir William Rollock; and at his friend Graham of Inchbrakie's, got notice that the Irish were landed in Argyle.

While the Irish were in Argyle's country, they committed the most outrageous insolences, confining ministers and others in the country's interest; and amongst these Mr. James Hamilton and Mr. John Weir, ministers, two of those sent over to Ireland by the last general assembly, at the desire of the distressed protestants there: the latter of these died of his hard usage; and his pious behaviour, which I have seen related in a manuscript history of that period, in the hands of the laird of Swinton, doth well deserve to be published by itself.

This army, which fell considerably short of expectation, having, by Montrose's order, marched to Athol, were joined in their way by many who befriended their cause, and at their appearance, the men of Badenoch and Athol flocked to Montrose's standard; and, which was still more unexpected, Lord Kilpont, having raised a regiment in the western parts of Perthshire, under pretence of suppressing that insurrection, went and delivered up his men to Montrose's command.

The committee of estates, being now

¹ Guthrie's Mem.

certified that Montrose was leading his army down into the low country, gave a command to the earl of Tullibardine, then in their interest, and lord Elcho, to march with all the men they could raise in Fife and Perthshires, and oppose his progress; who did as they were commanded; but at Tippermuir, near Perth, were entirely defeated, September 1st, whereby the naked Irish met with a considerable supply both of clothes and arms.

Montrose, improving his victory, laid the town of Perth under contribution; and thence marching towards Angus, gave the earl of Airlie and his other friends in that country an opportunity of joining him; and having strong expectations that the Gordons would likewise join him, he marched northward towards Aberdeen, where he obtained a kind of victory, September 13th, over a number of the Forbeses and Frasers, who had been hastily assembled by lord Burleigh, occasionally there on business intrusted to him by the committee of estates. This city also Montrose laid under contribution; and having refreshed his troops, marched still northward, to draw in numbers to his interest, and sent Macdonald, with 500 of his men, to the north-west Highlands, to secure the junction of the Macdonalds and Macleans.

While Montrose was thus busied in augmenting his army, the estates were no less diligent in raising forces to suppress him, but with much less success;² for the disciplined men and officers being in England, they were obliged to intrust the execution of that matter to Argyle, a nobleman more eminent in the cabinet than the field, and he assumed his friend the earl of Lothian, who had given as little evidence of military skill. These two noblemen exerted themselves with all possible diligence; and having levied an army superior in number to Montrose's, marched in quest of him;³ but that crafty general and his followers, having the country at their devotion, conducted their matters so, that the pur-

² Baillie, and Guthrie's Mem. ³ Baillie.

suers scarce ever saw them in all their wearisome march through the north; and the two commanders being obliged to attend the meeting of the estates about that time, returned, with the only comfort of having drawn off from Montrose the earl of Kinnoul, and the colonels Hay and Sibbald, with the most of the Lowland men who had joined him, leaving the command of the army to major-general Baillie.

At their return, the committee of estates did, by act, approve their services, and appointed Baillie commander-in-chief of that army; who, having rendezvoused at Perth, called in Crawford Lindsay's regiment from Dundee, and the remains of Elcho's from Aberdeen, resolving to go northward and seek out Montrose wherever he could find him.

In the meantime, Montrose having intelligence of all that passed in the committee, and being resolved to prolong our intestine commotions to the uttermost, wasted Glenorchy's country. Argyle getting notice of this, posted home, and collected as many as he could of his vassals and tenants; but before ever they were in a readiness to withstand such a formidable foe, Montrose, with his bloody cut-throats, surprised them at Inverlochy, and killed great numbers in their flight, who had not courage to face the enemy, and the marquis himself hardly escaped: after which, the conquerors plundered all they could get, and having laid the country waste, faced about towards Lochaber and Glencoe, to collect their friends in that country.

Baillie being informed of Montrose's march into Argyleshire, intended to lead his army thither by Dumbarton; but getting notice there, from Argyle himself, of the disaster at Inverlochy, he carried back his army into Angus, intending to go in quest of Montrose. And there we shall leave him, till we bring forward other occurrences.

The general assembly sat down at Edinburgh, on Thursday the last of May; and no commissioner having been sent to represent the king, they made choice of Mr. James Bonar, minister at ———,

to be their moderator, and proceeded to their business, which at this time chiefly respected the public. Many addresses, by way of letters, were sent to them; as one from the presbytery with the army in England, for an additional number of ministers to be sent them; another from the distressed protestants in Ireland, to continue the sending to them two ministers quarterly; a third from their commissioners at London, giving an account of the progress made by the assembly there, towards uniformity of religion with the church of Scotland, the substance whereof hath been already related in the account given of that assembly, to which they add a new paraphrase of the psalms in English metre; and a fourth from the synod of divines at Westminster, pouring out their hearts into our assembly's bosom, with sorrow at the melancholy situation of that nation, gratefully acknowledging our sympathy with them, and fervently soliciting a continuation of the same. To all which requests the assembly gave the most favourable answer, and cheerfully complied with them to the utmost of their power.

The erection of a new presbytery at Biggar, which had been ordered last year, but suspended till this time, was renewed, and the several kirks therein mentioned enjoined to constitute immediately.

The declaration subscribed by the Scottish lords at Oxford was declared to be a perfidious bond and unnatural confederacy to bring this church and kingdom into confusion, and that the subscribers deserve the highest censure of the church; and they authorised their commission to proceed against them with the sentence of the greater excommunication, unless they publicly acknowledged their offence.

The censures inflicted by the former commission against Montrose and Huntly, and their adherents in the north and south, were approved, and presbyteries and synods within whose bounds any of them resided, were ordered to proceed against them with the highest censures

of the church, unless they gave satisfaction by public repentance.

Because several, where insurrections prevailed, had given evidence of their disaffection to the common cause, and escaped censure, ministers were ordained to delate all such to their presbyteries, that they might be censured according to the demerit of their offence.

The assembly likewise wrote to the churches in the Netherlands, thanking them for the supplies they had sent to their brethren in Ireland, and the sympathy they had on many occasions expressed with the distressed situation of their brethren in this and the neighbouring kingdom; giving an account of the present state of their affairs, and soliciting their good offices in their behalf, with all over whom they could have influence.

They likewise renewed the ordinance of the assembly 1641 for encouragement of bursars, and ordered that the same be put in practice with all diligence.

Understanding also, that the executing of some laudable laws, continuing pecuniary pains for restraining of vice and advancing piety, was much neglected, they ordained presbyteries and ministers to be diligent thereafter in prosecuting for full and exact execution of all such acts, and that the said penalties be faithfully applied to pious uses.

These, with a number of private acts, as a reference to the commission for presenting overtures, acts, &c. to the parliament; reference to the commission for planting the new colleges of St. Andrews and Aberdeen; commission for sending expectants to Ireland; act concerning the planting the kirk of Ceres, a new erection; indiction of a fast; act for a contribution to the distressed people in Ireland; act for reponing Mr. John Maxwell, sometime minister at Glasgow, on his subscribing a declaration of the unlawfulness of episcopacy; reference to the commission concerning the restraint of transporting women to the army; reference to them concerning the paraphrase of the psalms in metre; and acts ordaining the presbytery of

Earlstoun to furnish ministers to Cranston's regiment, and to the presbytery of Dalkeith to send a minister to the laird of Niddry's regiment, with some of lesser consequence, concluded the work of this assembly.

The parliament, which had been prorogued to the 4th June, met that day at Edinburgh, and made choice of John earl of Lauderdale to be their president, and then proceeded to the enactment of sundry laws: as one to prevent desertion in the army; one for obliging the levying of forces with more expedition; one finding the taking up of arms, and holding out houses against the kingdom and estates, relevant to infer the punishment and pains of treason; another ratifying the convention anno 1643, with their ratification of the solemn league and covenant, articles of treaty betwixt the two kingdoms of Scotland and England, and the other acts of the said convention and their committee; an act ratifying the act of convention the 31st January preceding, laying a duty upon exciseable goods, for the support of the armies sent to England and Ireland; act authorising the chancellor, Argyle, Balmerino, Warriston, Cambuskenneth, Maner, Sir John Smith provost of Edinburgh, Hugh Kennedy burges of Ayr, and Mr. Robert Barclay burges of Irvine, and John lord Maitland as supernumerary, or any three of them, to repair to England, and there, in concert with their parliament, to endeavour the making peace betwixt the king and them, upon such conditions as already were, or should from time to time be committed to them by the estates of the kingdom or their committee; an act authorising certain commissioners in each county to put the laws in execution against deserters from the army, and those who were deficient in furnishing their proportion of men, horses, and arms; an act for repayment to the royal boroughs of sums advanced by them to factors in Campvere, for arms and ammunition; act approving the behaviour of Argyle, Burleigh, and others, who had been commissioned by the committee of estates

to take all necessary precautions for suppressing the rebellion in the north, and naming a new committee to continue the same measures; act regulating the price of coals, and ordering the natives to be preferred to foreigners; act declaring the imprisonment in England of James duke of Hamilton, for crimes said to have been committed in this kingdom, a breach of the law; act ratifying the treaty with the English, concerning the ordering of the war in Ireland; act appointing John earl of Lindsay lord-treasurer of his majesty's new augmentations; an act discharging execution of captions for debt upon the Lord's day, or upon fasts or thanksgiving days, ordering warnings of tenants and edicts to be read after pronouncing the blessing, and extending all former acts against profanation of the Lord's day; an act ordaining that divorce for adultery be allowed, upon probation that persons under scandal of adultery keep frequent company and bed together; an act inhibiting markets on Mondays; an act discharging patronages belonging to particular ministers; an act against keeping taverns open, or selling drink on the Lord's day; an act declaring the books of ministers surviving their wives, not to fall under their wives' executry; an act appointing vacant stipends to be applied to pious uses; an act allowing presentations to kirks of which the king is patron, to be equally valid in that time of trouble, if passing his majesty's cachet and privy-seal, as if the same were under the king's own hand; an act declaring that no sentence of forfeiture against malignants should prejudice ministers in their stipends, nor universities, hospitals, or schools, of anything due to them; an act declaring that where any of the four universities had acquired right to church lands or rents, the persons in possession shall be liable in payment to them as aforesaid to the bishops, &c.; an act renewing the commission for planting of kirks and valuation of teinds; an act appointing the committees of war in the several shires and divisions of the kingdom; an act renewing the commis-

sion granted anno 1641, for regulating the common burdens of the kingdom; an act for putting the kingdom in a posture of war; a commission to a committee of estates to provide for the maintenance of our armies in England and Ireland, giving of instructions to the commissioners in England, preserving of the peace and safety of the country at home, and ordering and governing the whole body of this kingdom, and affairs thereof, and dividing them into two, one for Scotland, and the other for the army in England; an act extending former acts for designation of manes and glebes; commission for managing the war in Ireland; an act in favour of the vassals, creditors, and cautioners of forfeited persons; an act declaring discharges to the debtors of forfeited persons, to be equally valid when granted by the estates of parliament, or convention of estates, or their committee, as if granted by themselves; an act allowing royal boroughs, where houses have been seven years ruinous, to sell or build on them within a year thereafter; ratification of the acts of convention, imposing an excise, and commission for uplifting the same, with a roll of the several commodities subject to excise, and the rates laid on them, but this to endure only as the necessity of the army should require; an act renewing the commission granted anno 1641, for preserving the peace betwixt Scotland and England, but secluding non-covenanters; an act pledging the faith of the kingdom for support of soldiers disabled to work by wounds received in the common cause; an act concerning the payment and relief of loans and taxes imposed for the public service; an act allowing decreets before lyon king-at-arms to have the same execution as decreets of sheriffs, commissaries, &c.; an act declaring sums due by heritable bond arrestable where no infetment hath followed; an act *salvo jure*; and an act continuing the parliament to the first Tuesday of January 1645.

Besides these, which are all printed at length in the volume of acts rescinded anno 1661, this parliament made a great

number of private acts, &c. the chief of which were approving and exonerating the lord Balmerino, Sir William Scott of Harden, Sir Thomas Kerr of Cavers, the marquis of Argyle, lord Burleigh, captain Wallace, the earl of Callender, the committee for trying the incendiaries, and the committee for revising the registers; commission to lord Callender to be lieutenant-general, to Sir James Ramsay to be major-general of the horse, to Argyle to go to England occasionally; and decreets of forfeiture against the laird of Haddo, John Logie, the earls of Crawford and Forth, and lord Ythan, and William Maxwell of Midkelton.

CHAPTER VII.

Containing the History of the General Assembly and Parliament anno 1645; Montrose's Insurrection continued; with the progress of the Westminster Assembly and Civil War in England, and other occurrences during that year.

1645. THE general assembly, though appointed to meet the last Tuesday of May, being warned by the commission of the preceding assembly of the urgent necessity of meeting sooner, sat down at Edinburgh in the month of January, and made choice of Mr. Robert Douglas to be their moderator, but had no commissioner: the commission of the church had petitioned for one, but the king was too much embarrassed at home to find leisure for minding this.

We noticed last year, that Mr. Robert Baillie, Mr. George Gillespie, and lord Warriston, were sent home from the Westminster assembly, to give ours an account of their progress; their report was approved, and their commission to go back renewed.

In this assembly, the proceedings of the commission of the two preceding assemblies were approved; the directory for the public worship of God, as drawn up by the Westminster assembly, was unanimously approved, established, and ordered to be put in execution throughout this church, with this variation, that the clause which mentioneth the communicants sitting about the ta-

ble, or at it, be not interpreted, as if, in the judgment of this church, it were indifferent and free for any of the communicants not to come to, and receive at the table; or as if we did approve the distributing of the elements by the minister to each communicant, and not by the communicants among themselves; and that this act shall be without prejudice to the order and practice of our church, in such particulars as are appointed by the books of discipline and acts of general assemblies, and are not otherwise ordered and appointed in the directory; and with this explication, the assembly supplicated both the king and parliament to ratify the directory, as we may see in their place.

The assembly proceeded next to draw up and approve several overtures for advancement of learning and good order in colleges and grammar schools, and for ordering of bursars of theology, and maintaining of them at schools of divinity; and for avoiding mistakes in the practice and observation of the directory in some points of public worship, the opinion of the committee for keeping the greater uniformity, was approved, and ordained to be observed in all time thereafter.

Then the assembly appointed, that the propositions concerning church government and ordination of ministers, drawn up by the Westminster assembly, in prosecution of our desired uniformity, should be approved by the commission of this church, so soon as the same should be ratified, without any substantial alteration, by the parliament of England; with this exception, that the said act shall be nowise prejudicial to the further discussion and examination of that article, which holds forth, that the doctor or teacher hath power of the administration of the sacraments, as well as the pastor; as also, of the distinct rights and interests of presbyteries and people, in the calling of ministers.

For exciting all ranks in the kingdom to a due improvement of the signal judgments and mercies wherewith they were trysted, this assembly emitted their

solemn and seasonable warning, printed both amongst the acts of this assembly and by itself, and ordered each presbytery to take special care that it be read in every congregation within their bounds, and that they report their diligence to the commission, who were thereby empowered to try and censure such as should contemn or slight the said warning, or should refuse or neglect to obey that ordinance.

Because, likewise, the observation of Yule day, and other superstitious days, and penny bridals, were found to foster superstition and profanity, these were discharged, and presbyteries ordered to be at all due pains to restrain them in time coming.

The reopening of deposed ministers to places where formerly they served, being found prejudicial to the interests of religion, was likewise discharged.

The assembly, to shew their earnest desire that peace might be resettled, and uniformity in religion established, humbly remonstrated to the king the heavy calamities under which the country groaned, by the barbarous and inhuman cruelties exercised in this kingdom by the Irish rebels and their accomplices, under the conduct of such as had commission and warrant from his majesty; and, as of infinitely greater importance, they make hold to warn his majesty freely, that the guilt of shedding the blood of many thousands of his best subjects; permitting the mass, and other acts of idolatry, both in his own family and in his dominions; authorising, by the book of sports, the profanation of the Lord's day; his not punishing of public scandals, and great profaneness in and about his court; shutting his ears against the humble and just desires of faithful subjects; his complying too much with papists, particularly by concluding a cessation of arms with them in Ireland, and embracing the counsels of such as had not set God, nor his glory, before their eyes; and his resisting and opposing the reformation so much desired, cannot, unless speedily repented of, but in-

volve him and his posterity under the wrath of the ever living God.

At the same time, the assembly wrote two letters, one to the assembly of divines at Westminster, and the other to their commissioners attending that assembly, both in answer to letters sent from them, encouraging them to proceed in the intended uniformity.

Besides these public acts, the assembly made a number of more private ones; appointing ordained ministers chaplains to lord Montgomery's, general Baillie's, Lothian's, colonel Steuart's, Lanark's, lord Balnagown's, lord Kirkcubright's, colonel Areskine's, lord Cooper's, lord Callender's, and lord Balcarras's new raised regiments, for a limited time; commissioning several ministers to go to Ireland, and particularly three to repair to Londonderry successively, for the exercise of the ministry there; act ordaining the presbytery of Turreff to excommunicate Mr. John Forbes, some time minister at Auchterless, and Mr. William Lawman, some time minister at Cromarty; acts deposing Mr. George Haliburton, Mr. John Graham, Mr. James Row, and Mr. John Fife, and suspending Mr. John Robertson preacher, all for disobedience to the injunctions of former assemblies; act ordaining the presbytery of Hamilton to proceed against Mr. John Rae for refusing the covenant, with an ordinance for giving in to the clerk the report of Mr. John Hamilton's subscribing the same, and of the excommunication of Dr. Hamilton for contumaciously opposing the reformation then carrying on; a committee was named for examining witnesses against Mr. James Oliphant; a reference to the presbytery of Lochmaben, for going on in the process against Mr. George Bryd, and another to the commission at Aberdeen, for the trial and censure of Mr. George Hanna; act authorising Mr. Alexander Henderson, minister, to assist the commissioners of parliament in the treaty of Uxbridge, in matters concerning religion; act recommending the widow of Mr. John Wier, and the wife of Mr. James Hamilton, the two eminent mi-

ministers who were last year, in their return from Ireland, made prisoners by Alaster Macdonald, to the commiseration of the parliament, who were sitting at the same time, and whose proceedings we shall now relate from their printed acts.

John earl of Lauderdale, president, dying about this time, John earl of Crawford and Lindsay was chosen in his place.

Upon the 24th January, the parliament ordained all former acts made against deserters from the army, and those who were deficient in raising their number of troops, or paying up their proportion of the tax imposed for sustaining them, to be put in due execution; and to make sure of obedience thereto, the counties and boroughs were found liable to be distressed for all arrears, and for 500 merks for each dragoon, and L.100 Scots for each foot soldier that had not been raised, or, being levied, had deserted the service.

For the more ready ingathering of the excise, the magistrates and council of royal boroughs, and the elders and deacons in landward parishes, were authorised to name collectors of the same, and allowed a tenth part for their trouble, &c.

The commission for the exchequer being now expired, the parliament named Loudon the chancellor, Roxburgh privy seal, Lanark secretary, Sir Alexander Gibson register, Sir Thomas Hope advocate, Sir James Carmichael treasurer-depute, with Orbiston justice-clerk, Innerpaffer, Balcomie, Cranston, Riddel, Craighall junior, Halkertoun, Newton, and Scotsstarvet, seven ordinary lords of session, and Sir James Lockhart of Lee, or any three of them, commissioners of exchequer, for ingathering and managing all the revenues belonging to the king and prince of Wales.

For enforcing the more ready payment of the tax which had been granted by the convention of estates towards the support of the army, the parliament ordained the collectors to account for their introumissions betwixt and a certain day,

with certification, that if they failed, they should be compelled to pay the whole tax whereof they were appointed collectors, without prejudice to the getting relief from their constituents.

For encouraging the sale of lands which had belonged to forfeited persons, the same were to be set up at ten years' purchase of the yearly rent, without prejudice to their vassals or creditors who had not been accessory to their crimes; and by an after act of the same parliament, the public faith was engaged in warrandice of those purchases, and for the personal protection of the purchasers themselves.

For the more speedy levying and maintaining of an army necessary for suppressing Montrose's insurrection, the parliament, by their 11th act, ordered that it should be augmented to 12,000 fighting men, and ascertained the pay due to each staff officer, soldier, &c.; what number of men each county and burgh should raise for the service; and how much each of them should pay, with an exception of masters, servants, and apprentices who were concerned in any public manufacture.

For relief of shires and boroughs who advanced money for the present maintenance of the army, the parliament assigned the first month's proportion of the maintenance appointed to be paid by them.

By the 15th act, entitled, "Anent the putting of the kingdom in a posture of war for defence," it is ordained, that all betwixt sixty and sixteen in every county, be mustered upon one and the same day, in order to detect the want either of men or arms, and ordaining the colonels and committees in each county and burgh to form the whole fencible men within their bounds into regiments, and to have them duly trained in the military exercise.

The 16th act is a commission to certain members of parliament, as a committee of estates, with power to them to do all and every thing requisite, concerning the ordering and managing of all affairs and business which might tend to

the good and peace of the kingdom, and promote the common cause.

And, for the more effectual raising of money, and proper distribution of the same, and for regulating the public accounts and burdens of the nation, a commission, with the most ample powers, was given to four of each estate, with the chancellor, president, and commissary-general, or any five of them; and then the parliament adjourned themselves to the second Tuesday of July.

The more private deeds of this session were,—decreets of forfeiture against Montrose, Huntly, Carnwath, and Traquair; commission to a committee to collect the rents of forfeited estates, to borrow money for making up the deficiency of the public expense, and for discussing the relevancy of summonses against malignants, and taking the proof concerning them; commission to David Leslie to be lieutenant-general of horse, and to Sir John Hurry alias Urie to be a major-general of foot; approbation in favour of lord Burleigh, and the rest of the committee for the north, and of Humble's accounts, with acts for erecting a new kirk at Carsphairn, and another for the landward parish of St. Andrews.

Those to whom the charge of raising men and money was committed, set about these, but not with the usual success: emulation prevailed amongst many, not about who should do most for the public, but because others were preferred to themselves, which greatly retarded the common cause; the country was exceedingly exhausted, and, which was still worse, a careless stupid lethargy had seized the minds of the greater part. In this lamentable condition, the ministry, as became their station, sounded the alarm, and by their example, the people were led, by fasting and prayer, to betake themselves to God for counsel and support.¹

While these things were in agitation, Montrose gathered new strength in the north, by the accession of the Gordons under lord Gordon, with the laird of

Grant's dependents, and others, who greatly overawed and oppressed the well-affected in that country.

To stop this, Baillie and Urie, both esteemed for their military achievements, having gathered an army of about 6000 forces, advanced, with a view to bring on an engagement; but Montrose being better acquainted with the country, avoided this by a speedy march from one place to another, till he had the advantage of fighting. In one of these, he, with great danger to his army, stormed Dundee, and set it on fire in several places; and Baillie and Urie coming up with their forces, hoped to have caught him in a hose-net; but Montrose sounding a retreat, his troops, favoured with the darkness of the night, made their flight good towards the hills, with the less only of about thirty of his men, who had over-loaded themselves with plunder.

Baillie hoping to hold Montrose at bay, stays in Angus, and sends Urie north, with one regiment of horse and two of foot, to favour the junction of his friends in Murray, Inverness, Sutherland, and Caithness; but Montrose getting notice thereof, and fearing lest lord Gordon, who went north to gather the forces who had gone home with Aboync, should be overwhelmed, marches after him, and at a village called Olderne, engages Urie, and after a battle for sometime doubtful, obtained a victory, May 4, in which Urie lost colonel Campbell, Sir John and Sir Gideon Murray, with a considerable number of common men.

To redress this disaster, both the committee of parliament and commission of the church met, and contributed each their part. The commission emitted a warning to the ministry, enjoining them to endeavour, by their doctrine and example, to keep their people firm to the cause; and finding that Mr. Robertson at Perth, Mr. Row at Muthel, Mr. Barclay at Falkland, and Mr. Fife at Fowlis, who had been formerly censured for their remissness, continued to contemn the authority of the church, by not observing the late fast, &c. they deposed them for the terror of others; and the

¹ Baillie.

committee ordered Baillie to be reinforced; and being so, that he should march north and fight Montrose.

Baillie did so, but had no better success than Urie; for upon July 2d, at a place called Alford, Montrose obtained a victory over him also, with small loss besides the death of lord Gordon; and as formerly over Urie, so now over Baillie, with a force inferior to theirs; but, which must greatly overbalance the consideration of numbers, the troops of the one well disciplined and inured to blood, while the other were newly raised and quite unaccustomed to war.

These losses were the more hardly borne with that, about this time, certain intelligence was got that king Charles, to draw the Scots out of England, intended to reinforce Montrose with a considerable detachment of horse, which he wanted most; for James Small, son to Fotherance, having been sent in a beggar's habit with an assurance of this to Montrose, was, on his return, discovered at Elphinston, and the answer which he carried back laid before the committee of estates.

This intelligence proved, however, very useful. Information thereof was soon dispatched to the parliament army, who sent colonel Copley with a force sufficient to vanquish lord Digby, who commanded the troops intended for Montrose; and the committee, now warned of their danger, called home part of their troops in Ireland under colonel Home, and a considerable reinforcement, especially of horse, from our army in England, under the command of lieutenant-general David Leslie; but we defer narrating the consequences of these, till we narrate the great lines of what was done in the Westminster assembly, and by the parliament and armies in England.

When it is considered what great numbers of the ministry had deserted to the king, or were otherwise dissatisfied with the mode of presbytery, no doubt it was difficult to supply the vacant pulpits in the country with a learned and regular clergy. The university of Oxford was rendered entirely useless, and

the students there and at Cambridge, who adhered to the parliament, could not obtain ordination in a legal way; because all the bishops were in the opposition, and would ordain none but those of their own principles, which was another cause of the increase of unqualified preachers. To put some stop to the mischiefs of lay preaching, which began to appear in the army, the parliament (April 26th), ordained, "That no person shall be permitted to preach who is not ordained a minister in this or some other reformed church, except such as intend the ministry, who shall be allowed for the trial of their gifts, by those that shall be appointed thereunto by both houses of parliament; and it is earnestly desired, that the general take care that this ordinance be put in execution in the army. It is further ordered to be sent to the lord mayor and committee of the militia in London, to the governors and commanders of all forts, garrisons, forces, cities, and towns, with the like injunctions; and the mayor, sheriffs, and justices of peace are to commit all offenders to safe custody, and give notice to the parliament, who will take a speedy course for their punishment."¹

At the same time, the lords sent to the assembly to prepare a new directory for the ordination of ministers in the church of England, without the presence of a bishop. This took them up a great deal of time, by reason of the opposition it met with from the erastians and independents, but was at last accomplished and passed into an ordinance, bearing date November 8th, and was to continue in force, by way of trial, for twelve months. The ordinance sets forth, "That whereas the words *presbyter* and *bishop* do in scripture signify the same function, though the title of bishop has been, by corrupt custom, appropriated to one who has assumed to himself, in the matter of ordination, that which was not meet; which ordination, notwithstanding, being performed by him, we hold, for substance, to be valid, and not to be

¹ Hist. Col. p. 645.

disclaimed by any that have received it. And whereas it is manifest, that ordination, that is, an outward solemn setting apart of persons for the office of the ministry in the church by preaching presbyters, is an institution of Christ; it is therefore ordained by the lords and commons, with the advice of the assembly of divines at Westminster, that the several and respective classical presbyters, within their respective bounds, may examine, approve, and ordain presbyters according to the directory;" which the reader may see bound up with the confession of faith.

To give a short specimen of the debates upon this ordinance, when the passage in Timothy, of laying on of the hands of the presbytery, was voted a full proof for presbyters ordaining without a bishop, Selden, Lightfoot, and some others, entered their dissent, declaring, that the imposition of hands there spoken of was only for admission to be an elder; and though elders might ordain elders, it did not necessarily follow they might ordain a bishop.

The independents argued for the right of every particular congregation to ordain its own officers. This was debated ten days; the arguments on both sides were afterwards published by consent of the several parties, in a book entitled, *The Grand Debate between Presbytery and Independency*. At length the question being put,—that it is requisite no single congregation, that can conveniently associate with others, should assume to itself the sole right of ordination; it was carried in the affirmative by a very great majority; but Thomas Goodwin, Philip Nye, Jer. Burroughs, Sidrach Simpson, William Bridge, William Greenhill, and William Carter, independents, entered their dissent.

It was next debated, whether ordination might precede election to a particular charge. Temple, Herle, Vines, Palmer, Whitaker, Calamy, together with the Scotch commissioners, argued for the affirmative: 1. From the ordination of Timothy, Titus, and Apollos, without any particular charge. 2. Because it

is a different thing to ordain to an office, and to appropriate the exercise of that office to any particular place. 3. If election must precede ordination, then there must be a new ordination upon every new election. 4. It would then follow, that a minister was no minister out of his own church or congregation. And, 5. Then a minister could not gather or plant churches, or baptize new converts; because, according to the independents, there must first be a church before there be a minister.

The independents replied to the foregoing reasons, that Timothy and Titus were extraordinary officers; that it appeared to them absurd to ordain an officer without a province to exercise the office in; that they saw no great inconvenience in re-ordinations, though they did not admit the consequence, that a person regularly ordained to one church, must be re-ordained upon every removal: but they affirmed, that a pastor of one particular church might preserve his character in all places; and if there was extraordinary service to be done, in planting new churches, or baptizing new converts, the church might send out their officers, or create new ones for that purpose. The grand difficulty with the independents lay here,—that ordination, without election to a particular charge, seemed to imply a conveyance of office-power, which, in their opinion, was attended with all the difficulties of a lineal succession. The debates upon this article continued several days, and issued at last in a kind of compromise, in these words: "It is agreeable to the word of God, and very expedient, that those who are to be ordained ministers, be designed to some particular church or other ministerial charge." And with regard to the ceremony of imposition of hands, the independents admitted it, provided it was attended with an open declaration, "that it was not intended as a consequence of office-power."

Because as yet there was no presbyteries erected to ordain ministers within their respective bounds, it was, during the present scarcity of ministers,

committed to the assembly, to supply that defect, who voted that a committee for examination of ministers should sit every Tuesday and Thursday at two o'clock in the afternoon, and that the members should attend in their turns, as they shall be nominated and appointed by the scribe, according to the order of their names in the register-book—five at a time, and each to attend a week.

While the affair of ordination was depending in the assembly, committees were chosen to prepare materials for a new form of discipline and church government; a point of the greater consequence, because the old form was dissolved, and no other as yet established in its room.¹ Here the independents agreed with the presbyterians, that there was a certain form of church government laid down in the New Testament, which was of divine institution; but when they came to the question, what that government was, and whether it was binding in all ages of the church, both erastians and independents divided against them. The proposition was this, That the scripture holds forth, that many particular congregations may, and by divine institution ought, to be under one presbyterial government. The debate lasted thirty days. The erastians did not except against the presbyterial government as a political institution, proper to be established by the civil magistrate, but they were against the claim of a divine right. Upon this occasion, Bulstrode Whitlock, Esq., one of the lay commissioners, stood up and made the following speech:²

“Mr. Prolocutor,—I might blush to speak in this reverend assembly upon the question now in debate before you, had I not the honour of being one of your members, seen your candour to others, and observed you to be most capable to give satisfaction to any scruple here, and to enable such as I am to satisfy objections abroad, whereof I have met with some, your question not being under secrecy.

“By government all men understand

¹ Neal.

² Whit. Mem. p. 95.

the prudent and well-ordering of persons and affairs, that men may live well and happily; and by the government of the church, the ordering and ruling of persons and matters having relation to the worship of God in spiritual matters.

“The word presbyter was in great honour among the Jews, being given to the members of their great sanhedrim; and therefore is not now so properly to be attributed to the rulers of every small congregation. I am none of those, Mr. Prolocutor, who except against the presbyterian government; I think it has a good foundation, and has done much good in the church of Christ.

“But, Sir, whether this form of government be *jure divino* or not, may admit of some dispute; and whether it be now requisite for you to declare that it is so.

“If the meaning be, that it is *jure divino ecclesiastico*, then the question will be raised, of the magistrate's imposing forms upon men's consciences; for then they will be only the magistrate's imposition: But, if the meaning be *jure divino absolute*, it must then be the precept of God, and they are in a sad condition who are not under this government.

“But it is objected, that no form of government is *jure divino*; but that, in general, all things must be done decently and in order. A government is certainly *jure divino*; but whether presbytery, episcopacy, independency, or any other form of government be *jure divino* or not,—that is, whether there be a precept, rule, or command of scripture, for any of those forms,—will not be admitted by many as a clear thing.

“It may, therefore, not be unworthy your consideration, whether it be not more prudent at this time, to forbear to declare your judgments in this point. The truth will nevertheless continue the same.

“If this government be not *jure divino*, no opinion of any council can make it so; and if it be *jure divino*, it continues so still, though you do not declare it to be so: I therefore hum-

bly submit to your judgments, whether it be not better at this time, to avoid giving occasion to disputes of this nature, and only to present your judgment to the parliament, That the government of the church by presbyteries is most agreeable to the word of God, and most fit to be settled in this kingdom; or in what other expressions you may think fit to clothe your question; and I hope you may soon have a desired issue."

Mr. Selden and St. John were of this mind; and the reverend Mr. Colman was so zealous upon this head, that he declaimed against the divine right, not only in the assembly, but in the pulpit, apprehending presbytery would prove as arbitrary and tyrannical as prelacy, if it came in with a divine claim: He therefore proposed that the civil magistrate should have the sole power of the keys, by way of *interim*, till the nation was at peace.

But the independents opposed the proposition of the divine right of presbytery, by advancing a counter divine right of their own scheme. Fifteen days they took the part of opponents, and fifteen days they were upon the defence. To give a short specimen of their debates.

The chief inquiries were about the constitution and form of the first church of Jerusalem; the subordination of synods, and of lay-elders.¹ Upon the first question, the independents maintained, that the first church at Jerusalem was not larger than could meet in one place. In support of which, they produced several passages in the New Testament; as, Acts i. 15, "The whole number of disciples, being about one hundred and twenty, met together with one accord;" and, Acts ii. 1, "They were all with one accord in one place," where they multiplied to three thousand; and it is still said, they met together with one accord, and in one place, Act ii. 4, 6. When they were farther increased, multitudes being added to them both men and women, they still met together with one accord, and in one place, Acts v. 12, 14. When the number of disci-

ples was yet farther multiplied, so that it became necessary to choose deacons to take care of the poor, the whole multitude were called together, and chose out seven men from among themselves, and set them before the apostles, Acts vi. 2, 5. And even after the general dispersion of the disciples, mentioned Acts viii., it is recorded, that those who remained met together in one place as a church. Acts xv. 4, 22, "Then pleased it the apostles and elders, with the whole church, to send chosen men of their own company to Antioch." They allowed, that there was mention of a presbytery in scripture; but that it was no other than the presbytery or elders of one particular church or congregation; for it is no where written, that God has set in the church distinct sort of presbyteries; such as consistories, classes, provincial synods, and general assemblies, one above another. They objected also to the high powers claimed by the presbyteries; as the right of admission and exclusion from the christian church, with pains and penalties, which, as they have no foundation in scripture, are not very consistent with the powers of the civil magistrate.

To remove these difficulties, the presbyterians maintained, that the church of Jerusalem was made up of more congregations than one, as appeared from the multitude of disciples mentioned in divers places; from the many apostles and teachers in the church of Jerusalem, who could not exercise their gifts in one assembly; and from the diversity of languages mentioned, Acts ii. and Acts vi.² Now it being granted, that the disciples were too numerous to assemble in one place, it must follow, that they were under one presbyterial government; because they are still called but one church, Acts i., the elders of which are often mentioned in the same book. The most learned critics in the assembly were divided upon this head; as Dr. Temple, Lightfoot, Selden, Colman, Vines, and others; but it was carried for the presbyterians.

¹ Whit. Mem. p. 15.

² Whit. Mem. p. 41.

It was argued in favour of the subordination of synods, that the scripture speaks of the appeal from one or two brethren to the whole church, Matthew xviii. 15, and of the appeal of the church at Antioch to the apostles and elders at Jerusalem, Acts xv. 2.¹ But the independents affirmed, that a synod of presbyters is no where called a church; and that the appeal of the church of Antioch was only for advice, not for a judicial determination: But supposing the assembly of the apostles at Jerusalem to be a synod, it could neither be provincial nor national to the church at Antioch; and consequently no proof of a subordination.² The masters of Jewish antiquities displayed all their learning upon this debate. For the Jewish sanhedrim being designed as the model of presbytery, it was necessary to inquire what were the powers of the ecclesiastical and civil courts under the law. Moses having appointed, that he that would not hearken to the priest or the judge, should die, Dent. xvii. 12, it was argued in favour of church power, that the priest held one court, and the civil magistrate another. But Mr. Selden observed, that the vulgar Latin, till within these forty years, read thus, *Qui non obediverit sacerdoti ex decreto judicis morietur*—he that will not obey the priest, shall die by the sentence of the judge; and Mr. Lightfoot added, that when the judges of inferior courts went up to Jerusalem by way of appeals, it was only for advice and consultation. But when the question was put, December 12th, for a subordination of synods, with lay elders, as so many courts of judicature, with power to dispense church censures, it was carried in the affirmative, and inserted in their humble advice, with this addition: "So Christ has furnished some in this church, (besides ministers of the word,) with gifts for government, and with commission to execute the same when called thereunto, who are to join with the ministers in the government of the

church, which officers the reformed churches generally call elders."

Thus the main pillars of the presbyterian government were voted of divine appointment, by a great majority; but the independents entered their dissent in writing, and complained to the world, "of the unkind usage they met with in the assembly: that the papers they offered were not read; that they were not allowed to state their own questions, but were told they set themselves industriously to puzzle the cause, and render the clearest propositions obscure, rather than argue the truth or falseness of them; that it was not worth the assembly's while to spend so much time in debating with so inconsiderable a number of men: they also declared, that the assembly refused to debate their main proposition, viz. Whether a divine right of church government did not remain with every particular congregation?"³ To all which it was replied, that the assembly were not conscious they had done them any injustice; and as for the rest, they were the most proper judges of their own method of proceeding.

The erastians seeing how things were managed in the assembly, reserved themselves for the house of commons, where they were sure to be joined by all the patrons of the independents. The English and Scottish commissioners being no less solicitous about the event, gave their friends notice to be early in their places, hoping to carry the question before the house should be full; but Mr. Glyn perceiving their intention, spoke an hour to the point of *jus divinum*; and after him Mr. Whitlock stood up, and enlarged upon the same argument till the house was full, when the question being put, it was carried in the negative;⁴ and that the proposition of the assembly should stand thus: "That it is lawful and agreeable to the word of God, that the church be governed by congregational, classical, and synodical assemblies."

The disappointment of the Scottish commissioners and their friends in the

¹ Grand Debate, p. 115, 123.

² Lightfoot, Rem. p. 17.

³ Neal. ⁴ Whitlock's Mem. p. 101.

assembly, at the loss of this question, is not to be expressed; they alarmed the citizens with the danger of the church, and prevailed with the common council to petition the parliament, (November 15th,) that the presbyterian discipline might be established, as the discipline of Jesus Christ; but the commons answered with a frown, that the citizens must have been misinformed of the proceedings of the house, or else they would not have precipitated the judgment of parliament. Not discouraged at this rebuke, they prevailed with the city ministers to petition; but when they came to the house, the speaker told them they need not wait for an answer, but go home and look to the charges of their several congregations; and immediately appointed a committee to inquire into the rise of these petitions.

The presbyterian ministers despairing of success with the commons, instead of yielding to the times, resolved to apply to the house of lords, who received them civilly, and promised to take their request into consideration. But no advances being made in two months, they were put out of all patience, and determined to renew their application; and to give it the greater weight, applied to the lord mayor and court of aldermen, to go at their head, January 16th, with an address, "For a speedy settlement of church government, according to the covenant, and that no toleration might be given to popery, prelacy, superstition, heresy, profaneness, or any thing contrary to sound doctrine; and that all private assemblies might be restrained." The lords thanked them for their zeal, and recommended it to the city to suppress all such unlawful assemblies. But the houses were not to be moved as yet by such forcible methods: however, this laid the foundation of those jealousies and misunderstandings between the city and parliament, which proved the ruin of the presbyterian cause.

But the fiercest contention between the assembly and parliament arose upon the power of the keys, which the former had voted to be in the eldership, or pres-

bytery, in these words: "The keys of the kingdom of heaven were committed to the officers of the church, by virtue whereof they have power respectively to retain and remit sins, to shut the kingdom of heaven against the impenitent, both by the word and censures, and to open it to the penitent by absolution, and to prevent the profanation of the holy sacrament by notorious and obstinate offenders: The said officers are to proceed by admonition, suspension from the sacrament of the Lord's supper for a season, and by excommunication from the church, according to the nature of the crime, and demerit of the person." All which power they claimed, not by the laws of the land, but *jure divino*, or by divine appointment.

The independents claimed a like power for the brotherhood of every particular congregation; but without any civil sanctions or penalties annexed.¹ The crastians were for laying the communion open, and reserving all crimes to the civil magistrate. When the question, therefore, came into debate in the house of commons, the learned Mr. Selden delivered his opinion against all suspensions and excommunications to this effect: "That for four thousand years, there was no law to suspend persons from religious exercises. Strangers, indeed, were kept from the passover; but they were pagans, and not of the Jewish religion. The question is not now for keeping away pagans in times of christianity, but protestants from protestant worship. No divine can shew that there is any such command, as to suspend from the sacrament. No man is kept from the sacrament *eo nomine*, because he is guilty of any sin, by the constitution of the reformed churches, or because he has not made satisfaction. Every man is a sinner; the difference is only, that one is in private, and the other in public: *dic ecclesiæ*, in St. Matthew, were the courts of law which then sat at Jerusalem. No man can shew any excommunication, till the popes Victor and Zephronius, (two hundred years after

¹ Rushworth, p. 203.

Christ), first began to use them upon private quarrels; whereby it appears, that excommunication is a human invention taken from the heathens."

Mr. Whitlock spoke on the same side of the question, and said,¹ "The assembly of divines have petitioned and advised this house, that in every presbytery or presbyterian congregation, the pastors and ruling elders may have the power of excommunication, and of suspending such as they shall judge ignorant or scandalous. By pastors, I suppose, they mean themselves and others, who are or may be preachers, and would be bishops or overseers of their congregations. By ruling elders, they mean a select number of such in every congregation as shall be chosen for the execution of government and discipline therein. A pastor is one who is to feed his sheep; and if so, how improper must it be for such to desire to excommunicate any, or keep them from food; to forbid any to eat, or whomsoever they shall judge unworthy, when Christ has said, "Take, eat and drink ye all of it," though Judas was one of them? But some have said, it is the duty of a shepherd, when he sees a sheep feeding upon that which will do him hurt, to chase him away from that pasture; and they apply this to suspending those from the sacrament, who, they fear, by eating and drinking unworthily, may eat and drink their own damnation. But it ought to be observed, that it is not receiving the sacrament, but the unworthiness of the receiver, that brings destruction; and this cannot be within the judgment of any but the person himself, who alone can examine his own heart. Nor can any one produce a commission for another to be judge thereof. But it is said, that ruling elders are to be joined with the pastors. Now, in some country villages and congregations, perhaps they may not be very learned, and yet the authority given them is very great. The word *elders* among the Hebrews, signifies men of great power and dignity; so it was among the Romans, whose se-

¹ Whitlock, p. 203.

nate was so called from *senes*, elders. The highest title among the French, Spaniards, and Italians, *seigneur*, and *signori*, is but a corruption of the Latin word *senior*, elder. The same may be observed in our English corporations, where the best and most substantial persons are called aldermen or eldermen. Thus the title of elders may be given to the chief men of every presbytery. But if the power of excommunication be given them, they may challenge the title of elders in the highest signification. Power is desired to be given to suspend from the sacrament two sorts of persons—the ignorant and scandalous. Now it is possible, that they who are judged to be competent in one place, may be deemed ignorant in another. However, to keep them from the ordinances, is no way to improve their knowledge. Scandalous persons are likewise to be suspended; and this is to be left to the discretion of the pastors and the ruling-elders. But where have they such a commission? Scandalous sinners should be admonished to forsake their evil ways, and amend their lives; and how can this be done better, than by allowing them to hear good sermons, and partake of the holy ordinances? A man may be a good physician though he never cuts off a member from his patient; and a church may be a good church, though no member of it has ever been cut off. I have heard many complaints of the jurisdiction of the prelates, who were but few. Now, in this ordinance, there will be a great multiplication of spiritual men in government; but I am of opinion, that where the temporal sword is sufficient for punishment of offences, there will be no need of this new discipline."

Though the parliament did not think it prudent wholly to reject the ordinance for excommunication, because it had been the popular complaint in the late times, that pastors of churches had not power to keep unworthy communicants from the Lord's table; yet the speeches of these learned gentlemen made such an impression, that they resolved to render it ineffectual to all the purposes of

church power. Accordingly, they sent to the assembly to specify in writing what degrees of knowledge in the Christian religion were necessary to qualify persons for the communion; and what sort of scandal deserved suspension or excommunication; which, after much controversy they presented to the houses, who inserted them in the body of their ordinance for suspension from the Lord's supper, dated October 20th, together with certain provisoes of their own.

The ordinance sets forth, that the several elderships within their respective limits shall have power to suspend from the sacrament of the Lord's supper all ignorant and scandalous persons, mentioned in the rules and directions drawn up by the assembly.¹ However, what they gave with one hand, they took with the other, by providing, "That if any person found himself aggrieved with the proceedings of the presbytery to which he belongs, he might appeal to the classical eldership, from them to the national, and from them to the parliament." But it is now time to take a view of what was doing in the field.

As the presbyterians had chiefly composed the parliament, they, of course, filled the commissions in the army with men of their own complexion. The independents being unwilling to submit to this longer, set on foot what was called the "self-denying ordinance," by turning all out of the army who had place in either of the two houses. Their pretence for this was, that the generals had prolonged the war of purpose to serve their own interest, at the expense of the kingdom; nor did they even pretend that they had any design to weaken the interest of the presbyterians; for though Sir Henry Vane and others, who concerted this scheme, were well known to favour the independents, yet Cromwell, who was at their head, pretended still to be a staunch presbyterian, and seemed zealous to forego his own interest among the first.

By this step, the earls of Essex, Manchester, Warwick, and Denby, the lords Roberts, Willoughby, and others, with

Cromwell himself, were laid aside from further service; and Sir Thomas Fairfax, son to the lord Fairfax, was appointed general in the name of the parliament only, without taking in the king's interest or the preservation of his person, as usual. And he was entrusted with an absolute power to fill up all the commissions at his own discretion.

Fairfax was not accounted of quick parts nor great elocution, but religious, faithful, valiant, and of a grave, sober, resolved disposition, neither too great nor too cunning to be directed by the parliament; and being likewise a presbyterian, his election to that trust was the more easily gone into.

A mutiny being suspected on the dismissal of the late generals, it was thought proper to new model the army, which consisted of 21,000 resolute soldiers, viz. 6000 horse, 1000 dragoons, and 14,000 foot, who were divided, the horse into ten regiments, the dragoons into ten companies, and the foot into ten regiments, of twelve hundred men each; and for their maintenance, every county was to be rated in a certain sum, making up £44,955 monthly; and by Cromwell's direction, in whom the general chiefly confided, the command of the several regiments was given to the following gentlemen, viz.:

For the horse—Middleton, Sidney, Graves, Sheffield, Vermuden, Whaley, Lively, Fleetwood, Rossiser, Sir Robert Pye. *For the foot*—Crayford, Berkley, Aldridge, Holburn, Fortescue, Ingoldsby, Montague, Pickering, Welden, Rainsborough.

The general kept at Windsor all the month of April, not being able sooner to complete what was to be done in order to fit the army to enter upon action. During this time he received a letter from the committee of both kingdoms, from whom the parliament army was generally to receive its orders, informing him that the king had ordered prince Rupert to join him with 2000 horse; and therefore he was ordered to dispatch a party of horse towards Oxford, to hinder this junction; and as the self-deny-

¹ Rushworth, part iv. vol. i. p. 211.

ing ordinance was not to take place till after forty days, namely, on the 13th of May, the charge of the service was by committee particularly recommended to lieutenant-general Cromwell.

Cromwell departing from Windsor, met near Istip bridge with a brigade of the king's horse, consisting of the queen's and three other regiments, whom he utterly routed, taking her majesty's standard, and two hundred prisoners.¹ From that he marched to Blechington-house, where secretary Windebank's son kept a garrison for the king, and summoned the colonel with a sharp message, who immediately surrendered; at which the king was so incensed, that he caused Windebank to be condemned by a council of war, and afterwards shot to death.

The parliament army having been sent into the west, thereby leaving the middle counties defenceless, the committee of both kingdoms receiving intelligence, that the king was, on the 7th of May, to put himself at the head of his army, dispatched an order to the general to return back.² In the mean time, the king, who had about the same strength with the parliament army, took the town of Leicester by storm, with a very great treasure, which the country people had brought thither for security, which his soldiers divided among them, and treated the inhabitants in a most cruel and unmerciful manner. The king was so elated with this success, that he wrote to the queen, that his affairs were never in so hopeful a posture; but the parliament being greatly nettled with that disaster, sent orders to the general to follow the king, and hazard a battle at all events.

The general perceiving that a battle would likely ensue, petitioned the two houses to desire that Cromwell's absence from the house might be dispensed with, and that he might be ordered to march to the army and command the horse. The parliament being no less sensible that his courage and counsel would be of great service in the present

crisis, readily dispensed with Cromwell's absence during pleasure; and he having joined the army with 600 horse and dragoons, they overtook the king and gave him battle, June 14th, at Naseby near Harborough in Liecestershire.³

Prince Rupert commanded the right wing of the king's army. The king, assisted by Sir Jacob Astley and the earl of Lindsay, commanded the main body, and Sir Marmaduke Langdale, some say lord Bard and Sir George Lyle, the left wing.⁴ On the parliament side, the right wing was commanded by Cromwell, the left by major-general Ireton his son-in-law, and Fairfax and Skippon were both at the head of the main body; the first on the right, and the other on the left.

The battle began about ten in the morning, and ended between three and four in the afternoon, in an absolute defeat of the king's forces, which was owing in a great measure to the wise conduct and resolution of lieutenant-general Cromwell on the one hand, and to the indiscreet fury and violence of prince Rupert on the other. General Fairfax had his helmet beat off, and rode up and down the field bareheaded, though offered another. Skippon received a wound in the beginning of the fight; upon which, being desired to go off, he answered, he would not stir so long as a man would stand. Ireton was run through the thigh with a pike, had his horse killed under him, and was made a prisoner; but found means to escape upon the turn of the battle. The king shewed himself a courageous general; but his soldiers were struck with such a panic, that when they were once disordered, they would never rally; whereas, if the others were beaten from their ground, they presently returned and kept their ranks till they received new instructions.⁵ When prince Rupert had routed Ireton's left wing, he lost his advantage; first, by following the chase almost three miles; and then by trying to become master of the train of artil-

¹ Rushworth, vol. i. p. 24.

² Whitlock, p. 140, 144.

³ Rushworth, vol. i. p. 39.

⁴ Neal and Rudin.

⁵ Whitlock, p. 145.

lery, before he knew the success of the main body; whereas, when Cromwell had broke the right wing of the enemy, he pursued them but a quarter of a mile, and leaving a small party of horse to prevent their rallying, returned immediately to the battle, and with his victorious troops charged the royal infantry in flank, and drove them entirely out of the field. The parliament army took about five thousand prisoners, all the king's train of artillery, bag and baggage, with his cabinet of letters, some of which were afterwards published to the world; but not above six or seven hundred of his men were killed, with about one hundred and fifty officers.¹ The king, with a party of horse, fled into Wales, and prince Rupert to Bristol; but the parliament forces pursued their victory with such eagerness, and marched with such rapidity over the whole west of England, to the very land's end, that in a few months all the royal forces were dispersed, and his majesty's garrisons surrendered almost before they were summoned. The city of Bristol, into which prince Rupert had thrown himself, capitulated before the besiegers approached the walls, which provoked the king to that degree, that he commanded him by letter to depart the country, as did also the prince of Wales for the security of his person; so that, by the end of the campaign, the unhappy king was exposed to the mercy of his enemies, and shut up all the winter, little better than a prisoner, in the garrison of Oxford. It is time now to see what passed in the rest of the kingdom, while the parliament army was employed in reducing the western counties.

The Scots army having taken Newcastle in October 1644, divided themselves into two bodies; one whereof went and besieged Carlisle, which surrendered upon articles, in the month of June 1645; the other part of our army durst not engage in any siege, because Montrose having, as before observed, had great success in Scotland, it was to be feared that the king would think of joining him

with his cavalry.² Besides the Scots, by keeping in the middle of the kingdom, prevented the king from levying troops in those parts. At last, after the taking of Carlisle, the two bodies being joined again, went and besieged Hereford about the end of July; but after having in vain carried on the siege for some time, they raised it in the beginning of September, partly because the army was not suitably provided either with arms or provisions. And besides, general David Leslie, with the horse and dragoons, were obliged to leave them for a time, and return into Scotland to oppose Montrose's progress, who was now marching southward.

The parliament army judging themselves sufficiently able to suppress any force that the king could raise against them, without the assistance of the Scots, there ensued a series of neglects, contempt, and rudeness towards them, which we cannot express more fitly than in the words of Denzil, lord Hollis, their own countryman.³

Their first endeavour was to break the Scots army, by not paying it. Before, whilst they had need of them, they were careful to satisfy and provide for them; but now, they would let many months pass without sending them any money, taking any care for their supply, or so much as affording them good words. One of two effects they thought this would produce,—either that the soldiers would run away, perhaps mutiny, and so the army disband and fall to pieces, or else live upon free quarters, and so, by oppressing the country, become odious to the people, and force them to rise against them; nor were they wanting to give all encouragement to do so.

The Scots army having drawn their quarters near together, as well for the better governing of their army, as for the safety of it, this made them lie the more heavy upon, and exact the more money and provisions from those places where they lay; and the use now made of this, was to blow the coals between the English and them, by taking the

¹ Rapin.

² Rapin.

³ Hollis's Memoirs.

highest rate that was set upon any town where the Scots lay, and thereby computing the whole county at that proportion, as if our army had raised so much money in every other part of the county, when in truth, there was no such thing.

Again, when our commissioners and the general of their army did often and earnestly move for pay to the soldiers, representing, that of the monthly pay which was agreed for, they had not for seven months at a time received anything; and that it was impossible to observe that discipline in the army, which was requisite for the ease of the country, because the soldiers were unpaid. The Cromwellians had the boldness to say, that by the treaty betwixt the English and the Scots, the Scots were to receive interest on their pay after it became due, and consequently were no sufferers—as if their men could have lived upon the hope of fair promises.

And as they dealt with the army, so did they with the state and kingdom of Scotland, by neglecting for weeks, sometimes for months, to answer the papers which their commissioners presented to the houses, and rejecting some of them altogether.

To provoke the Scots still more, the English broke through the law of nations, which everywhere protects public ministers, so as neither their servants or goods, and especially their letters, can be touched or stopped. The expresses of the Scots commissioners were several times intercepted, and their letters broke open in a private manner, and at length publicly, by captain Massie, hard by London. And when the house of lords would have done the Scots justice, the commons quarrelled with them, because Massie had been first under their examination, as if they had meant to do justice, while, in fact, their design was to screen the offender.

One would think now, that the English had bid fair for an absolute breach with the Scots; but not being satisfied yet, they took another step. At the going in of the Scots into England, the English carried it hand in hand, and de-

siring nothing but the uniting of the two nations in forces, councils, and interests, that so the kingdoms, interwoven one with another, might be a mutual strength and security to one another; they therefore agreed, that they should never make peace without the mutual advice and consent of one another. Accordingly, in forming the propositions for peace, which were presented to the king at Oxford, and treated on at Uxbridge, it was made one proposition, that some commissioners from Scotland should be joined with some in England, in the command of the militia, and that some English should be intermixed with the Scots, in the management of our nation. But now, in the view of a new treaty with the king, which was set on foot by his majesty, the English changed almost every thing in the propositions that looked like giving power or countenance to the Scots, and assumed all to themselves, with an air of jealousy and change of affection toward the Scots

But, says the same noble writer, that did the more commend the goodness, piety, wisdom, and moderation of the Scots, who prevented a breach. For, notwithstanding all these provocations, all these injuries and affronts, they were stedfast and immovable in their resolutions to promote the peace of England. They said, they came in to help it; they would not be made instruments to destroy it. They had bound themselves in a covenant before God, and in a treaty with their brethren of England, to endeavour by all good ways and means, a happy settlement and reformation, both in church and state; and therefore the art and malice of their enemies should not engage them to become in any sort an occasion of hindering it. They denied themselves; they renounced their own interest; they gave up all pretensions, and agreed with the parliament of England in those alterations; and thereby defeated the expectations of those who hoped to see, not only the propositions of peace laid aside on that occasion; but that Scotland should have borne the blame, both of not making peace with

the king, and also of all the miseries which must have followed upon both kingdoms, by a rupture and breach between them. But it is full time to return home, and bring forward the history in our own nation.

And here we may begin with the lamentation of the church of old—"Abroad the sword bereaveth, at home there is as death; the sword was without, and the pestilence within."

By this time the parliament should, according to their adjournment, have sat at Edinburgh; but the pestilence, which from Newcastle came to Kelso, was from thence transmitted to Edinburgh and Leith, where it raged so as had never been felt in Scotland before, and obliged the parliament to meet in Stirling castle, 2d July 1645.¹

The times being troublesome, their acts were regulated to answer the purposes of mere necessity; as, an act for levying 10,000 new troops, mostly on the south of Tay, to rendezvous at Perth by the 24th of that month; an act restraining any from going out of the country without licence; and some private acts, approving of the conduct of lieutenant-general Baillie, the marquis of Argyle, earl Marischal, and major-general Hurry, with a recommendation of the town of Dundee to the public, to make up the loss it had sustained by Montrose.

The pestilence having communicated to Borrowstounness, and from thence to Stirling, the parliament broke up on the 12th of July, and adjourned themselves until the 24th of that month, to sit at Perth. Thither the estates arrived in great numbers, and being convened, made the following acts, viz.: act appointing, that runaways from the army should be holden as enemies to the religion and the kingdom, and proceeded against accordingly; act of approbation of the directory for public worship drawn up by the Westminster assembly, and approved in the general assembly of our church, and for recording, publishing, and practising the same, as we see it bound up with the confession of faith;

¹ Baillie.

act for punishing and fining those who did not keep the rendezvous at Perth, in a fourth part of every one's annual income; act intrusting the directing the war to the parliament, or their committee, and the actual managing and executing of their directions to the commander-in-chief; act, that all officers not attending their charges shall be cashiered; act for levying a new recruit of 1000 horses, proportioning them amongst the several shires, and giving the command of these to lord Balcarras and major Murray; act ordaining three months' pay of the army to be advanced; act forbidding swearing, drinking, and mocking of piety, under the following penalties, viz. each nobleman twenty pounds, each baron twenty merks, each gentleman, heritor, or burgesse ten merks, each yeoman forty shillings, each servant twenty shillings, and each minister the fifth part of his stipend, and granting full power to magistrates within burgh, and to such in landward parishes as should be nominated by the kirk-session, to put the above and all other acts for restraint and punishment of vice, or for advancement of piety and virtue, in due execution; act continuing the committee of estates, and committee for regulating and inbringing of monies to the exchequer and excise; act crying up of the current money, the rix-dollar to fifty-eight shillings, the cross-dollar to fifty-five shillings, the ryal-of-eight to fifty-six shillings, the rose-noble to eleven pound, the kairdique to twenty shillings, the double pistole to nine pounds, and the Hungary ducat to five pounds, all Scots money; act ordaining all persons who joined Montrose and his party to desert them, and give in their names to the parliament or their committee, betwixt and the 15th of February, under the pain of forfeiture of their estates, &c.

Montrose finding that the covenanters' army were convened about Perth, attempted to push southward, to favour a junction with the detachment of horse expected from the king; and to draw off general Baillie's attention, Alexander Macdonald fell down upon the Camp-

bells in the lordship of Coupar, murdering all who fell into his hands; but Baillie hanging upon Montrose's back, that crafty general thought fit to draw back into the north to gather more troops; and having got a reinforcement from the Gordons and others, came and encamped in Methven wood, to watch his opportunity; but finding his quarters too hot, he again drew back into the north, till getting a further reinforcement from Lochaber, &c., and finding that the parliament forces, being new levied, had retired home, and left few besides the old regiments, he being at his greatest strength, came up to them at Kilgirston, near the bridge of Ern, and endeavoured to draw on a battle.¹

The covenanters having intrenched themselves, would not stir till they were reinforced with three regiments from Fife, under the command of the lairds of Cammo, Ferny, and Fordel Henderson, and then they came out to take measures with their enemy; but Montrose had by this time led his army by Kinross, and was marching westward towards Stirling, where, in the way, his Highlanders, under the laird of Maclean, burnt and laid waste the parishes of Dollar and Muckhart, belonging to Argyll. Wherefore the covenanters taking the straight course to Stirling, they in return burnt the house of Menstry, belonging to the earl of Stirling, and the house of Aithry, belonging to Graham of Braco; but would not imitate the others in the destruction of their tenants.

Montrose learning that the covenanters were in pursuit of him, passed the Teith and Forth two miles above Stirling; for at that time the town was laid waste with the pestilence. And the others having sent Lanark to the west, to raise Glencairn and Eglinton, with their forces, to oppose him, followed hard after, and at Kilsyth, half way between Stirling and Glasgow, Montrose finding it proper to make a stand, there ensued a battle, which issued in an absolute victory over the covenanters. This happened on the 15th of August.

¹ Baillie, and Guthrie.

The loss on Montrose's side was comparatively small, and the loss on the other being considerable, especially of the killed, though we do not find their numbers mentioned with any certainty, was severely censured by the public.² The committee, which consisted of Argyll, Crawford, Lindsay, and Balcarras, condemned Baillie, and he as loudly blamed them, alleging that they, having the command over him, caused him, or rather at their own hand, altered the position of the army without his consent; the consequence of which was, that the covenanters were never properly formed. And there seems great reason to suppose, for both the committee and commander, that the troops being generally raw and undisciplined, could not stand the shock of the Highlanders' attack, (a fact which the most regular troops have since found several times true to their cost), but broke their ranks and fled, whereby they were easily cut off in the retreat; and the regular forces being left unsupported, became as easy a prey to the conquerors. And others imputed it to the vices rampant amongst the regular troops, which Mr. Robert Blair, in a sermon to them at Perth before the battle, said were become so flagrant, as to call for an awful rebuke.

The nation had not, for a long time, been in such a miserable plight: The well-affected nobles and gentry flying the rage of the conquerors into England or Ireland; the disconsolate widows and orphans of the many thousands killed in the late and former battles, lamenting the death of their dear husbands and affectionate parents; and the well-affected, in general, groaning under their oppression, and the bleeding situation of religion and their country.

Montrose knowing well what use this victory might prove to him, kept his head quarters at Bothwell, and sent out his forces on every hand, as well to relieve his friends and raise contributions from the vanquished, as to encourage the junction of others. The cities of Edinburgh and Glasgow were the first

² Baillie.

objects of his attention : From both he received large subsidies, and took care to release the earl of Crawford, the lords Napier, Ogilvie, and Rae, and the lairds of Keir, Poivry, and Drum, with Dr. Wishart, who were prisoners in Edinburgh and Linlithgow. Nor was he behind with the other counties and burghs betwixt Edinburgh and the west sea: all of them behoved to do him homage, promise subjection, and afford what subsidy he pleased to exact from them; and from all these, numbers, who had hitherto feigned subjection to the covenanters, resorted to his camp—as the marquis of Douglas, the earls of Annandale, Hartfield, and Traquair, the lords Erskine, Seaton, Drummond, Fleming, Johnston, and Maderty; with several knights and gentlemen—as Sir John Hamilton of Orbiston justice clerk, and Archibald Primrose clerk to the committee of estates.¹ And much about this time arrived Sir Robert Spotiswood, who succeeded Lanark as secretary of state, with the king's commission, constituting Montrose captain-general and deputy-governor of Scotland, with power to make knights and call parliaments, &c.; whereupon he dubbed Alexander Macdonald a knight, and summoned a parliament to sit at Glasgow upon the 20th of October, which he caused to be proclaimed at the market-crosses of Edinburgh, Glasgow, and Linlithgow.²

The triumphing of those oppressors was, however, of very short continuance: The covenanters every where betook them to their old shift of fasting and prayer; a disposition for this was not perhaps more remarkable in any period, and the Lord soon shewed that he heard their cry, by sending them deliverance, and confounding their adversaries.

The lords who went into England gave immediate notice of their situation to the committee with our army there, who immediately raised the siege of Hereford, and sent down the horse under lieutenant-general David Leslie and major-general Middleton.

In the mean time, the earls of Rox-

¹ Baillie, and Guthrie.

² Guthrie.

burgh and Home sending assurances to Montrose, that they were ready to join him with all the forces they could raise, and soliciting him to move eastward, to favour their junction, he removed his head-quarters to Philiphaugh; but had been short while there, when, on Saturday morning the 13th September, general Leslie with his forces, having seized Roxburgh and Home, and taken their course by Dunglass and Gladsmuir to avoid observation, came upon Montrose's army (sore reduced by the desertion of the Macdonalds and Gordons) ere he was aware. Douglas and his new-levied troops turned their backs at the very first onset; the rest being at a great distance from their homes, fought it for a time very fiercely, but were at length overpowered, entirely routed, and most of them killed on the spot or taken prisoners. Montrose, Douglas, Crawford, Erskine, Fleming, and Napier escaped very narrowly, and fled with about 150 horse towards the north; but Hartfield, Drummond, and Ogilvie, Sir Robert Spotiswood, Sir Alexander Leslie of Auchintoul, Sir William Rollock, Sir Philip Nisbet, William Murray, Stuart the adjutant, and the colonels O'Kyan and Laghlin, Irishmen, were made prisoners, and sent to Edinburgh and Stirling castles.³

General Leslie, after his victory, brought the army forward to Lothian, where the two Irish officers were tried by martial law, and executed; thence he accompanied the committee of estates to Glasgow, where they sat some days concerting what was further necessary to be done for the safety of the country; and there they agreed to make a present to Leslie of 50,000 merks, and to Middleton of 25,000 merks.⁴

Then they proceeded to the trial of a number of the prisoners taken at Philiphaugh; and three of these, viz. Sir William Rollock, Sir Philip Nisbet, and Alexander Ogilvy of Innerquharity, were found guilty of rebellion against the state, and executed at Glasgow upon the 20th of October.

³ Baillie, and Guthrie.

⁴ Guthrie.

The general led his army north to Perth and Angus, appointing his headquarters at Forfar; during which time, Huntly, upon a commission which he had got to take arms for the king, anno 1643, detached himself from Montrose, and asserted the king's interest, independent of the other. Douglas also, and the other lords and gentlemen of the lowlands who had joined Montrose, had interest enough to make their peace with the committee, and returned home. And Montrose being left in Athol with a thin backing, Leslie, with the advice of the committee, left Middleton with a part of the horse to attend to Montrose's motions, and he, with the main body, returned to England and joined the army, who were then besieging Newark-upon-Trent.

The parliament met at St. Andrews upon the 26th November, and ordering the rest of the prisoners taken at Philiphaugh to be brought before them, adjutant Stewart found means to make his escape; but the earl of Hartfield, lord Ogilvy, Sir Robert Spotiswood, Mr. William Murray brother to Tullibardine, colonel Nathaniel Gordon, and Mr. Andrew Guthrie, were tried and condemned.¹ The lord Ogilvy, by personating his sister, whom he had left in prison behind him, got off the night before he was to have been executed, and Hartfield, through Argyle's influence, obtained a pardon; but the other four were executed according to their sentence. And it was remarked, that of all the sufferers at this time, Nathaniel Gordon seemed the most penitent, and Spotiswood and Guthrie, both bishops' sons, the most obdurate.²

The public acts of this session, which did not break up till the fourth of February in the ensuing year, and therefore cannot be properly divided, were,—Act anent the training and arming of every fourth man able to bear arms; act finding the resettlers of deserters liable in L.100 Scots for each, and entrusting the officers of the several regiments with the power of prosecuting for such fines; act disposing of 4300 foot and six

troops of horse amongst the garrisons in Scotland, and 6000 foot, with 1600 horse more, for prosecuting the war in the field; act for publishing and printing a declaration of the commission of the church, inciting all ranks to a dutiful improvement of the present dispensations of judgment and mercy; act classing delinquents into three sorts—1st, those who were personally assisting to Montrose at Philiphaugh, or elsewhere—2dly, those who put out horse or foot, or furnished arms or ammunition for his assistance—and, 3dly, those who voluntarily, and without inevitable necessity, intercommuned with him, with a power to the parliament or their committee to fine them in proportion to the degree of their offence; act allowing the fining of apparent heirs, being delinquents, in any sum within eighteen months' rent of the estates they may succeed to; act lowering the duties on salt and coal; act discharging either officers or soldiers to exact money where they had free quarters; act assessing the counties in L.90,000 Scots, and the boroughs in L.18,000 Scots, monthly, for eight months, for maintaining the army employed in suppressing Montrose and the other rebels; act regulating the quartering of soldiers, and payment thereof; act authorising the commissioners named by parliament to force payment of fines, by warding, sequestrating, and roup and sale of the delinquents' lands and goods; act naming a committee of war in every shire, with the usual powers; act discharging the printing of any thing concerning religion or the church, without a special licence from the general assembly or their commission; act against keeping fairs on Monday or Saturday; act declaring that presbyteries have the sole power of settling parishes, where the patron hath either not sworn the covenants, or is excommunicate; act for founding a school in every parish, with a salary not below one nor exceeding two hundred merks a-year, besides the usual perquisites; act discharging lyke-wakes, under the penalty of twenty

¹ Baillie.

² Blair's Life.

pounds Scots for each transgression ; act discharging the printing or publishing of books of whatsoever discipline or science, and especially chronicles or libels, without warrant or allowance of his majesty's secretary ; act granting commission to certain persons to lead a proof of, and to ascertain the losses sustained through, the burnings and plunderings by Montrose's army ; act appointing a select committee for regulating the public debts and accounts, and bringing in of money and provisions for the maintenance of the army ; act appointing a select number of the estates, as a committee for managing the affairs of the kingdom during the vacation of the parliament, and allowing each nobleman three hundred merks, each baron two hundred merks, and each burghess thirty-three merks monthly while employed in the public service ; act ordering the quartering of officers and soldiers within burgh to be by the direction of the magistrates there ; and act for the speedy recruiting of our armies, both at home and in England. And then they adjourned to the first Tuesday of November to meet at Edinburgh.

Amongst the private acts of this session, these only seem now worthy of notice, viz. commissions to try the losses in the shire of Aberdeen, and in the earl of Tullibardine's ground ; and to Argyle, to raise a regiment of Highlanders, and to put them in the rebels' houses by way of garrison ; and acts of approbation in favour of general Baillie, and the lords Montgomery, Livingston, and Sinclair, of their conduct at Kilsyth.

CHAPTER VIII.

Containing the History of the General Assembly and Parliament ; the suppressing the King's interest, both in Scotland and England ; his flight to the Scots army at Newark ; the fruitless attempts used to reclaim him from his prejudices, and to get him to agree to a reasonable peace ; the dismissal of the Scots army, with their leaving the King in the hands of the English ; and other occurrences during the year 1646.

1646. THE defeat of the king's army at Naseby, and of Montrose's at

Philiphaugh, tended mutually to the depression of the royalists : For, had the king kept the field, the other's loss would have been little felt, or had success continued to crown Montrose's valour, this would have tended greatly to keep up the spirits of the king and his adherents ; but vengeance overtaking both so nearly about the same time, dispirited the whole, so that after this they could not find their bands.

But though power was taken from them, their old temper discovered itself wherever it could get out its head.¹ Accordingly Alexander Macdonald and his Irishmen retiring into Argyleshire, burnt the dwellings of the well-affected, and forced the inhabitants into corners. Hunger having at length forced them out, about twelve hundred of their males assembled in a body under Ardinglass, who brought them down into Monteith, to live upon the disaffected ; but Inchbrakie, with the Atholmen, fell upon them at Callander, and the Argylemen being poorly armed, were obliged to yield to their superior force. Several were slain in this onset, and more in the flight ; the rest fled towards Stirling. There Argyle met with them, and commiserating their deplorable circumstances, carried them over to Lennox, to live upon the lands of the lord Napier and others disaffected, till they were otherwise provided for ; and in the mean time, his lordship went over into Ireland, and brought home the remains of our army there ; and these landing in Argyleshire, Macdonald soon betook himself to the Isles, whence he retired back into Ireland, and thereby peace was restored in those parts.

While the Argylemen lay in Lennox, lord Napier, and the lairds of Macnab and Ballach, endeavoured to break through to it with a party, who, with their tenants, were supposed sufficient to expel the others ; but general Middleton getting notice of their design, prevented it. And so they finding themselves no match for him, fortified Kincardine, Montrose's principal house, intending to

¹ Baillie, and Guthrie.

nold it out till reinforced ; but Middleton being near Stirling castle, whence he took what cannon and ammunition he stood in need of, did very soon ferret them out of this lurking hole. The three leaders, with the help of a page, stole away under cloud of night, leaving their men and the place to Middleton's mercy, who burnt the house, shot twelve of the men who were found to be deserters, and sent the rest to the castle of Edinburgh.¹

While these things were acting, Montrose, now deserted by the Gordons and Macdonald, went northward to Seaforth, and with that lord's assistance, had drawn the earl of Sutherland, the lord Lovat, with the chief of the Grants, Macintoshes, Dunbars, Munros, Macleods, Mackenzies, Macronalds, Innesses, and the lairds of Balnagown and Brodie, into a band of association, to thwart the common cause, and levied troops, especially in Seaforth's country, with great success.¹

To defeat this measure, the committee of estates met at Edinburgh in March, and ordered Middleton to march into the north with his forces.² The commission of the church meeting at the same time, were very useful in unfolding the wickedness of this association. The committee of estates emitted a proclamation against it, but promising indemnity to all, except Seaforth, who should disclaim the bond ; and the commission a declaration. The first was published at the market-cross of Edinburgh, and the same, with the declaration, were sent to the several presbyteries throughout the kingdom, with orders to every minister to read them in their pulpits, and to exhort their people to behave suitable to them ; and the effect was to their wish. All the subscribers except Seaforth, who was left in the lurch with Montrose, did disclaim the bond, and several of them went a much greater length. Sutherland, in a letter to the committee of estates, acknowledged his rashness, and professed his penitence in very ample terms. Mackenzie of Tarbet, and the lairds of Innes and Brodie, came up in

¹ Guthrie.

² Baillie.

person, and offered to the commission to remove the scandal in the most public manner they should be pleased to prescribe.

That the thread of our Scottish affairs may be broken as little as possible, we postpone relating the king's throwing himself on our army in England, with the consequences thereof, which cannot be divided, until we have first brought forward the proceedings of the assembly.

The general assembly met at Edinburgh on Wednesday June 3d, as had been appointed by the preceding assembly, and made choice of Mr. Robert Blair, minister at St. Andrews, for their moderator.

The king sent no commissioner to represent him ; but the guise being now turned, his majesty, in a letter presented by Mr. Robert Douglas, one of the ministers of Edinburgh, excused himself for this neglect. He informs the assembly, that he had wrote to the two houses of parliament, our commissioners at London, and our committee of estates, expressing his great grief for the sad effects of the unhappy differences betwixt him and his subjects, and his desire to comply with the desires of his parliaments of both kingdoms, and those entrusted by them, for settling of truth and peace in all his dominions, assuring them likewise of his resolution to maintain religion amongst us as it is established ; and he recommends himself and the distracted condition of these kingdoms to their prayers.

To which letter the assembly made answer, that they received it with thankfulness ; that they had constantly laboured to approve themselves in all fidelity to their Lord and Master Jesus Christ, and in all loyalty to his majesty, and were resolved to walk still after the same rule in their several stations and vocations, continuing their prayers for him, that God might multiply all sorts of mercies upon his royal person and posterity, and more and more incline his heart to the speedy following the counsels of truth and peace, and grant unto his majesty a long and happy reign ;

and they ordered Mr. Robert Blair the moderator, Mr. Alexander Henderson, (which last had also been sent down from London to wait on the king), Mr. Robert Douglas, Mr. James Guthrie, Mr. Andrew Cant, and several others with the army, to wait on his majesty with this letter, who, say they, would present their desires more particularly than could at that time be expressed in a letter.

The first act remarkable, orders those guilty of antenuptial fornication to be censured in the same manner as unmarried persons, rightly judging that the man's after act of justice in marrying the woman, cannot atone for the former guilt.

In respect George earl of Seaforth was convicted by the committee of estates, of remonstrating against our national covenant and solemn league, of subscribing the foresaid bond of association, contrary to those solemn oaths which he had sworn; of seducing and threatening others to sign the same; of entering into another treacherous bond with Montrose, obliging himself by oath, in conjunction with that forfeited and excommunicated rebel, to oppose against all men the public resolutions of this church and kingdom, at length set forth in the proclamation before-mentioned: For these reasons, and for his actual joining with Montrose in besieging Inverness, after it had been garrisoned by the estates for the defence of that part of the country, and obstinately persisting in these measures, despising all the means which had been used to reclaim him, and refusing to answer to his summons to this assembly, they agreed, without so much as one contrary voice, summarily to lay him under the sentence of the greater excommunication, and passed an ordinance for that effect, which was done by the moderator in the new church the Sabbath following, and the sentence intimated by the ministers in all the other churches of the kingdom, so soon as copies of it could be sent to them.

In this first assembly, after so heavy judgments as the sword and pestilence,

so long inflicted, and the first still impending, (for happily the plague was ceased,) the ministers, as became their station, endeavoured to afflict their own souls, and to stir up one another to a more thorough discharge of their duty; and for that purpose, ordained the enormities after specified to be tried and restrained, and that the remedies thereof subjoined be seriously observed, practised, and recommended, especially to presbyteries and synods, that use be made of the same in the visitation of kirks and trial of presbyteries, viz.

“Enormities and Corruptions observed to be in the ministry, with the Remedies thereof.

“ENORMITIES.—The first and main sin, reaching both to our personal carriage and callings, we judge to be not studying how to keep communion and fellowship with God in Christ, but walking in a natural way, without employing of Christ, or drawing virtue from him to enable us unto sanctification, and preaching in the spirit and power.

“In our lives:—1. Much fruitless conversing in company, and complying with the sins of all sorts; not behaving ourselves as becomes men of God. 2. Great worldliness is to be found amongst us, minding and speaking most about things of this life, being busied about many things, but forgetting the main. 3. Several slighting God's worship in their families; and therefore no cordial urging of it upon others. 4. Want of gravity in carriage and apparel, dissoluteness in hair, and lightness in the apparel of their wives and children. 5. Tippling and bearing company untimeously in taverns and ale-houses, or elsewhere, whereby the ministry is made vile and contemptible. 6. Discouragement of the godly; speaking ill of them, because of some that are unanswerable to their profession. 7. The Sabbath not sanctified after sermon, which maketh people think that the Sabbath is ended with the sermon. 8. There are also to be found amongst us who use small and minced oaths. 9. Some so great stran-

gers to scripture, that except in their public ministry, though they read many things, yet they are little conversant in the scripture, and in meditation thereof: a duty incumbent on all the people of God.

“*In our callings* ;—1. Corrupt entry into the ministry in former times, and following the course of defection, though forsaken, yet never seriously repented of. Entering into the ministry, as to a way of living in the world, and not as to a spiritual calling. 2. Helping in and holding in of insufficient and suspected men, who favour too much the things of this life, and keeping the door straiter on them whom God hath sealed, than upon those who have less evidence of the power of grace and holiness. 3. Partiality in favouring, and speaking for the scandalous, whether ministers or other persons, and teaching them how to shift and delay censures. 4. Silence in the public cause; not labouring to cure the disaffection of the people, nor urging them to constancy and patience in bearing of public burdens, nor to forwardness in the public cause, whereby malignants are multiplied: yea, some are so gross herein, that even in public fasts, little or nothing is to be heard from them sounding this way. 5. Some account it a point of wisdom to speak ambiguously, or seem inclinable to justify the wicked cause, uttering words which savour of disaffection; and all their complaining of the times is in such a way as may steal the hearts of people from liking of good instruments in this work, and, consequently, from God's cause: yea, some reading public orders, are ready to speak against them in their private conference. 6. Idleness, either in seldom preaching, as once on the Lord's day, or in preparation for public duties, and not being accustomed to reading and meditation; others shew their diligence only in fits, and are not, like other tradesmen, continually at their work. 7. Want of zeal and love to the conversion of souls; not being weighed with the want of success in reclaiming of sinners, nor searching into

the cause of not profiting; preaching *ex officio*, not *ex conscientia officii*. 8. Self-seeking in preaching, and a venting of their wit and skill rather than shewing forth the wisdom and power of God. 9. Lifelessness in preaching; not studying to be furnished by Christ with power; and so the ordinances of God reach not the conscience: and thereto belongeth the not applying of the doctrine unto the auditory and times. 10. The indiscreet curing of the indiscretion of pious people and ministers, whereby godliness hath gotten a deep wound, and profanity hath lifted up the head, contrary to that wise and gracious order set forth in the general assembly holden at Edinburgh 1641. 11. Little care to furnish our army either abroad or at home with ministers; one of our grievous sins, and causes of our calamity. Lastly, It is to be feared, that ministers, in secret, are negligent to wrestle in prayer, for a blessing to be poured out upon their labours; and that they content themselves with their public performances.

“*REMEDIES*.—1. That presbyteries make great conscience to have all vacant places within their several bounds filled with godly and able men, wherever they be to be found; and that none, under pretence of being a helper or second to another, be taken in, but such as are able for the same charge. 2. Whereas it is known, that private trials in presbyteries are, for the most part, perfunctorious, the brethren are hereby exhorted to be more serious and faithful herein, as they will be answerable to Christ the chief shepherd; and, in a way previous thereto, that brethren be free in loving admonition one of another secretly, from time to time; and that whosoever keeps not the presbytery or synod, after grave admonitions, may come under further censures. 3. That accuracy be used as to visitation of kirks, and that the elders, one by one, the rest being removed, be called in and examined, upon oath, upon the minister's behaviour in his calling and conversation. 4. That course be taken to divide congregations in parts, and by the help, not only of

elders in their several parts, but of neighbours also, the evils and neglect of persons and families may be found out and remedied. 5. That every minister be humbled for his former failings, and make his peace with God, that the more effectually he may preach repentance, and may stand in the gap to turn away the Lord's wrath, running between the porch of the altar, sighing and crying for all the abominations of the land. 6. Special care should be had, that ministers have their conversation in heaven, mainly minding the things of God, and exercising faith for drawing life out of Jesus Christ the fountain of life, arming themselves thereby with power against the contagion and wickedness of the world. 7. Care should be had of godly conference in presbyteries, even in the time of their refreshment; and the moderator is to look to it, that good matter be furnished thereto. 8. It is also very necessary for every minister that would be fruitful in the work of the Lord, to bring home the word of God to his own heart and conscience, by prayer and meditation, both before and after the public ordinance. 9. Use should be made of the roll of the parish, not only for examination, but also for considering the several conditions and dispositions of the people, that accordingly they may be admonished, and particularly prayed for by the minister in secret. 10. It is very expedient that ministers have more communing among themselves, for their mutual stirring up, and strengthening of their hands in the Lord's work, and rectifying of those who are not incorrigible. 11. That ministers in all sorts of company labour to be fruitful, as the salt of the earth, seasoning them they meet with, not only forbearing to drink healths, (Satan's snare, leading to excess), but reproving it in others. 12. All ministers should be careful to cherish the smoking flax of weak beginnings in the ways of God, and ought courageously to oppose all mockers and railers of the godly. 13. As at all times, so especially now, when the Lord is calling us all to an account, it becomes the ministers of

Christ, with all diligence and faithfulness, to improve their ministry to the utmost; to be instant in season and out of season; yea, even frugally to employ their time in private, in reading of, and meditating on, Scripture, that the word of God may dwell plentifully in them. 14. That the providing the armies with ministers be preferred to any congregation, and those who are appointed to attend the same, and are deficient, be without delay severely censured, according to the act of the general assembly; and that all ministers, not only in public pray for our armies, especially those that are to encounter with the bloody enemy within land, but also continually bear them up before the Lord, that their lives being reformed, their hearts and hands may be strengthened, and their undertaking at last blessed of God with success. 15. That besides all other scandals, silence, or an ambiguous speaking in the public cause, much more detracting and disaffected speeches, be seasonably censured; and to this effect, all honest-hearted brethren should firmly unite themselves in the Lord, the younger honouring the elder, and the elder not despising the younger. And finally, Both for the corruption of the ministry, and remedies thereof, we refer the brethren to the act of the general assembly at Edinburgh 1596, revived in the late assembly at Glasgow 1638, to be found in the printed act concerning the same."

It having been overtured, that presbyteries mutually contiguous correspond with one another, as well personally as by writ; that where students are not able to sustain the charges of their attendance on the university, presbyteries assist them; that the professors of all the universities draw up an overture for the most profitable teaching of grammar and philosophy; that, to the end Christian knowledge may be more effectually spread through the Highlands and Islands, kirks and schools there be duly planted with men who can speak the Irish language, and that committees be appointed to visit them; and for keeping to the universities pure, and provoking to

greater diligence, that each professor bring, or send to the next assembly, a fair copy of his dictates; and that presbyteries and synods consider the interests of particular congregations, in the calling and admission of ministers, with all the questions which usually fall out upon these occasions, and report the same, with their opinions how such contests may be prevented in time coming. The assembly approved of all these, and recommended accordingly.

For the more effectual weakening of Montrose and his adherents, averting the wrath of God, and removing the public scandal occasioned by his insurrection, the assembly ordained, that such as, after lawful trial, were found to be in actual rebellion, to have borne charges with the rebels, to have raised horse or foot for them, to have seduced others to join in that rebellion, &c., acknowledge their offence upon their knees, first before the presbytery, and thereafter before the congregation; and, if contumacious, to be excommunicated. Further, the assembly ordained that those who had procured protection from the rebels, executed their orders, invited them to their houses, given them intelligence, drank Montrose's health, or the like, should acknowledge their offences publicly before the congregation, and be suspended from the sacrament till they did so; and that all persons in any ecclesiastical office, guilty in any degree of the above compliances, be suspended, and otherwise proceeded against, as the presbytery of the bounds or commission of the church should judge the degree of the offence required.

The more private deeds of this assembly were—An act approving the proceedings of the commission; an act conjoining the presbyteries in Orkney and Zetland to the provincial synod of Caithness; an act discharging expectants for the ministry to preach, till tried and found qualified according to the rules of the church; an act against loosing of ships and barks upon the Lord's day; an act that children be not sent out of the kingdom without a testimonial from the

presbytery where they live, and that their residence and manner of life while absent be duly certified,—occasioned by lord Winton's sending away the lord Semple; an act naming a committee of assembly to act in the interval of the assembly; an act renewing the commission for prosecuting the uniformity with England; letters to the parliament of England, the lord mayor and aldermen of London, and the assembly of divines at Westminster, in answer to letters from them, applauding their endeavours towards reformation, and recommending further uniformity; thanks to Mr. David Calderwood for his trouble in collecting the history of our church, and recommending the publication of the same, and for indemnifying him and his clerk for their trouble; letter to Mr. Alexander Henderson, minister; commission to the moderator, with Mr. Henderson, Mr. Robert Douglas, Mr. Andrew Cant, and Mr. James Guthrie, to attend the king at Newcastle; with a multitude of private acts, to be found in the index of this assembly. And then they adjourned to the first Wednesday of August 1647.

After the rising of the assembly, commissioners named by the committee of parliament and by them, waited, July 27th, upon the king, (who marched with the Scots army from Newark to Newcastle, where he continued about eight months)—the first with propositions of peace, and the last to support these; and endeavoured to remove the king's prejudices in favour of episcopacy and against the covenants.

The king held that episcopacy was of divine institution, and that his coronation oath bound him to support and defend the church of England as it was then established; and the others urged, that it was but of late that episcopals pretended to a divine institution, and that his majesty had exonerated himself of his coronation oath, by defending episcopacy, not only to his power, but beyond it, he being now deprived of all power. But that we may set this affair in a clear light, the king, assisted by Sir

Robert Murray, on the one part, and Mr. Henderson on the other, did maintain this controversy in a series of letters, which were mutually exchanged as the parties were in readiness.

The king, in his first paper of May 29th, declares his esteem for the English reformation; because it was effected without tumult, and was directed by those who ought to have the conduct of such an affair.¹ He apprehends, they kept close to apostolical appointment and the universal custom of the primitive church; that, therefore, the adhering to episcopacy must be of the last importance, as without it the priesthood must sink, and the sacraments be administered without effect. For these reasons he conceives episcopacy necessary for the very being of a church; and also that he is bound to support it by his coronation oath. Lastly, his majesty desires to know of Mr. Henderson, what warrant there is in the word of God for subjects to endeavour to force their king's conscience, or to make him alter laws against his will.

Mr. Henderson, in his first paper of June 3d, after an introduction of modesty and respect, wishes, when occasion requires, that religion might always be reformed by the civil magistrate, and not left either to the prelates or the people; but when princes or magistrates are negligent of their duty, God may stir up the subjects to perform this work. He observes, that the reformation of king Henry VIII. was defective of the essentials of doctrine, worship, and government; that it proceeded from Laodicean lukewarmness; that the supremacy was transferred from one wrong head to another, and the limbs of the antichristian hierarchy were visible in the body. He adds, that the imperfection of the English reformation had been the complaint of many religious and godly persons; that it occasioned more schism and separation than had been heard of elsewhere, and been matter of unspeakable grief to other churches. As to the king's arguments, that the validity of

¹ Neal.

the priesthood, and the efficacy of the sacraments, depended upon episcopacy, he replies,—That episcopacy cannot make out its claim to apostolical appointment; that when the apostles were living, there was no difference between a bishop and a presbyter, no inequality in power and degree, but an exact parity in every branch of their character; that there is no mention in Scripture of a pastor or bishop, superior to other pastors. There is a beautiful subordination of ministers in the ministry of the New Testament—one kind of ministers being placed in degree and dignity above another, as, first, apostles, then evangelists, then pastors and teachers; but in offices of the same rank and kind we do not find any preference—no apostle is constituted superior to other apostles—no evangelist is raised above other evangelists, nor had any pastor or deacon a superiority above others of their order.

Further, Mr. Henderson humbly desires his majesty to take notice, that arguing from the practice of the primitive church, and the consent of the fathers, is fallacious and uncertain; and that the law and testimony of the word of God is the only rule. The practice of the primitive church, in many things, cannot certainly be known, as Eusebius confesses; that, even in the apostles' time, Diotrophes moved for the pre-eminence, and the mystery of iniquity began to work, and that afterwards ambition and weakness quickly made way for a change in church government.

Mr. Henderson hopes his majesty will not deny the lawfulness of the ministry, and due administration of the sacraments, in those reformed churches where there are no diocesan bishops: That it is evident from scripture, and confessed by many champions for episcopacy, that presbyters may ordain presbyters; and to disengage his majesty from his coronation oath, so far as relative to the church, he conceives, when the formal reason of an oath ceases, the obligation is discharged; when an oath has a special regard to the benefit of those to whom the engagement is made, if the

parties interested relax upon the point, dispense with the promise, and give up their advantages, the obligation is at an end. Thus, when the parliaments of both kingdoms have agreed to the repealing of a law, the king's conscience is not tied against signing the bill, for then the altering any law would be impracticable. He concludes with observing that king James never admitted episcopacy upon divine right; and that, could his ghost now speak, he would not advise your majesty to run such hazards for men (prelates) who would pull down your throne with their own, rather than that they perish alone.

The king, in his second paper of June 6th, avers, that no reformation is lawful, unless under the conduct of the royal authority; that king Henry the eighth's reformation being imperfect, is no proof of defects in that of king Edward VI. and queen Elizabeth; that Mr. Henderson can never prove, that "God has given the multitude leave to reform the negligence of princes;" that his comparing our reformation to the Laodicean lukewarmness was an unhandsome way of begging the question, for he should first have made out, that those men (the puritans) had reason to complain, and that the schism was chargeable upon the conformists. His majesty is so far from allowing the presbyterian government to be practised in the primitive times, that he affirms it was never set up before Calvin; and admits, that it was his province to shew the lawfulness and uninterrupted succession, and, by consequence, the necessity of episcopacy; but that he had not then the convenience of books, nor the assistance of such learned men as he could trust, and therefore proposes a conference with his divines. And whereas Mr. Henderson excepts to his reasoning from the primitive church and consent of the fathers, his majesty conceives his exception indefensible; for, if the sense of a doubtful place of scripture is not to be governed by such an authority, the interpretation of the inspired writings must be left to the discretion of every private spirit, which is

contrary to St. Peter's doctrine, 2 Pet. i. 20, "No prophecy of scripture is of private interpretation." It is likewise the source of all sects, and, without prevention, will bring these kingdoms to confusion. His majesty adds, that it is Mr. Henderson's part to prove, that presbyters, without a bishop, may ordain other presbyters. As to the administration of the sacraments, Mr. Henderson himself will not deny a lawfully ordained presbyter's being necessary to that office, so that the determination of the latter question will depend, in some measure, on the former. With regard to oaths, his majesty allows Mr. Henderson's general rule, but thinks he is mistaken in the application; for the clause touching religion, in the coronation oath, was made only for the benefit of the church of England; that therefore it is not in the power of both houses of parliament to discharge the obligation of this oath, without their consent; that "this church never made any submission to the two houses, nor owned herself subordinate to them; that the reformation was managed by the king and clergy, and the parliament only assisted in giving a civil sanction to the ecclesiastical establishment." These points being clear to his majesty, it follows, by necessary consequence, that it is only the church of England, in whose favour he took this oath, that can release him from it; and that therefore, when the church of England, lawfully assembled, shall declare his majesty discharged, he shall then, and not till then, reckon himself at liberty.

Mr. Henderson, in his reply to his second paper of June 17th, agrees with the king, that the prime reforming power is in kings and princes; but adds, in case they fail of their duty, this authority devolves upon the inferior magistrates, and, upon their failure, to the body of the people, upon supposition that a reformation is necessary, and that the people's superiors will by no means give way to it. He allows, that such a reformation is more imperfect, with respect to the manner, but commonly more perfect and

refined in the product and issue. He adds, that the government of the church of England is not supposed to be built on the foundation of Christ and his apostles, by those who confess that church government is mutable and ambulatory, as was formerly the opinion of most of the English bishops; that divine right was not pleaded, till of late by some few; that the English reformation has not perfectly purged out the Roman leaven, but rather depraved the discipline of the church, by conforming to the civil polity, and adding many supplemental officers to those instituted by the Son of God. To his majesty's objection, that the presbyterian government was never practised before Calvin's time, he answers, that it is to be found in scripture; and the assembly of divines at Westminster had made it evident, that the primitive church at Jerusalem was governed by a presbytery; that the church at Jerusalem consisted of more congregations than one; that all these congregations were combined under one presbyterial government, and made but one church; that this church was governed by elders of the same body, and met together for functions of authority; and that the apostles acted not in quality of apostles, but only as elders, Acts xv.; that the same government was settled in the churches of Ephesus, Corinth, and Thessalonica, and continued many years after; and at last, when one of the presbytery presided over the rest with the style of bishop, even then, as St. Jerome says, churches were governed with the joint consent of the presbytery; and it was custom, rather than divine appointment, that raised a bishop above a presbyter. To his majesty's argument, that where the meaning of scripture is doubtful we must have recourse to the fathers, Mr. Henderson replies, that notwithstanding the decrees of councils and the resolutions of the fathers, a liberty must be left for a judgment of discretion, as has been sufficiently shown by bishop Davenant and others. To prove presbyters may ordain other presbyters, without a bishop, he cites St. Paul's advice

to Timothy, 1 Tim. iv. 14, not to neglect the gift that was given him by the "laying on of the hands of the presbytery." But, granting bishops and presbyters to be distinct functions, it will not follow, that the authority and force of the presbyter's character was derived from the bishop; for though the evangelists, and seventy disciples, were inferior to the apostles, they received not their commissions from the apostles, but from Christ himself.

Concerning the king's coronation oath, Mr. Henderson apprehends nothing need to be added. As to the supremacy, he thinks such an headship as the kings of England claim, or such an one as the two houses of parliament now insist on, that is, an authority to receive appeals from the supreme ecclesiastical judicature, in things purely spiritual, is not to be justified; nor does he apprehend the consent of the clergy to be absolutely necessary to church reformation; for, if so, what reformation can be expected in France, in Spain, or in Rome itself? It is not to be imagined, that the pope or prelates will consent to their own ruin. His majesty has said, that if his father, king James, had been consulted upon the question of resistance, he would have answered, that prayers and tears are the church's weapons; to which Mr. Henderson replies, "That he could never hear a good reason to prove a necessary defensive war, a war against unjust violence, unlawful;" and that bishops Jewel and Bilson were of this mind. To the question, What warrant there was in scripture to force the king's conscience? he replies, that when a man's conscience is mistaken, it lies under a necessity of doing amiss; the way therefore to disentangle himself, is to get his conscience better informed, and not to move till he has struck a light, and made further discoveries.

The king, in his answer, June 22d, to Mr. Henderson's paper, still insists, that "Inferior magistrates and people have no authority to reform religion." If this point can be proved by scripture, his majesty is ready to submit; but the

sacred history, in the book of Numbers, chap. xvi., is an evidence of God's disapproving such methods. Private men's opinions, disjoined from the general consent of the church, signify little; "for rebels," says his majesty, "never want writers to maintain their revolt." Though his majesty has a regard for bishop Jewel's and Bilson's memories, he never thought them infallible. As for episcopal government, he is ready to prove it an "apostolical institution, and that it had been handed down, through all ages and countries, till Calvin's time," as soon as he is furnished with books, or such divines as he shall make choice of. He does not think Mr. Henderson's arguments, to prove the church of England not built on the foundation of Christ and his apostles, are valid; nor will he admit, that most of the prelates, about the time of the reformation, did not insist upon this divine right. The king adds, "Mr. Henderson would do well to shew, where our Saviour has prohibited the addition of more church officers than there named by him;" and yet the church of England has not so much as offered at this, for an archbishop is not a new officer, but only a distinction in the order of government, like the moderator of assemblies in Scotland. His majesty denies that bishops and presbyters always import the same thing in scripture, and when they do, it only respects the apostles' times; for it may be proved, that the order of the bishops succeeded that of the apostles, and that the title was altered in regard to those who were immediately chosen by our Saviour. As for the several congregations in Jerusalem, united in one church, his majesty replies, that are there not many parishes in one diocese, and do not the deans and chapters, and sometimes the inferior clergy, assist the bishop? so that, unless some positive and direct proof can be brought of an equality between the apostles and other presbyters, all arguments are with him inconclusive. The king confesses, that in case he cannot prove from antiquity, that "ordination and jurisdiction are peculiar branches

of authority belonging to bishops," he shall begin to suspect the truth of his principles. As for bishop Davenant's testimony, he refuses to be governed by that; nor will he admit of Mr. Henderson's exception against the fathers, till he can find out a better rule of interpreting scripture. And whereas Mr. Henderson urged the precedent of foreign reformed churches in favour of presbytery, his majesty does not undertake to censure them, but supposes necessity may excuse many things, which would otherwise be unlawful. The church of England, in his majesty's judgment, has this advantage, that it comes nearest the primitive doctrine and discipline; and that Mr. Henderson had failed in proving presbyters may ordain without a bishop, for it is evident St. Paul had a share in Timothy's ordination, 2 Tim. i. 6. As to the obligation of the coronation oath, the king is still of opinion, none but the representative body of the clergy can absolve him: And as for the impracticableness of reformation, upon the king's principles, he cannot answer for that; but thinks it sufficient to let him know, that "*Incommodum non solvit argumentum.*" His majesty then declares, that as it is a great sin for a prince to oppress the church; so, on the other hand, "he holds it absolutely unlawful for subjects to make war, (though defensively), against their lawful sovereign, upon any pretext whatsoever."

Mr. Henderson, in his third paper, July 2, considers chiefly, the rules his majesty has laid down for determining the controversy of the church government, which are, the practice of the primitive church, and the universal consent of the fathers; and affirms, there is no such primitive testimony, no such universal consent, in favour of modern episcopacy, the fathers very often contradicting one another, or at least, not agreeing in their testimony. But to shew the uncertainty of his majesty's rule for determining controversies of faith, Mr. Henderson observes:

1st. That some critics join "the word of God and antiquity together; others

make scripture the only rule, and antiquity the authentic interpreter." Now he thinks the latter a greater mistake than the former; for the papists bring tradition no farther than to an equality of regard with the inspired writings; but the others make antiquity the very ground of their belief of the sense of scripture, and by that means exalt it above the scripture; for the interpretation of the fathers is made the very formal reason why I believe the scriptures interpretable in such a sense: and thus, contrary to the apostle's doctrine, "Our faith must stand in the wisdom of man, and not in the power of God."

2dly, He observes, that scripture can only be authentically interpreted by scripture itself. Thus the Levites had recourse only to one part of scripture for interpreting another, Neh. viii. 8. So, likewise, our Saviour interprets the Old Testament, by comparing scripture with scripture, and not having recourse to the rabbies. This was likewise the apostles' method: besides, when persons insist so much upon the necessity of the fathers, they are in danger of charging the scripture with absurdity or imperfection.

3dly, The fathers themselves say, that scripture is not to be interpreted but by scripture.

4thly, Many errors have passed under the shelter of antiquity and tradition. Mr. Henderson cites a great many examples under this head.

And lastly, He insists, that the universal consent and practice of primitive churches is impossible to be known; that many of the fathers were no authors; that many of their tracts are lost; that many performances which go under their names are spurious; and that, therefore, they are an uncertain rule.

The king, in his paper of July 3d and 16th, says, no man can reverence scripture more than himself; but when Mr. Henderson and he differ about the interpretation of a text, there must be some judge or umpire, otherwise the dispute can never be ended; and, when there are no parallel texts, the surest guide must be the fathers. In answer to Mr.

Henderson's particulars, his majesty answers,—that if some people overvalue tradition, that can be no argument against the serviceableness of it; but to charge the primitive church with error, and to call the customs and practices of it unlawful, unless the charge can be supported from scripture, is an unpardonable presumption. Those that object to the ancient rites and usages of the church, must prove them unlawful; otherwise the practice of the church is sufficient to warrant them. His majesty denies it is impossible to discover the universal consent, and understand the practice of the primitive church; and concludes with this maxim, that though he never esteemed any authority equal to the scriptures, yet he believes the unanimous consent of the fathers, and the universal practice of the primitive church, the best and most authentic interpreters, and, by consequence, the best qualified judges between himself and Mr. Henderson.

Nevertheless, the king continued deaf to all their entreaties, and untouched by all their arguments; though, says a late writer,¹ Mr. Henderson's arguments were texts of scripture, proving, unanswerably, the identity betwixt bishop and presbyter; but the king's arguments were authorities from the fathers, who were fallible men, nay, in many instances, grossly erroneous: so that, if the king's arguments were stronger than Mr. Henderson's, the king must have triumphed over the word of God. And, how far the king's principles were consistent with the English constitution, is left with the reader; but I cannot omit concluding this narrative with the observation of a judicious writer:² "It is very surprising," says he, "that his majesty should be so much entangled with that part of his coronation oath which relates to the church, when, for fifteen years together, he broke through all the bounds of it, with relation to the civil liberties of his subjects, without the least remorse."

During this controversy, Mr. Henderson's constitution being worn out, he

¹ Mr. Logan.

² Neal.

was obliged to break off an answer to the king's last paper, and return to his own country, where he died the 12th of August, soon after his arrival; and this happening so suddenly, the occasion of his death has been variously interpreted, as parties stood affected: Those on the king's side alleging,¹ that he died of remorse, for having been the unhappy instrument of bringing so much trouble on the king; and the other,² that he died of grief, because he could not persuade the king to sign the parliament's propositions; that he foresaw the great mischief that would follow on his majesty's refusal, and it touched him so much, that he could not be a happy instrument in preventing them; and others, as bishop Kennet and Mr. Eachard, have even adventured to publish a declaration, as if Mr. Henderson had acknowledged, upon his death-bed, to the English parliament and assembly of divines, the justice of this charge against him.

This calumny, believed to be forged by one of the Scotch episcopal writers who had fled to London, did bear so hard upon a character universally esteemed, that the first assembly which met after the publication of the foresaid declaration, emitted a counter-declaration of the falsehood and forgery of it in the following words: "The general assembly of this kirk having seen a printed paper, entitled, The Declaration of Mr. Alexander Henderson, principal minister of the word of God at Edinburgh, and chief commissioner from the kirk of Scotland to the parliament and synod of England, made on his death-bed; and taking into their serious consideration, how many gross lies and impudent calumnies are therein contained, out of the tender respect they bear to his name, (which ought to be very precious to them and all posterity), for his faithful service in the great work of reformation in these kingdoms, (wherein the Lord was pleased to make him eminently instrumental); and lest, through the malice of some and ignorance of others, the said pamphlet should gain belief among the

¹ Burnet.² Whitlock.

weaker sort, they have thought fit to make known and declare, concerning the same, as followeth: That after due search and trial, they do find, that their worthy brother, Mr. Alexander Henderson, did, from the time of his coming from London to Newcastle, till the last moment of his departure out of this life, upon all occasions, manifest the constancy of his judgment touching the work of reformation in these kingdoms; namely, in all his discourses and conferences with his majesty, and with his brethren who were employed with him in the same trust at Newcastle, in his letters to the commissioners at London, and, particularly, in his last discourse with his majesty when departing from him at Newcastle, being very weak, and greatly decayed in his natural strength; when he came from Newcastle by sea to this kingdom, he was in such a weak, worn, and failed condition, that it was evident to all that saw him, that he was not able to frame any such declaration; for he was so spent, that he died within eight days after his arrival: And all that he was able to speak in that time, did clearly shew his judgment of, and affection to, the work of reformation and cause of God, to be every way the same then that it was in the beginning and progress thereof, as divers reverend brethren, who visited him, declared to this assembly; particularly two brethren who constantly attended him from the time he came home till his breath expired. A further testimony may be brought from a short confession of faith under his hand, found among his papers, which are expressed as his last words; wherein, among other mercies, he declareth himself most of all obliged to the grace and goodness of God, for calling him to believe the promises of the gospel, and for exalting him to be a preacher of them to others, and to be a willing though weak instrument in this great and wonderful work of reformation, which he earnestly beseeches the Lord to bring to a happy conclusion. Other reasons may be added, from the levity of the style, and manifest absurdities contained in

that paper; upon consideration of all which, this assembly do condemn the said pamphlet, as forged, scandalous, and false. And further, declares the author and contriver of the same to be void of charity and good conscience, and a gross liar and calumniator, led by the spirit of the accuser of the brethren." Thus far the assembly.

And after this full declaration against it, and the judgment of the assembly upon the anonymous author, not one member, whether minister or ruling-elder, making any opposition to it, or offering to enter a dissent; and all this done in the city of Edinburgh, where Mr. Henderson died, and where it is alleged he should have on his death-bed repented of the great injuries he did to king Charles I., must give full satisfaction to the world, that the whole of it is an arrant forgery.

While the king was at Oxford, before he went to the Scots army, he had authorised Ormond, Glamorgan, and the lord Digby, to conclude a peace with the Irish papists, which was proclaimed at Dublin upon the 30th of July, to the great grief of all protestants.

At the time the Scots were treating with their king, the parliament of England sent their commissioners with propositions for an accommodation between his majesty and them; the particulars whereof may be learned from their own histories.

Lord Leven, at the head of one hundred officers, presented a petition upon their knees, beseeching his majesty to give them satisfaction in the point of religion, and to take the covenant; and lord Loudon, chancellor, is said to have delivered himself in this plain manner: "The differences between your majesty and your parliament are grown to such an height, that after many bloody battles, they have your majesty, with all your garrisons and strongholds, in their hands, and the whole kingdom at their disposal; they are now in a capacity to do what they will in church and state, and some are so afraid, and others so unwilling, to submit to your majesty's

government, that they desire not you, nor any of your race, to reign any longer over them; but they are unwilling to proceed to extremities, till they know your majesty's last resolution. Now, sir, if your majesty shall refuse to assent to the propositions, you will lose all your friends in the houses and in the city, and all England will join against you as one man: they will depose you, and set up another government; they will charge us to deliver your majesty to them, and remove our armies out of England; and upon your refusal, we shall be constrained to settle religion and peace without you, which will ruin your majesty and your posterity. We own the propositions are higher in some things than we approve of; but the only way to establish your majesty's throne, is to consent to them at present; and your majesty may recover in a time of peace all that you have lost in this time of tempest and trouble." And others, his best friends, prayed his majesty to consider his present circumstances, and not to hazard his crown for a form of church government; or, if he had no regard to himself, to consider his royal posterity. But the king returned a negative answer; and desiring to come to London to treat personally with both houses, their parliament, upon the 24th of September, voted, that the king's person should be disposed of as both houses should think fit.

This was so much resented by the Scots commissioners at London, that they published a paper, directed to both houses of parliament, in which they prove, that the kingdom of Scotland hath as much interest in the person of the king as the kingdom of England; from the common good of both kingdoms—the conjunction and parity of interests—the declaration of both houses—former precedents—the treaty between the kingdoms—the solemn league and covenant—the law of nations—and rules of common equity; and desireth, that there may be a conjunction of the councils and resolutions of both kingdoms, in disposing of the royal person who is

king of both ; and that all lawful means may be used, which may preserve his majesty's person, honour, and happiness, according to the covenant and monarchical government—according to the fundamental laws of both kingdoms ; and, having answered the contrary objections, they propose, that his majesty may come to London, or to some of his houses near London, with honour, freedom, and safety, that he may be heard ; and that, upon clearing of his doubts, he may give a satisfactory answer to the propositions ; but if that cannot be granted, that once again commissioners may be sent to his majesty, in name of both kingdoms, with power to hear his majesty's desires, and to endeavour satisfaction of his doubts and scruples.

Upon the 1st of October, there was a conference between the commissioners from the parliament of Scotland and a committee of both houses, concerning the disposal of the king's person. At their several meetings, the chancellor of Scotland had three speeches. In the first he desires, that whatsoever was resolved upon concerning the king's majesty, it may be done with joint consent and advice of both kingdoms ; and that the unity between the kingdoms may be inviolably preserved, as that wherein (next to God's protection) the chief strength of both lieth ; for preserving of which, saith he, the solemn league and covenant is the strongest bond under heaven, between God and man, between man and man, and between nation and nation ; in which, saith he, our unity is founded upon verity in a threefold relation—to God, to the king, and among ourselves. The first is the greatest, and unites us to God himself ; let us first hold our unity in religion, and beware of toleration of all religions, which is the ready way to have none. The next ground of our unity is with the king, to whom we are bound, in the strictest bond of loyal subjection, by our allegiance and covenant, as to one head and monarch ; and therefore, the faithful endeavours of both kingdoms should, without wearying, be constantly contributed, that we

may be united to him by a happy and just peace ; for, if it should please God so to incline the king's heart, and divert the wisdom of the parliament, as that the king and we could make an happy agreement, no power or policy can be able to divide us. The third ground of our unity is the conjunction of our two kingdoms ; which has been acknowledged to be so necessary and useful to both, that they have often declared, that they would stand and fall, (like Hippocrates' twins), live and die together ; and therefore, saith he, as we regard our solemn league and covenant with God, and tender the standing and safety of the kingdoms, let us, with one heart and head, join our councils and actions, that whatsoever we resolve upon for our common peace and security, in relation to the king, and each kingdom to the other, that it be done in zeal to religion, in loyalty to the king, and with unanimity among ourselves. Finally, he demonstrates that the king's person doth belong to both kingdoms ; and concludes, hoping that, after Scotland had suffered the heat of the day and winter's cold ; have forsaken their own peace, for love to their brethren ; have set their own house on fire, to quench theirs ; and, after so much expense of their blood, in all the three kingdoms ; having gone along in all the hardships of the war, and the king having cast himself in the hands of the Scots army, and seeing, by the blessing of God, they are come to a harbour of peace ; he cannot expect that the parliament of England will think it agreeable to conscience, honour, or justice, to dispose of the person of the king as they think fit, without the joint consent of both kingdoms.

In his second speech, October 6th, he expressed, as the mind of the kingdom of Scotland, and the king's own desire, that the king may come to London, or to any of his houses thereabouts, upon security that he shall be there with honour, freedom, and safety, as the best expedient to procure a happy agreement between his majesty and his par-

liament; which he urges by many weighty arguments.

In his third speech, October 10th, he moved, that if the parliament will not admit of the king's coming to London, that commissioners may be sent, once more, from both kingdoms to his majesty, to shew the meaning of their propositions, and to hear the king's doubts and difficulties, and to labour to remove them; and he closed with a desire, as he begun, for unity, in relation to religion, the king, and among ourselves. For the first, of religion, if we do, saith he, remember our vows to God, to perform them, and shall endeavour really, constantly, and sincerely, the reformation of religion, and uniformity according to our covenant, we may certainly expect, that God may crown this great work, wherein he hath honoured us to be actors, with his blessing; but if, in place of uniformity, which we are obliged to endeavour, there shall be a toleration of all sorts and sects of religion; and if we neglect to build the house of God, although we could mount up with eagles' wings, and build our nests as high as the stars, and had an army, who for valour and strength could march to Constantinople, God shall lay our glory low in the dust; and suffer the work to fall in our hands, like the confusion of Babylon. And whatever hath been said of us concerning the king, we desire it may be rightly construed, as proceeding from such as have not wavered from their first principles; for when the king was in the height of his power, we did not flatter him; and now when the king is at his lowest ebb, and hath cast himself into our army for safety, we hope your lordships will pardon us, from our sense of honour and duty, to be very tender of the person and posterity of the king, to whom we have so many near relations; and not account the worse of us, that we cannot so far forget our allegiance and duty, as not to have an antipathy against the change of monarchical government, in which we have lived through the descent of so many kings, have been governed so many ages, and

flourished in all happiness. And he concludes with an earnest desire, that the union betwixt the nations may be preserved.

Likewise, the marquis of Argyle had a speech to both houses of parliament; wherein he very earnestly urged the promoting of the work of reformation, according to the covenant, avoiding the work of settling lawless liberty on the one hand, and of prosecuting piety on the other. 2. That all endeavours be used to keep the peace of the kingdoms. 3. That the king's majesty may be reformed, not ruined; and that monarchy may be regulated, not destroyed.

Because some of the English historians, and Dr. Gilbert Burnet, in his *Memoirs of the Dukes of Hamilton*, do reflect upon the parliament and army of Scotland for their carriage at this time, in reference to the king at Newcastle, we are obliged to do our nation so much justice as to let them speak in their own words, (in a treatise published by the committee of estates 1649, in answer to Montrose's declaration.)¹ There say they, Sir Thomas Fairfax, having defeated the king's forces in the field, suddenly resolves to block up Oxford, where the king was in person, thinking that the shortest way to put an end to their troubles; wherewith his majesty being surprised, privately escapes, with two or three, from Oxford. Uncertain whither to go, first he came towards London, as far as Harrow-on-the-hill, which is about ten miles from it; and being privately advertised, that he could not be in London with safety, he directed his course towards the sea; and that likewise failing, he came into the Scots army, without acquainting those that had the charge and trust of the army. Where was there either time or place for a treaty here? And what were those assurances that were given? His majesty was often told, while he was at Newcastle, that he came to them without any invitation, assurance, or engagement, on their part; and no doubt, if there had been any the least assurance given, it had been long since made known to the

¹ Crawford.

world. But it was so far in the contrary, (as may appear from the letter of the committee of Scotland residing with their army in England, to the committee of both houses of parliament, written upon the 5th of May 1646, being the very day that his majesty came into their quarters), that they were filled with amazement at his coming. In which letter they do further profess, that they cannot think his majesty could have been so unadvised, in his resolution to have cast himself upon that army, without a real intention to give full satisfaction to both kingdoms, in all their just and reasonable demands; and, whatsoever should be his disposition or resolution, that the parliament of England might be assured that they never did entertain any thought, or correspond with any purpose, or countenance any endeavours, in any circumstance, that may encroach upon the solemn league and covenant, or weaken the union or confidence betwixt the two nations. They did likewise declare the same to his majesty, and earnestly entreat that he would give speedy satisfaction to his parliaments of both kingdoms; and clearly represented unto him, that if he should not grant their just desires, they would be constrained to take such a course as, by the mutual advice and resolution of both kingdoms, they might be saved from a breach, and the dangerous consequences thereof. The lord-general the earl of Leven, and the officers and soldiers of the army, did also join in a declaration to make known their constant resolution to adhere to the whole heads and articles of the covenant; and that his majesty's presence had not begotten any alteration in their minds, in the least measure to estrange them from the ways of the covenant.

His majesty, having reposed himself with the army at Newcastle some few days, resolved to write to both houses of the parliament of England, which accordingly he did upon the 18th and 19th of May; wherein he declares, "That he came to the Scottish army, with a full and absolute resolution to give all just satisfaction to the joint

desires of both kingdoms; and with no thought either to continue this unnatural war with his parliaments, and those intrusted by them, but to concur with them in every thing for settling of truth and peace; that he had received some papers from their commissioners; and that he would study totally to apply himself to the desires and councils of his parliaments; that he had given orders for recalling all commissions issued forth, by his authority, against his subjects; and for disbanding all his forces; and ordered a proclamation, together with his letter, to be published to all his subjects, that it might appear that it was his voluntary and cordial resolution, and real intention, to join with his parliament in settling religion in purity, after the advice of both kingdoms."

Upon these terms the Scots army did receive him; and would have cheerfully ventured their lives, and all that was dearest unto them, for preservation of his majesty's person, honour, and happiness, against all opposition whatever. But how far his majesty was from following the advice of his parliaments of both kingdoms was too, too manifest, when he refused to grant the propositions of both, presented to him at Newcastle in the month of July, by their commissioners, or to give a satisfactory answer to any one of them, notwithstanding many of the chief of the nobility of his kingdom, and his privy council did beg his assent upon their knees, and with tears in their eyes, represent the sad consequences of his refusal.

While these things were doing, the sectarian party, who never liked any agreement of peace which might carry along with it the presbyterian interest, fearing that the king should at length be induced to give satisfaction to the joint desires of both kingdoms, in the propositions of peace, by all means studied and endeavoured to remove all of the Scots army out of England; for which end, they were very busy by their emissaries and agents, among the members of parliament, and in the city and committee. In the house of commons their

party was not great, but most of the members, being very desirous to be eased of the great burden continued on the kingdom, now after the war was at an end, and not perceiving the design of the sectaries, did, upon the 19th of May, (within a fortnight after the king came to the Scots army), join in a vote to declare, that the kingdom of England had no further use for the continuing of the Scots army in that kingdom; and that, upon adjusting of their accounts, they shall be satisfied what shall be due to them, according to the treaty. Whereupon all supplies for entertainment of the army were withdrawn, though earnestly solicited by the commissioners of this kingdom; and for want thereof the army was necessitated to take free quarters from the country people; also, secret directions were given to the parliament's forces, who lay near to the Scots army, to straiten their quarters, which was done accordingly; whereupon they were necessitated to quarter in the four most northern counties, and a small part of Yorkshire, (the most barren parts of the kingdom), which made the burdens of these parts grow insupportable; thence arose clamours, and complaints of intolerable oppression; and these were represented in a multiplying glass, with large additions and aggravations, to the houses of parliament, so as it was made the common discourse, that the Scots came in for their assistance, and were like to stay for their ruin; and if they continued any longer in the kingdom, the northern parts would be utterly wasted, and many families perish. Further, by the industry of the sectaries, libels and railing pamphlets were published, and informations spread against the Scots as covenant breakers, apostates from the cause, and compliers with the malignant party; the better to prepare the minds of the people for removing our army by force, if it would not willingly. But the kingdom of Scotland, being desirous to apply themselves to such fair and just ways as tended to an amicable parting, and to the preventing of misunderstanding between the kingdoms,

did, in the beginning of August, give power to their commissioners at London to settle all differences concerning the pay of the Scots army; and the houses of parliament having offered to pay presently L.200,000 sterling, before the removal of our army, and the other L.200,000 thereafter, the commissioners of this kingdom did, upon the 2d of September, declare themselves satisfied with, and passed from their former claim, extending to near L.1,000,000, that it might appear to all the world that the love of money was neither the cause of their coming into or abode in England. There remained no matter of difference between the nations, save only the disposal of the king's person. His majesty having refused to grant the propositions of peace upon the 18th of September, the house of commons did vote, that the person of the king shall be disposed of as both houses of parliament shall think fit; whereunto the house of lords gave their concurrence upon September 24; and a grand committee of both houses was appointed to confer, consult, and debate with the commissioners of this kingdom, concerning the disposal of the person of the king. But, before the houses would give their consent to begin this conference, they declared, that whatever consultation or debate should be with the commissioners of Scotland, concerning the disposal of the person of the king, shall not be understood to be any capitulation or treaty between the kingdoms, in relation to the retarding the Scots army and forces their marching out of England: to which our commissioners were necessitated to agree; or, otherwise, to have no conference at all. In the conference there were many and long debates for several days; the houses of parliament claiming the sole right and power in the disposal of the person of the king in England; and our commissioners asserting, that both kingdoms had an interest in the disposal of his person, whether he were in England or Scotland, he being the king of both; but, at length, the conference broke

up, without any agreement. Then the houses did again begin to press the removal of the Scots army out of England; and most of Sir Thomas Fairfax's army marched northwards. Complaints were received from the north, concerning their heavy pressures; and it was suggested by the sectaries, to divers members of the house of commons, that the Scots were resolved to espouse the malignant quarrel, and intended no less than the conquest of England: which was too readily believed by many, even of those who were promoters of presbyterial government; so much the rather, that satisfaction being offered in the month of August, by the houses, touching the pay of the army, and the total sum agreed unto by the kingdom of Scotland, on the 2d of September, their army did, notwithstanding, still continue in the kingdom of England for the space of five months, from the beginning of September until February.

The king's majesty, having staid for a long time in the Scots army;—though at first when he came in to them, in the month of May, he seemed inclinable to give satisfaction to his parliaments of both kingdoms, particularly in the matters of religion,—having, in his letter of the 18th of May, from the Scots camp at Southwell, heartily recommended it to the two houses of parliament, to take the advice of the divines of both kingdoms, assembled at Westminster, for speedy finishing that pious and necessary work; and in his letter to Scotland, of the 19th of May, professed it to be his voluntary and cordial resolution, to join with his parliaments in settling of religion: yet divers of the prelatial and malignant party, having severally got access to his majesty, when he was at Newcastle, he became altogether averse from giving satisfaction; and perceiving the stedfast resolution of the Scots army to adhere to the solemn league and covenant, for reformation and defence of religion, he proposed, (in his answer to the propositions,) to the two houses of parliament of England, that he might come to London, or any of his houses

thereabouts, with freedom, honour, and safety, that he might further treat upon those propositions of peace presented to him. And, upon the 20th of December, he renews his desire for coming to London, or any of the houses thereabouts, for a further treaty upon the propositions. This letter coming to their hands upon the 25th of December, upon the 31st of December they resolve, that Holmby-house in the county of Northampton, be the place which the houses think fit for the king to come to, there to remain, with such attendants about him as both houses of parliament shall appoint, with respect had to the safety and preservation of his person. And when the king shall be at Holmby, as aforesaid, and the Scots forces gone out of the kingdom of England, the two houses of parliament declare, that then they will be ready, according to their former declaration for preserving the particular rights of the kingdom of England, to join with the kingdom of Scotland in employing their best endeavours to procure his majesty's assent to the propositions agreed on by both kingdoms, and presented to his majesty at Newcastle. This vote both houses of parliament enclosed to his majesty, and also to the commissioners of this kingdom, residing with his majesty at Newcastle, who forthwith transmitted the same to the parliament, then sitting, in Scotland; who, taking into their consideration the vote of both houses, and the necessity of the return of their army from England, thought it their duty once more to make their application to his majesty, before they took any resolution in relation to the disposal of his majesty's person. And accordingly they sent commissioners to his majesty again, with all earnestness and humility to desire his assent to the propositions, as that which was the only way to procure peace, and the most essential mean to establish and continue monarchical government in his majesty's person and posterity; and, that his majesty might be induced to give his assent thereunto, to remind his majesty, what were his

promises when he came to the Scots army, for following the advice of his parliaments; and to represent the many advantages of his granting the propositions; and, particularly, to give assurance, in name of the parliament, that this kingdom would most willingly sacrifice their lives and fortunes to establish his majesty on the throne, if he shall grant the propositions concerning religion and the covenant, and give a satisfactory answer to the rest of the propositions; and, upon the other part, in case his majesty should refuse, or delay, then to represent, that they found it not lawful for them to assist his majesty for recovering the possession of his government, his majesty not granting the propositions concerning religion and the covenant, nor giving a satisfactory answer to the rest of the propositions; that they found his majesty's coming to Scotland dangerous to the cause, to his majesty, the kingdom, and to the union betwixt the kingdoms; and that both kingdoms would be necessitated to take a joint course for disposal of his person, until he should give a satisfactory answer to the propositions of both kingdoms. These earnest desires and offers being made to his majesty, and the dangers faithfully represented; and his majesty hearkening to the wicked counsels of those who never sought his honour and happiness, but their own particular interest, and refusing to follow the faithful advice of his parliament upon the 16th of January 1647, the estates of parliament passed a declaration, wherein, having considered his majesty's promises, when he came to the Scots army, to follow the advice of his parliaments; his refusal to grant the propositions of both his kingdoms, notwithstanding the frequent addresses of this kingdom for that purpose; his majesty's desire to be in London, or some of his houses near to the houses of parliament; and the desire of the two houses that he may come to Holmby-house, promising the safety and preservation of his royal person, in the preservation and defence of the true religion, and liberties of the

kingdom according to the covenant: they did declare their concurrence for his majesty's going to Holmby-house, or some other of his houses in or about London, there to remain till he gave satisfaction to both kingdoms in the propositions of peace; and that, in the interim, there shall be no harm, prejudice, injury, or violence, done to his royal person; that there shall be no change of government other than had been for three years preceding; and that his posterity shall be no ways prejudiced in their lawful succession to the throne and government of these kingdoms.

Together with this declaration, they sent some desires to the parliament of England, that, when his majesty should be at Holmby, committees of both houses should attend his majesty, and employ their best endeavours to procure his majesty's assent to the propositions of both kingdoms presented to his majesty at Newcastle; and, in case the king should not give his assent thereto, that the happy union betwixt the kingdoms might be continued according to the covenant and treaties; that, according to the late treaty betwixt the kingdoms, no cessation, nor any pacification or agreement of peace whatsoever, should be made by either kingdom, without the mutual advice and consent of both; and that none should be debarred from having access to his majesty who have warrant from the parliament of Scotland, or their committees thereunto authorised. Whereunto the houses of parliament did agree: And his majesty, attended by a committee of both kingdoms, did repair to Holmby-house in the month of February.

The houses of parliament, who were unanimous concerning the removal of the Scots army, and the king's coming to Holmby, began now to differ according to the different ends they had proposed to themselves: For the whole house of peers, (very few excepted), and the far greater part of the house of commons, were resolved, if once the Scots army were removed out of England, to send a considerable number of their own

forces over to Ireland to prosecute the war there, (the lord Ormond having declared his willingness to leave all the places under his command to the houses of parliament), and to keep in England so many forces as were necessary to preserve the kingdom from disturbance; and these under the command of such officers as had taken the covenant, and were well affected to the work of reformation: And their army being thus modelled, then to proceed to settling of a peace with his majesty, upon his grant of the propositions for religion, and such satisfaction in matters civil, as should be found necessary for the safety and security of both kingdoms. All which, those that did best understand the affairs of England, and were most opposite to the sectaries, did think the houses of parliament were better able to bring to pass without than with the assistance of the Scots army; in regard the many jealousies both the parliament and the people had of the continuing the Scots army in England. The consideration whereof was one of the main reasons that moved the kingdom to withdraw their army out of England, and to agree to his majesty's going to Holmby; there being no ground to hope that the stay of their army could be longer useful in the kingdom, when both friends and foes were desirous of their removal.

Immediately after their return to this kingdom, and his majesty's going to Holmby, both houses passed an ordinance for suppressing heresies and schisms, and unwarrantable preaching; and appointed the 10th of May for a day of humiliation, because of the growth of heresies and schisms; and ordained that no foot should be kept up, except in garrisons; and only 5300 horse in the field, under the command of Sir Thomas Fairfax; no other officer to be above the degree of a colonel; no member of either house to have any charge in field or garrison; that all who should be employed should take the covenant, and conform to the government of the church then established; and none, who had been in arms against the parliament, should have any

charge, nor any profane curser, swearer, drunkard, or other person who was scandalous in life and conversation; and that 8200 foot and 2400 horse, out of the rest of the army, should go to Ireland. L.200,000 was advanced by the city, at the desire of the houses, to be sent to the army; and such forces as were neither to be kept up in the service of England, nor would engage for Ireland, were appointed to be disbanded on the 2d of June.

The modelling and disbanding the army being thus far advanced, his majesty, upon the 11th of May, sent an answer to the propositions for peace; wherein he did further condescend towards the granting the desires of his parliaments than he had done formerly. Upon receipt whereof the house of peers voted, that the king should come from Holmby, nearer London, to his house at Oatlands; and desired herein the concurrence of the house of commons.

This is, say they, a true relation of what passed, from the time of his majesty's coming to the Scots army in May 1746, to the end of May 1747. And now, here we shall make a stand; and desire all such as have not yielded up their reason and judgment to passion and prejudice, to consider if, in all these transactions, any thing of disloyalty towards our king, on the one hand, or unfaithfulness, in the matter of our covenant, towards the kingdom of England, on the other, can be laid to our charge.

Our chief study and endeavour hath been, to render unto God the things that are God's, and to Cæsar the things that are Cæsar's, and to our neighbours the things that are theirs. We hope it is made clear and evident to all that will judge impartially, that there was no treaty betwixt this kingdom, their committees or armies, with the king, before his coming to our army, nor after his coming, but with the advice and consent of both houses of parliament; and that it is a malicious and wicked device, and manifest untruth, that we should have sold our king: we abhor the very thoughts of it. And let the world judge

what ground there is for that reproach, that wicked men would cast upon us, that we were hired with money by England, that the king should come to Holmby; when the army got only L.200,000 of the arrears due to them, for a very laborious service, and as a part of that great expense they had been at by their expedition into England, for the ends of the covenant; when, also, this agreement for paying their arrears was made five months before the king, with consent of both kingdoms, went from Newcastle to Holmby: nay, at that time, neither the kingdom of England or Scotland had touched any thing concerning the disposal of the king's person, whether he should come to London, or to some of his houses near it, or stay at Newcastle, or go to Scotland; all the debates about the right and interest to dispose of the king were subsequent to the agreement concerning the total sum due to the Scots army; and, if there had been any transactions, public or private, betwixt the kingdoms, in August 1646, when they agreed concerning the sum due to the Scots army, would the kingdom of England have borne the burden of entertaining the Scots army, (being above 20,000, horse and foot), five months thereafter, to their great charge and expense; 2dly, what needed all those long debates about the king in the painted chamber, betwixt the houses and commissioners of this kingdom, in October 1646? And what needed those frequent addresses of the parliament of Scotland to his majesty, in November, December, and January, if all was agreed upon in the month of August? And how inconsistent is any such agreement with the offer of the kingdom of Scotland, very few days before his removal from Newcastle, willing to sacrifice their lives and fortunes for establishing his majesty upon his throne, if even then he would be pleased to give a satisfactory answer to the propositions? Certainly, malice itself may here stop its mouth, and forbear to lay any thing to our charge in this particular. Neither can the kingdom be accused of disloyalty

or imprudence, in giving consent to his majesty's going to Holmby, or some of his houses about London, because of that which hath followed since; for counsels and resolutions must be judged according to accidents and events. Who would, at that time, have foreseen, that an army, raised by the parliament for their own defence, and which, in profession, so highly esteemed and magnified the authority of parliament, would not only disobey their orders, but also attempt such horrid things as they have since ventured upon? Surely, when the Scots army came out of England, it would have seemed not only improbable, but incredible. The kingdom of Scotland did intrust his majesty's person to the honourable houses of parliament of England, who were as deeply engaged by duty, oaths, covenants, and solemn professions for his majesty's preservation, as the kingdom of Scotland; and, no question, they would have preserved his majesty's person from all violence or injury whatsoever, had they not met with the unexpected violence against their own persons; for, until the army did, by the power of the sword, imprison and seclude the far greater part of the house of commons, and make void the power of the house of peers, they durst not attempt any thing against his majesty's person. And what wonder if we, who were strangers, could not perceive the depth of such designs, (if, at that time, there was any framed design of that kind, which we very much question), when the houses of parliament did not foresee their own ruin? And his majesty himself, in the year 1647, when the propositions of both kingdoms were presented to him again at Hampton-court in September, had such confidence in the army, as he was by them induced to believe their proposals did much more conduce to the satisfaction of all interests, and might be a fitter foundation for a lasting peace, than the propositions of the kingdoms then tendered unto him; and in his answer, September 9th, desired the two houses to take into their serious consideration the army's pro-

posals, as the best way, in his judgment, in order to peace. Yea, when his majesty, November 11, 1647, did retire from Hampton-court for preservation of his person, which was in danger, as he apprehended, from the levelling part of the army, and was at liberty to have gone whither he pleased; yet, so little did he fear danger to his person from the chief leaders of the army, that he chose the isle of Wight, rather than any other place, that he might still continue under the protection of the army, as he doth profess in his letter to both houses of parliament, November 19, 1647.

In transcribing this apology, we have gone beyond the year we are treating of; but thought it better to present it in one view than in detached pieces.

The commissioners from the English parliament having succeeded no better with the king than the Scots did, resolved, August 12th, to settle accounts with the Scots; but in the meantime, his majesty attempted to bring this nation over to his interest, by playing the independents against them, and telling them that the only way to destroy the sectarians was to join with the episcopals, and admit of the establishment of both religions; but the Scots were not to be deceived. All the length the commissioners from the Scots could be brought to, was to lay his proposals before the general assembly; and they having met, were as peremptory against a coalition with the episcopals, as the independents.

While the English parliament were debating with the Scots commissioners at London, the right of disposing of the king's person, the latter claiming an equal right to him with the former, the parliament voted, that the kingdom of Scotland had no joint right to dispose of the person of the king, in the kingdom of England. To which the Scots would hardly have submitted, but for fear of engaging in a new war, and of losing all their arrears. His majesty would willingly have retired into Scotland; but the commission of the church, who met

December 17th, were not for receiving him. "For," say they, in their solemn and seasonable warning of that date, "so long as his majesty does not approve in his heart, and seal with his hand, the league and covenant, we cannot but apprehend, that according to his former principles, he will walk contrary to it, and study to draw us into the violation of it. Besides, our receiving his majesty into Scotland, at this time, will confirm the suspicion of the English nation, of our underhand dealing with him before he came in to our army. Nor do we see how it is consistent with our covenant and treaties; but, on the contrary, would involve us in the guilt of perjury, and expose us to the hazard of a bloody war. We are bound by our covenant to defend the king's person and authority, in the defence and preservation of the true religion, and the liberties of the kingdom; and so far as his majesty is for these, we will be for him. But if his majesty will not satisfy the just desires of his people, both nations are engaged to pursue the ends thereof, against all lets and impediments. We therefore desire, that those who are intrusted with the public affairs of this kingdom, would still insist upon his majesty's settling religion according to the covenant, as the only means of preserving himself, his crown, and posterity."

Upon reading this admonition in the parliament of Scotland, which met the 3d of November, they resolved, that his majesty be desired again to grant the whole propositions from them and his English parliament; and that in case of refusal, the kingdom should be secured without him. They declared further, that the kingdom of Scotland could not lawfully engage for the king, so long as he refused to take the covenant, and give them satisfaction in point of religion; nor would they admit him to come into Scotland, unless he gave a satisfactory answer to the propositions lately presented to him in the name of both kingdoms.

The resolutions above mentioned were

not communicated in form to the king till the beginning of January thereafter, when the Scots commissioners pressed him again in the most humble and importunate manner, to give them satisfaction, at least in point of religion: But his majesty would rather lose his crown than his bishops; which being reported back to Edinburgh, it was carried in the parliament, that they should leave the king in England to his two houses of parliament. And their reason for it we have already seen.

It is now time that we take a more particular survey of the proceedings of this parliament. By their first act it is ordained, that in time coming, all officers and soldiers be paid once at the end of every fourteen days, by the county in which they are quartered; and that they pay ready money at the ordinary rates of the places where they are quartered. Their second act approves what their committee of estates had done for suppressing the rebels; their third act subjects liferenters to the payment of public burdens, equally with others. Because some doubts had arisen concerning the ascertaining of losses sustained by the burnings and plunderings of the rebels, the trials of those were to be put on record and laid before the parliament, and an abstract of the same recorded in their books. At the desire of their committee, they restored a number of those who had been forfeited for joining with Montrose to the possession of their estates; but would not allow them a seat in parliament till their obedience was better proved. The king, while at Newcastle, having granted one commission for himself, to change holdings from ward to feu, and another, as administrator to the prince, to the same effect, this parliament ratified both. The duty for the light upon the isle of May, formerly 2d. per ton to a native, and 4d. to a stranger, was reduced to three-fourths of these sums. Because several who had left the rebels upon passes, had thereafter joined them, the parliament declared them in the same condition as if they had never got such passes. They

further ratified a distribution of L.5000 sterling among the wounded soldiers, and widows and orphans of those who had been slain in battle. But on the other hand, they enacted, that desertion should infer the pains of death; and that resetting them should infer the fine of L.100 Scots each. On a remonstrance from the church, that general Middleton had given protections to a number of the rebels, the parliament declared that they would not violate the faith pledged by their general; but they declare, that it shall not be lawful to grant any conditions to Montrose, Alaster M'Donald, lord Aboyne, the marquis of Huntly, Lindsay earl of Crawford, nor to Sir John Urie. To supply deficiencies in the public revenues, this parliament laid an additional duty upon all spirits and merchantable goods, of a twenty-fourth part of the value. Some persons who had been excommunicated by the church, having proved contumacious and insolent, it was ordained that forty days being past after the sentence of excommunication, letters be directed for denouncing them rebels, and putting them to the horn, and that letters of intercommuning and caption pass thereon; and that in the execution of captions, all the lieges concur, if required. The observation of Yule-day having been much occasioned by coal-hewers and salters removing at that time, it was ordained, that the time of their removing thereafter should be upon the 1st of December yearly; and they prohibited the superstitious observation of Yule, or any other superstitious days, under the pains contained in the acts of parliament made against profanation of the Sabbath. Because several who had been concerned in the rebellion, were preparing processes against a number of the subjects, for deeds done by them against their persons, lands, or goods, while in the rebellion, the parliament ordained, that all his majesty's good subjects should be freed from such processes; and that no reparation of losses should be given to compliers with the rebels. And they annulled all bonds

which had been extorted by, or given to Montrose, Alexander Macdonald, and their adherents; and likewise all bonds which had been taken by officers of cashiered regiments. For the better suppression of popery, the parliament authorised the lords of secret council to take the children of popish parents, and the pupils of popish tutors and curators, from under their charge, and to commit them to the care of some religious, well-affected friend, to be educated in religion and virtue; and that none travel abroad without a proper pedagogue or governor. And the army in England being now to march home, the parliament, for the ease of the country, agreed to disband the most of them, on paying their arrears, and three months more to carry them to their respective abodes. But because the Gordons were still in arms in the north, and Alaster Macdonald in Argyleshire, (for Montrose, by the king's order, had given up his commission), they agreed to keep up only 6000 foot and 1200 horse; and named as colonels, Sir John Brown, colonel Montgomery, the laird of Aidie, Lockhart the younger of Lee, the lairds of Thornton, Ludquharn, and Riccarton, colonel Mungo Murray, colonel Henry Barclay, colonel Fraser, Argyle, Ardinglas, Sir Alexander Hamilton, colonel Scott, and the lairds of Pitscottie and Hepburn; and over these the earl of Leven was continued commander-in-chief, David Leslie lieutenant-general, John Middleton major-general, and Sir John Weens of Bogie was appointed commissary-general, in place of Humby, now made a lord of session.

Amongst their more private deeds, these few seem worthy of being perpetuated, viz.—Acts approving Glencairn's commission to be justice-general, and Sir Archibald Johnston of Warriston's commission to be lord advocate; with the conduct of the committees at London and Newcastle, and the general officers; acts rescinding the forfeitures of Traquair, Gordon of Straloch, general King, Nithsdale, Herreis, Haddo, Airlie, general Ruthven, and William Hume;

act for relief of the parishes of Muckhart and Dollar, the marquis of Argyle, and other sufferers in Argyleshire; and of those bound to Sir William Dick for 200,000 merks; and to the town of Edinburgh for L.500 sterling; with acts for erecting the kirks of Glencorse, Glenceluce, and West-Calder.

The king being delivered up to the English commissioners, who conveyed him to Holmby-house in Northamptonshire, and the sum of L.200,000 sterling, being half of the compounded arrears due to the Scots army, having been paid them by agreement, before they marched out of Newcastle, it has been frequently said by disaffected and ill-natured people, that they sold their king.¹ But if it be considered, that the money was their due before the king delivered himself into their hands; that in settling the accounts between the two nations, his majesty's name was not so much as mentioned; that it was impossible to detain him, without a war with England; and that the officers of the army durst not carry the king to Scotland, because both church and state had declared against receiving him; this aspersion must be admitted to be highly unjust and malicious.

Before the king removed from Newcastle, the parliament, by two ordinances, bearing date October 9th and November 16th, put the finishing hand to the destruction of the hierarchy, by abolishing the very names and titles of archbishops, bishops, &c., and afterwards sold and distributed their rents and revenues amongst the members of parliament and officers of the army. But still presbytery, now substituted in its place, was left deprived of that ecclesiastical power inherent in the church. Wherefore, December 19th, the lord-mayor of London, and his brethren, represented this grievance to the parliament, and petitioned for redress. But all the amends they got, was a declaration, December 31st, wherein they express their dislike of lay preachers, and such as speak or write against the church

¹ Rapin.

government now established ; and their resolution to proceed against all such as take upon them to preach or expone the scriptures, except they be lawfully ordained.

CHAPTER IX.

Containing the Progress of the Westminster Assembly ; the total suppression of both the King and Parliament of England ; and the proceedings of our own Assembly ; with other occurrences during the year 1647.

1647. Dr. William Twisse having died in July preceding, the Rev. Mr. Charles Herle was ordered by the parliament to take his seat ; and the discipline of the church being pretty well settled, it was moved to finish the confession of faith. The English divines, says Mr. Neal, would have been content with revising and explaining the thirty-nine articles ; but the Scots commissioners insisting on a new system, they, with Dr. Gouge, Dr. Hoyle, Mr. Herle, Mr. Gataker, Mr. Tuchny, Mr. Reynolds, and Mr. Vines, were appointed a committee to prepare materials for this purpose. Accordingly, the said committee, having first settled the titles of the several chapters, as they now stand in the confession, in number thirty-two, distributed them among three sub-committees ; which sat two days every week, and then reported what they had finished to the general committee, and they to the assembly, where it was debated paragraph by paragraph. The disputes about discipline occasioned so many interruptions, from the erastians on the one hand, and the independents on the other, that it took a year and a half to finish this work. And a fair copy of it having been presented to the parliament, December 11th, by the whole assembly in a body, under the title of "The humble advice of the assembly of divines, and others, now by authority of parliament sitting at Westminster," the house of commons voted the assembly thanks ; but desired them to insert the proofs of the several articles in their proper places ; and then to print 600 copies, and no more, for the perusal of the

members. The Rev. Mr. Wilson, Mr. Byfield, and Mr. Gower, were appointed, January 6th, as a committee to collect the scriptures for confirmation of the several articles ; all which, being examined by the assembly, were inserted in the margin. After this, the whole confession was once more remitted to a review of the sub-committees, who reported to the assembly such further amendments as they thought necessary, which being agreed to by the assembly, it was sent to the press, May 11th, and, by appointment of the house of commons, delivered to the members of both houses, as soon as it could be ready.

The house of commons began their examination of the confession, May 19th, and ordered a chapter, at least, to be debated every Wednesday ; but new disturbances having arisen between the parliament and the army, it took them till near the end of March following, when the commons presented the confession to the house of lords for their approbation ; and both houses having agreed with the assembly, ordered it to be published, June 20, 1648, for the satisfaction of the foreign churches, under the title of "Articles of religion approved and passed by both houses of parliament, after advice had with an assembly of divines, called together by them for that purpose :—" the parliament not thinking it proper to call it a confession of faith, because the sections did not begin with the words *I confess* ; nor to annex matters of church government, about which they were not agreed, to doctrinal articles.

While the confession was carrying through in the assembly, committees were appointed to reduce it into the form of catechisms ; one larger, for the service of a public exposition in the pulpit, according to the custom of foreign churches, the other smaller, for the instruction of children, in both which the articles relating to church discipline are omitted. The larger catechism is a comprehensive system of divinity ; and the smaller a very accurate summary. The shorter catechism was presented to the house of

commons, November 5, but the larger catechism, by reason of the marginal proofs from scripture, which the houses desired might be inserted, was not ready till the 14th of April 1648, when the house ordered 600 copies to be printed for the service of the members; and having examined and approved it, they allowed it to be printed by authority, for public use, September 15, 1648.

The chief affairs committed to the assembly being thus advanced, Mr. Samuel Rutherford, one of the Scots commissioners, moved, October 24, that it might be recorded in the scribes' books, that the assembly had enjoyed the assistance of the commissioners of the church of Scotland, during all the time they had been debating and perfecting these four things mentioned in the solemn league, viz. "Their composing a directory for public worship,—an uniform confession of faith,—a form of church government and discipline,—and a public catechism." Which being done about a week after, he and the rest of the commissioners took their leave, and returned home; upon which occasion Mr. Herle, the prolocutor, rose up, and in the name of the assembly, "Thanked the honourable and reverend commissioners for their assistance. He excused, in the best manner he could, the directory's not being so well observed as it ought; and lamented that the assembly had not power to call offenders to an account: but confesses, that their affairs were very much embarrassed; and that they were still in a chaos of confusion, (the king being now taken out of the hands of the parliament, and into the custody of the army). He takes notice what distress the parliament were in, while the common enemy was high and strong; and adds, that their extraordinary successes hitherto, were owing to the prayers of their brethren of Scotland, and other protestants abroad, as well as to their own. He then mentions, with concern, some other restraints the assembly lay under, but this it was not a proper time to redress."

It hath been just now hinted, that the king was taken out of the hands of the

parliament, and into the custody of the army; and it will be acceptable to our readers to shew how this was brought about, and what consequences ensued thereon. Hitherto, the army had acted in perfect subordination to the parliament; but the war being over, the royal party broken, and the king a prisoner, the great difficulty was, to settle the nation upon such a footing as might content the several parties, or bring them at least to acquiesce. His majesty had no prospect of recovering his throne, but by dividing his enemies, or making the best terms with them he could; the presbyterians being in league with the Scots, were most numerous and powerful. But that which rendered their agreement with the king impracticable, was his belief, "that episcopal government was essential to christianity; and that he was bound by his coronation oath to maintain it." Whereas, the others held themselves equally bound by the solemn league and covenant to abolish episcopacy, and establish presbytery in its room. Both parties were immovable; and upon this rock they split. The army again, were generally for tolerating the sectaries, and therefore could not avoid allowing the same liberty to episcopals; by which an agreement between the king and them seemed very practicable: but his majesty could never forgive those officers who had destroyed his armies, and beat himself out of the field. He, indeed, dreaded their military valour, but had a very mean opinion of their politics; and therefore affected to play them against the parliament, hoping to take advantage of their divisions, and establish himself upon the ruins of both: For it was his majesty's maxim, which he did not scruple to avow, "That neither party could subsist without him; and that those must be ruined whom he abandoned." By which unhappy conduct he lost his interest both in the parliament and army.

The presbyterians were no less unhappy; for the majority of the house of commons, with the city of London, and the whole Scots nation, being firmly

in their interest, they would abate nothing of their demands, nor hearken to any other terms of accommodation with the king, than the entire abolishing of prelacy, and the establishing of presbytery throughout both kingdoms. This awakened the jealousy of the army, who, being mostly sectaries, were strongly impressed with a notion that the presbyterians, when in the legal possession of their demands, would exercise equal tyranny over the consciences of men, with the bishops.

The army being, as we just now observed, independents, anabaptists, and men of unsettled principles in religion, would have consented to the establishment of presbytery as the national profession, provided a toleration of all christians in the enjoyment of their religious opinions was tolerated by parliament; and till they had obtained this toleration by a legal settlement, they agreed not to lay down their arms. They had fought the parliament's battles, suppressed their enemies, and therefore thought themselves entitled to dictate unto them.

The parliament, being uneasy at these measures, attempted to get rid of the army, by offering six months' pay, and six weeks' advance, to as many as would go over to Ireland, which was a month more than had been given to Essex's soldiers, and by voting, that the remainder should be disbanded, with an act of indemnity for all hostilities committed by them; but the army, being apprehensive that the presbyterians would make peace with the king upon the footing of the covenant, and without a toleration, resolved to secure this point in the first place.

For this purpose they chose a council of officers, and a committee of agitators, consisting of two inferior officers of each regiment, to manage their affairs. These met in distinct bodies, like the two houses of parliament, and came to the following resolutions, which they sent to the parliament by three of their number, who delivered them in at the bar of the house: viz. "That they would not disband without their arrears, nor

without full provision for liberty of conscience; that they did not look upon themselves as a band of janizaries, but as volunteers, who had been fighting for the liberties of the nation, of which they were a part; and that they were resolved to see those ends secured." It was moved, that the messengers should be committed to the Tower; but their friends in the house were so active in their defence, that, after some debate, they were dismissed with a reprimand. Upon this the officers sent their petition by general Fairfax himself; but the parliament, instead of granting it, ordered, May 21st, "That all who would not enlist for the Irish service should be immediately paid off and disbanded." Their leaders, suspecting a snare was laid for them, bound themselves and the army by an engagement, May 29th, not to disband till the grievances above-mentioned were redressed. Upon this the houses ordered lieutenant-general Cromwell, who was then in town, and suspected to be at the head of these councils, to be seized; but he being advertised of the design, made his escape to the army.

Then the parliament voted the said petition seditious, and all those traitors who had promoted it; and having sent a message to the general to remove the army further from London, they raised the city train-bands for their protection. The agitators considered that the king being the prize contended for, resolved, by Cromwell's advice, to get possession of his majesty's person, which they accomplished by a bold stratagem, in the night of June 4th, with very little opposition: Cornet Joyce, at the head of 500 resolute horse, having secured the avenues to Holmby-house, entered with two or three of his company, and going to the king's apartment, acquainted him with the design of carrying him to the army at Newmarket. His majesty, being surprised at so unexpected a visit, and so late at night, asked him for his commission; when he pointed to his troops drawn up before the gates. His majesty answered, it was very legible; and find-

ing it in vain to resist, consented to go with the cornet next morning. The chief officers of the army met the king at Childerly, and were admitted to kiss his hand, and from thence he was removed to Newmarket; upon which Cromwell was heard to say, "That having got the king into his hands, he had the parliament in his pocket."

The two houses received the news with the utmost surprise; the whole city was in confusion, and all persons within the lines of communication ordered to arms; for every one imagined that the army would be at the gates of the city in a few hours. The leading members in the house of commons could not bear this conduct. They said it was insufferable for the parliament, instead of treating with the king, to be obliged to treat with their own servants; and therefore advised the raising a new army, and opposing force by force, till those who had the king in their custody should submit to their superiors, and deliver him back.

On the other hand, the officers and agitators resolved to get rid of these resolute gentlemen; and therefore, June 16th, impeached Denzil Hollis, Esq., Sir Philip Stapleton, Sir William Lewis, Sir John Clotworthy, Sir William Waller, Sir John Menziard, major-general Masse, Mr. Glyn recorder, colonel Walter Long, colonel Edward Harley, and Anthony Nicholls, Esq., eleven of the members, of high treason; but the commons rejected their impeachment, and ordered the king to be brought to Richmond, and that four full companies of militia should guard the two houses. The army fretted at this, sent back, intimating their desire, or rather order, "That the king's coming to Richmond be suspended; that no place be appointed for the king's residence nearer London than the parliament will allow the quarters of the army; that the impeached members be excluded the house, that the multitude of soldiers that flock together about the city, be dispersed; and that no new forces be raised, nor any preparations made for a new war; and if these particulars are not complied

with in a week's time, they *modestly* declare, that they will march to London, and do themselves justice."

The houses being terrified with the approach of the army, agreed to content them for the present, in order to gain time; and the impeached members, having desired leave to withdraw, retired first into the city, and after some time left the kingdom. The other requests of the army were also complied with, and no opposition was now to be expected from the parliament; on the contrary, Manchester, speaker of the house of peers, and the speaker of the house of commons, with about 100 members, imagining, that the army were about to restore the king, withdrew privately from the city, and joined the army.

The city of London, by the influence of the impeached members, raised the militia, and subscribed a solemn engagement, "To endeavour, with the hazard of their lives, to procure a personal treaty with the king." The apprentices also came in great multitudes, and terrified the houses with their tumultuous behaviour, calling for a repeal of a late act taking the command of the city militia out of their own hand, and committing it to others; and when the speaker would have left the chair they obliged him to return, till the militia was settled to their mind. However, their well meant zeal was soon extinguished, by the army's marching to London, taking possession of all the forts, and sending the lord mayor, with several of the nobility and principal citizens, to the Tower.

The king was, all this time, obliged to attend the removes of the army, till after they had got possession of the city, when they brought him back to Oatlands, August 14, and two days after, to Hampton-court, where he continued in state for about three months, being attended by the proper officers of the court, and a vast resort of people, both from city and country.

While the king was with the army, Cromwell and Ireton his son-in-law, insinuated themselves into the king's favour, and had several conferences with

him privately, upon the subject of his restoration. They offered to set him upon the throne, with the freedom of his conscience in point of episcopacy, or lose their lives in the attempt, if he would consent to their proposals to the parliament, and bestow some particular preferments on themselves, and a few other friends, wishing that God would deal with them and their families according to their sincerity; but the king treated them with a distant reserve; and having secretly corresponded with his queen, Cromwell intercepted one of his letters, in which the king said, "It was easier to take him (Cromwell) off afterwards, than now, when he was at the head of the army; and that they who bid fairest for him should have him." Upon this discovery, Cromwell went to Ashburnham, who attended the king's person, and told him, "That he was now satisfied the king could not be trusted; that he had no confidence in the army, but was jealous of them and their officers, and intended to engage the nation again in blood; and that therefore he could not be answerable, if anything fell out contrary to expectation." And the guards also changed their language, saying, "That God had hardened the king's heart, and blinded his eyes."

Under these circumstances, the unhappy king secretly left Hampton-court, November 11th, at night, and having crossed the Thames, took horse, in company with Sir John Berkley, Mr. Legge, and Mr. Ashburnham, and next morning arrived at Titchfield-house; where he stayed till Legge went over to the isle of Wight, to treat with colonel Hammond, the governor, about the safety of his person. Legge, without any treaty, brought the governor to the house where his majesty was, who carried him over to the isle, November 13th, and after some time shut him up in Carrisbrook castle, where he remained almost a year, with but one or two servants; and there we shall leave him contemplating the miserable circumstances that divine providence and his own imprudent conduct had reduced him and his family to,

till we bring forward the history of our own church and nation.

According to adjournment, the general assembly of the church sat down at Edinburgh, August 4th, and made choice of Mr. Robert Douglas, one of the ministers of Edinburgh, to be their moderator.

Because the English parliament had proved dilatory in establishing the steps of reformation on which their assembly had agreed, our assembly declared against it, as pointing towards a breach of that covenant whereinto they had mutually entered; and they do in the most fervent terms beseech all those, of whatever quality or condition, who have entered into the said league and covenant, and especially the houses of parliament, the city of London, and assembly of divines, that with real humiliation, fervent prayers, and making sure their peace with God, they may join with all care, faithfulness, and zeal, to hold fast the profession of their faith, without wavering, against the many heresies and errors of these times; that they may, according to their places and callings, endeavour to the utmost of their power, to prevent and hinder the laying aside or slighting of the covenant, the re-establishment of episcopacy, and the toleration of popery, prelacy, heresy, schism, superstition, or profaneness; and not suffer themselves, directly or indirectly, by whatsoever combination, persuasion, or terror, to be divided and withdrawn from that blessed union and sacred covenant, either to the contrary side, or to a neutrality in this cause, which so much concerneth the glory of God, the good of the kingdoms, and the honour of the king, but all the days of their lives, zealously and constantly to continue therein, against all opposition, and promote the same to the utmost of their power; more particularly, they do desire, that presbyterial government may be settled and put in practice throughout that kingdom, according to the word of God, and example of the best reformed churches; and that that nation may not abate or diminish anything at all from their loyalty and duty to the king's majesty.

By act the 24th August, the assembly agreed on "Directions for secret and private worship, and mutual edification, for cherishing piety, and avoiding schism and division," of the tenor following: "Besides the public worship in congregations mercifully established in this land in great purity, it is expedient and necessary, that secret worship of each person alone, and private worship of families, be pressed and set up, that with national reformation, the profession and power of godliness, both personal and domestic, be advanced.

"And, *first*, for secret worship, it is most necessary, that every one apart and by themselves, be given to prayer and meditation, the unspeakable benefit whereof is best known to them who are most exercised therein, this being the mean whereby, in a special way, communion with God is entertained, and right preparation for all other duties obtained; and therefore it becometh not only pastors, within their several charges, to press persons of all sorts to perform this duty morning and evening, and at other occasions; but also, it is incumbent on the head of every family to have a care that both themselves, and all within their charge, be daily diligent therein.

"*2dly*, The ordinary duties comprehended under the exercises of piety which should be in families when they are convened to that effect, are these: first, prayer and praises, performed with a special reverence, as well to the public condition of the church of God and this kingdom, as to the present case of the family and every member thereof; next, reading of the scriptures, with catechising in a plain way, that the understandings of the simpler may be better enabled to profit under the public ordinances, and they made more capable to understand the scriptures when they are read; together with godly conferences tending to the edification of all the members in the most holy faith; and also admonition and rebuke upon all just reasons, from those who have authority in the family.

"*3dly*, As the charge and office of interpreting the holy scriptures is a part of the ministerial calling, which none (howsoever otherwise qualified) should take upon him in any place, but he that is duly called thereto by God and his church; so, in every family, where there is any that can read the holy scriptures,¹ these should be read ordinarily to the family; and it is commendable that thereafter they confer, and, by way of conference, make some good use of what has been read and heard: As, for example, if any sin be reproved in the word read, use may be made thereof, to make all the family circumspect and watchful against the same; or if any judgment be threatened, or mentioned to have been inflicted, in that part of scripture which is read, use may be made to make all the family fear, lest the same or a worse judgment befall them, unless they beware of the sin that procured it; and finally, if any duty be required, or held forth in a promise, use may be made to stir up themselves to employ Christ for strength to enable them for doing the commanded duty, and to apply the offered comfort. In all which, the master of the family is to have the chief hand; and any member of the family may propound any question or doubt for resolution.

"*4thly*, The head of the family is to take care that none of the family withdraw themselves from any part of family worship; and seeing the ordinary performance of all the parts of family worship belongeth properly to the head of the family, the minister is to stir up such as are lazy, and train up such as are weak, to a fitness for these exercises, it being always free to persons of quality to entertain one approved by the presbytery for performing family exercise; and in other families, where the head of the family is unfit, that another constantly residing in the family, approved by the minister and session, may be employed in that service, wherein

¹ This supposition seems to allude to the ignorance that then prevailed in the Highlands of Scotland.

the minister and session are to be accountable to the presbytery; and if a minister, by divine providence, be brought to a family, it is requisite, that at no time he convene a part of the family for worship, excluding the rest, except in singular cases, concerning those points which in christian prudence need not, or ought not, to be imparted to others.

“*5thly*, Let no idle person or vagrant, who hath no particular calling, be suffered to perform worship in families, to or for the same; seeing persons tainted with errors, or aiming at division, may be ready, after that manner, to creep into houses, and lead captive silly and unstable souls.

“*6thly*, At family worship, a special care is to be had that each family keep by themselves, neither requiring, inviting, or admitting persons from divers families, unless it be those who are lodged with them, or at meals, or otherwise with them, upon some lawful occasion.

“*7thly*, Whatsoever hath been the effects and fruits of meetings of persons of divers families, in the times of corruption or trouble, in which cases many things are commendable, which otherwise are not tolerable; yet, when God hath blessed us with peace and the purity of the gospel, such meetings of persons of divers families, except in the cases above mentioned in these directions, are to be disapproved, as tending to the hindering of the religious exercise of each family by itself, to the prejudice of the public ministry, to the renting of the families of particular congregations, and, in process of time, of the whole church, besides many offences which may come thereby, to the hardening of the hearts of carnal men, and grief of the godly.

“*8thly*, On the Lord’s day, after every one of the family apart, and the whole family together, have sought the Lord, in whose hands the preparations of men’s hearts are, to fit them for the public worship, and to bless to them the public ordinances, the master of the family ought to take care that all within his charge repair to public worship, and

that he and they may join with the rest of the congregation; and the public worship being finished, after prayer he shall take an account what they have heard; and thereafter, to spend the rest of the time which they may have, in catechising and in spiritual conferences upon the word of God; or else, going apart, they ought to apply themselves to reading, meditation, and secret prayer, that they may confirm and increase their communion with God, that so the profit which they found in the public ordinances may be cherished and promoted, and they more edified unto eternal life.

“*9thly*, So many as can conceive prayer, ought to make use of that gift of God: although those who are rude and weaker may begin at a set form of prayer, but so as they be not sluggish in stirring up in themselves, according to their daily necessities, the spirit of prayer, which is given to all the children of God in some measure; to which effect, they ought to be the more fervent and frequent in secret prayer to God, for enabling their hearts to conceive, and their tongues to express, convenient desires to God for their family; and in the meantime, for their greater encouragement, let these materials of prayer be meditated upon, and made use of, as follows: Let them confess to God how unworthy they are to come in his presence, and unfit to worship his majesty; and therefore earnestly ask of God the spirit of prayer. They are to confess their sins, and the sins of the family, accusing, judging, and condemning themselves for them, till they bring their souls to some measure of true humiliation. They are to pour out their souls to God in the name of Christ, by the Spirit, for forgiveness of sins; for grace to repent, to believe, and to live soberly, righteously, and godly; and that they may serve God with joy and delight, in walking before him. They are to give thanks to God, for his many mercies to his people, and to themselves; and especially for his love in Christ, and for the light of the gospel. They are to pray for such

particular benefits, spiritual and temporal, as they stand in need of for the time, whether it be morning or evening, as health or sickness, prosperity or adversity. They ought to pray for the church of Christ in general; for all the reformed churches, and for this church in particular, and for all that suffer for the name of Christ; for all our superiors, the king's majesty, the queen, and their children; for the magistrates, ministers, and whole body of the congregation whereof they are members, as well for their neighbours absent on their lawful affairs, as for those that are at home. The prayer may be closed with an earnest desire that God may be glorified in the coming of the kingdom of his Son, and in the doing of his will, and with assurance that themselves are accepted, and that what they have asked according to his will shall be done.

"10thly, These exercises ought to be performed in great sincerity, without delay, laying aside all exercises of worldly business or hinderances, notwithstanding the mockings of atheists and profane men, in respect of the great mercies of God to this land, and of his severe corrections wherewith he hath lately exercised us; and to this effect, persons of eminency, and elders of the church, not only ought to stir up themselves and their families to diligence herein, but also to concur effectually, that in other families where they have power and charge, the said exercise be conscionably performed.

"11thly, Besides the ordinary duties in families which are above mentioned, extraordinary duties, both of humiliation and thanksgiving, are to be carefully performed in families, when the Lord, by extraordinary occasions, private or public, calleth for them.

"12thly, Seeing the word of God requireth, that we should consider one another to provoke unto love and to good works; therefore, at all times, and especially at this time, wherein profanity abounds, and mockers, walking after their own lusts, think it strange that others run not with them to the same

excess of riot, every member of this church ought to stir up themselves and one another to the duties of mutual edification, by instructions, admonitions, rebuke; exhorting one another to manifest the grace of God, in denying ungodliness and worldly lusts, and in living godly, righteously, and soberly in this present world, by comforting the feeble-minded, and praying with and for one another; which duties respectively, are to be performed on special occasions offered by divine providence; as, namely, when under any calamity, cross, or great difficulty, counsel or comfort is sought, or when an offender is to be reclaimed by private admonition; and if that be not effectual, by joining one or two more in the admonition, according to the rule of Christ, that in the mouth of two or three witnesses every word may be established.

"13thly, And because it is not given to every one to speak a word in season to a wearied or distressed conscience, it is expedient that a person in that case, finding no ease after the use of all ordinary means, both private and public, have recourse to their own pastor, or some other experienced christian; but if the person troubled in conscience be of that condition or of that sex, that discretion, modesty, and fear of scandal requireth a godly, grave, and secret friend to be present with them in their said address, it is expedient that such a friend be present.

"14thly, When persons of divers families are brought together by divine providence, being abroad upon their particular vocations, or any necessary occasions, as they would have the Lord their God with them whithersoever they go, they ought to walk with God, and not neglect the duties of prayer and thanksgiving, but take care that the same be performed by such as the company shall judge fittest; and that they likewise take heed, that no corrupt communication proceed out of their mouths, but that which is good, to the use of edifying, that it may minister grace to the hearers.

“The drift and scope of all these directions is no other, but that, upon the one part, the power and practice of godliness, among all the ministers and members of this church, according to their several places and vocations, may be cherished and advanced, and all impiety and mocking of religious exercises suppressed; and, upon the other part, that under the name and pretext of religious exercises, no such meetings or practices be allowed as are apt to breed error, scandal, schism, contempt, or disregard of the public ordinances and ministers, or neglect of the duties of particular callings, or such other evils as are the works, not of the Spirit, but of the flesh, and are contrary to truth and peace.”

These directions the assembly turned into an act; and, in prosecution of the ends thereof, made this further act: “Since it hath pleased God, of his infinite goodness, to bless his church within this nation with the riches of the gospel, in giving to us his ordinances in great purity, liberty, and withal a comely and well established order, the assembly, in the zeal of God for preserving order, unity, and peace, in the church; for maintaining that respect which is due to the ordinances and ministers of Christ; for preventing schism, noisome errors, and all unlawful practices, which may follow in the people’s withdrawing themselves from their own congregations, doth charge every minister to be diligent in fulfilling his ministry, to be holy and grave in his conversation, to be faithful in preaching, declaring the whole counsel of God, and as he hath occasion from the text of scripture, to reprove the sins and errors, and press the duties of the time, and, in all these, to observe the rules prescribed by the acts of assembly, wherein, if he neglect, he is to be censured by his own presbytery: As also, ordains every member in every congregation, to keep their own parish church to communicate therein, both in the word and sacraments; and if any person or persons shall hereafter absent themselves from their own congregation, except in urgent cases made

known to and approved by the presbytery, the ministers of these congregations whereunto they resort shall both in public by preaching, and in private admonition, shew their dislike of withdrawing from their own ministry, that in so doing they may witness to all that hear them their due care to strengthen the hands of their fellow-labourers in the work of the Lord, and their detestation of any thing that may tend to separation, or any of the above-mentioned evils: hereby their own flock will be confirmed in their stedfastness, and the unstable spirits of others will be rectified. Likeas the minister of that congregation from which they do withdraw shall labour first by private admonition to reclaim them; and if, after private admonition given by their own pastor, they do not thereafter amend, in that case, the pastors shall delate the foresaid persons to the session, who shall cite and censure them as contemners of the comely order of the church; and if the matter be not taken order with there, it is to be brought to the presbytery. For the better observing whereof, the churches, at the visitation of their several congregations and provincial assemblies, in their censure of the several presbyteries, shall inquire thereanent; which inquiry and report shall be registered in the provincial books, that their diligence may be seen in the general assembly.”

The confession of faith agreed upon by the assembly of divines at Westminster, being transmitted by the commissioners from Scotland to the commission of the general assembly, which sat in the January preceding, they caused copies thereof to be printed and sent to the several presbyteries of this church, to be perused and seriously examined, that they might have their thoughts more deliberately thereon, and be prepared finally to judge therein, against this meeting of assembly. Mr. Robert Baillie, one of these commissioners, having had liberty to come down, waited on the assembly, and being desired to report the same, and what further progress the

Westminster assembly had made, Mr. Baillie addressed himself to the assembly, to the effect following: "Right honourable and reverend—You remember, that in all your ecclesiastical desires from your brethren of England, the commissions and instructions laid upon us your servants, were only for obtaining uniformity in these four particulars, viz. in the worship of God, the government of the church, a confession of faith, and catechisms. For the first, the directory, this we presented in a former assembly, which gave ample satisfaction; it was then your pleasure to cause both of us return, for the assistance of our colleagues in pressing your three remaining desires. As for the government of the church, the goodness of our God enabled us not only to obtain those initial propositions, whereof at our last appearance before you we gave an account, but also a full and perfect model of discipline, which, by the blessing of God, may make, in a short time, the churches in all the three kingdoms, in all considerable parts of government, not only uniform, but well near one, as you may see when you shall think convenient to take that model of discipline into consideration. In your third desire, the Lord made our success no less prosperous: a large confession of faith is agreed on, with far greater unanimity than we could have hoped for amongst so many learned divines, in so distempered a place and distracted a season. I am confident, if my judgment does not deceive me, this work is so excellent, that whenever you shall be pleased to look upon it, the sight of it shall draw from the most censorious eye a good acceptance. And, for your fourth and last desire, viz. the catechisms, I staid till some good progress was made in them. But long three years and several months' absence from my country and particular charge, raised, I confess, in me a great desire to return; yea, all of us were very desirous to be at home, and did jointly press the commissioners of the church for this liberty. At last, it was their favour to

permit one; and by the providence of God, and the equity of the brethren there, the lot fell upon me. I was glad to be the carrier of the confession of faith; and likewise of a new psalmody, which has cost the assembly considerable pains. I thought, likewise, I had good assurance of the catechism to follow with all convenient diligence; but the same is not yet perfected. And next to the approbation of God, and testimony of my own conscience, the assembly's acceptance of my mean endeavours is what I wish for; not as a reward for the labours and dangers I have undergone, but as an encouragement to return with cheerfulness to my private charge, after so long a diversion: which if I may obtain, I desire to be thankful to God and this assembly. But one of my dear colleagues,¹ having been removed by death since that time, may I be permitted to conclude with my earnest wish, that that glorious soul, of worthy memory, who is now crowned with the reward of all his labours for God and for us, may be fragrant among us so long as free and pure assemblies remain in this land, which I hope shall be to the coming of our Lord. You know, he spent his strength, wore out his days, and that he did breathe out his life in the service of God and of this church; this binds it on us and the posterity to account him the fairest ornament, after Mr. John Knox of incomparable memory, that ever the church of Scotland did enjoy."

The thanks of the assembly, and their approbation, being accordingly made by the moderator to Mr. Baillie, they caused read the said confession twice publicly; and a committee was appointed to hear doubts or objections which any of the members had concerning any articles in the said confession; and intimation was made to them to come to the said committee and propone the same.

Several observations were offered; and these being deliberated upon by the committee, were remitted to the assembly, who, after the most serious deliberation,

¹ Mr. Alexander Henderson.

enacted the following approbation of the confession of faith :

“A confession of faith, for the churches of God in the three kingdoms, being the chiefest part of that uniformity of religion which, by the solemn league and covenant, we are bound to endeavour; and there being accordingly a confession of faith agreed upon by the assembly of divines at Westminster, with assistance of commissioners from the church of Scotland; which confession was sent by our commissioners at London to the commission of the church which met at Edinburgh in January last, and hath been in this assembly twice publicly read over, examined, and considered, copies thereof being also printed, that it might be particularly perused by the members of this assembly, unto whom frequent intimation was publicly made, to put in their doubts and objections, if they had any: And the said confession being, upon due examination thereof, found by the assembly to be most agreeable to the word of God, and in nothing contrary to the received doctrine, worship, discipline, and government of this church; and lastly, it being so necessary, and so much longed for, that the said catechism and confession be, with all possible diligence and expedition, approved and established in both kingdoms, as a principal part of the intended uniformity in religion, and as a special means for the more effectual suppressing of many dangerous errors and heresies of these times: The general assembly doth therefore, after mature deliberation, agree unto and approve of the said confession, as to the truth of the matter, judging it to be the most orthodox, and grounded upon the word of God; and also, as to the point of uniformity, agreeing, for our part, that it be a common confession of faith for the three kingdoms. The assembly doth also bless the Lord, and thankfully acknowledge his great mercy, in that so excellent a confession of faith is prepared, and thus far agreed upon in both kingdoms; which we look upon as a great strengthening of the true reformed religion against the common enemies

thereof; but, lest our intention and meaning be, in some particulars, misunderstood, it is hereby expressly declared and provided, that the not mentioning in this confession the several sorts of ecclesiastical officers and assemblies, shall be no prejudice to the truth of Christ in these particulars, to be expressed fully in the directory of government. It is further declared, that the assembly understandeth some parts of the second article of the thirty-first chapter only of churches not settled or constituted in point of government; and that, although in such churches, a synod of ministers and other fit persons may be called by the magistrate's authority and nomination, without any call, to consult and advise with about matters of religion; and although, likewise, the ministers of Christ, without delegation from their churches, may themselves, and by virtue of their office, meet together synodically in such churches not yet constituted, yet neither of these ought to be done in churches constituted and settled, it being always free to the magistrate to advise with synods of ministers and ruling elders, meeting upon delegation for their churches, either ordinarily or being indicted by his authority occasionally, and *pro re nata*; it being also free to assemble together synodically, as well *pro re nata* as at the ordinary times, upon delegation from the churches, by the intrinsic power received from Christ, as often as it is necessary for the good of the church so to assemble, in case the magistrate, to the detriment of the church, withhold or deny his consent, the necessity of occasional assemblies being first remonstrated to him by humble supplication.”

The specialities in the above-mentioned act were certainly the more necessary, that the parliament of England, being embarrassed with members of erastian and sectarian principles, were kept back from espousing the government of the church, as the ordinance of the Lord Jesus; and it should be remembered, that with these qualifications only, the said confession was

embraced and ratified as the confession of this church.

The psalmody, composed chiefly by Mr. Rouse, an English minister, and approved by the Westminster assembly, having been sent from England, this assembly, not yet fully satisfied therewith, did appoint Mr. John Adamson to examine the first forty psalms, Mr. Thomas Crawford the second forty, Mr. John Row the third forty, and Mr. John Nevey the remainder; recommending to them to make use of the essays of Rouallan, Mr. Zechariah Boyd, and any others, and especially of our own paraphrase on this subject; and recommended to the several presbyteries to communicate their animadversions to the said committee; and they were instructed to report their labours to the commission of this assembly, who were required to remit the same to the provincial synods, to be transmitted again to presbyteries, that by their further consideration, the matter may be fully prepared for the next assembly.

For preventing the importing, vending, or spreading of erroneous books or papers, by the increase of sectarianism in the neighbouring kingdom, the assembly did, in the name of God, inhibit and discharge all members of this church and kingdom to converse with persons tainted with such errors, or to import, sell, spread, vend, or disperse erroneous books or papers; but that they beware of, and abstain from books maintaining independency or separation, and from all antinomian, anabaptistical, and other erroneous books or papers, requiring all ministers to warn their flocks against such books in general, and particularly such as were most plausible, insinuating, and dangerous; and to try carefully, from time to time, if any such books be brought into this country from England, or from beyond seas, which was specially recommended to ministers on sea coasts, or towns where any stationers were; and if any should be found, to present the same to the presbytery, that some course might be taken to hinder the dispersing thereof; and thereby, all pres-

byteries and synods were ordained to try and prosecute all such as should transgress against the premises, or any part of the same; and the assembly also did seriously recommend to the civil magistrates, that they might be pleased to be assistant to ministers and presbyteries in execution of this act, and to concur with their authority in every thing to that effect.

As Mr. George Gillespie, one of the ministers of Edinburgh, and one of our commissioners to the Westminster assembly, had written a book entitled Aaron's Rod Blossoming, and therefrom extracted a treatise concerning church government, against erastians on the one hand, and independents on the other, in three propositions, and had sent these to divines abroad for their examination, as Voetius testifieth, Pol. Eccles. lib. i., they were presented to the assembly, where they were publicly read and considered; and after due deliberation, the assembly did unanimously approve and agree unto these eight general heads of doctrine therein contained and asserted, viz:

"1st, That the ministry of the word, and the administration of the sacraments of the New Testament, baptism and the Lord's supper, are standing ordinances, instituted by God himself, to continue in the church to the end of the world. 2dly, That such as administer the word and sacraments ought to be duly called and ordained thereto. 3dly, That some ecclesiastical censures are proper and peculiar to be inflicted upon such as bear office in the church; other censures are common, and may be inflicted both on ministers and other members of the church. 4thly, That the censure of suspension from the sacrament of the Lord's supper, inflicted because of gross ignorance, or because of a scandalous life and conversation, as likewise the censure of excommunication, of casting out of the church flagitious or contumacious offenders, both the one censure and the other is warrantable by, and grounded upon, the word of God, and is necessary, in respect of divine institution, to be in the

church. *5thly*, As the rights, power, and authority of the civil magistrate are to be maintained according to the word of God and the confessions of faith of the reformed churches; so it is no less true and certain that Jesus Christ, the only head and king of the church, hath instituted and appointed a church government, distinct from the civil government or magistracy. *6thly*, That the ecclesiastical government is entrusted and committed by Christ to the assemblies of the church, made up of the ministers of the word and ruling elders. *7thly*, That the lesser and inferior ecclesiastical assemblies ought to be subordinate and subject unto the greater and superior assemblies. *8thly*, That, notwithstanding hereof, the civil magistrate may, and ought to suppress, by corporal and civil punishments, such as, by spreading error or heresy, or by fomenting schism, greatly dishonour God, dangerously hurt religion, and disturb the peace of the church; which heads of doctrine, however opposed by the authors and promoters of the foresaid errors respectively, the general assembly doth formally believe, own, maintain, and commend unto others, as solid, true, and orthodox, grounded upon the word of God, and consonant to the judgment both of the ancient and best reformed churches: And because this assembly, through the multitude of other necessary and pressing business, cannot now have so much leisure as to examine and consider particularly the foresaid three propositions, therefore a more particular examination thereof was committed and referred to the theological faculties in the four universities of this kingdom; and the judgment of each of these faculties concerning the same was appointed to be reported to the next general assembly. In the mean while, these propositions are ordered to be printed; both that copies thereof may be sent to presbyteries, and that it may be free for any that please to peruse them, and to make known, or send their judgment concerning the same, to the next assembly."

At the desire of the English, this as-

sembly renewed their commission to Mr. Robert Douglas, Mr. Samuel Rutherford, Mr. Robert Baillie, and Mr. George Gillespie, ministers; and John earl of Lauderdale, John lord Balmerino, and Sir Archibald Johnston of Warriston, elders, to prosecute the treaty of uniformity in religion with the parliament and assembly of England.

Such was the zeal of this assembly for the honour of God, and their love to their brethren, merchants and others in foreign parts, that they wrote and published for their behoof a letter, informing them of the great things which God had done for their mother country, the many and great difficulties they had to struggle with, and earnestly recommending to them, that amidst their laudable cares they might choose the better part, mind the one thing needful, and be exemplary for probity and sanctity, thereby adorning the gospel; and that distance of place might not make them the less sensible of their country's sufferings, nor less diligent to contribute their prayers and endeavours for their being again settled and secured in the enjoyment of their religious and civil liberties. And to conclude the history of this assembly, several overtures for the reformation of negligence in universities, and of baptism among beggars, &c., were made and agreed to.

CHAPTER X.

Containing the History of the General Assembly and Parliament, with their Committees; Duke Hamilton's Engagement; the Trial of King Charles, and other occurrences from the beginning of the year 1648 to the 30th January 1649, when that monarch was beheaded.

THE kingdom of Scotland being 1648. very sensible of the king's condition, and most desirous of an agreement betwixt his majesty and the parliament of England, sent up, besides the commissioners they had formerly there, the earl of London chancellor, and the earl of Lanark.

The king hearing of their negotiation, and perceiving how he was disappointed in his expectations from the English

army, and that there was but little appearance of agreement with the parliament of England, resolved with his utmost endeavour to engage the kingdom of Scotland in a war with England, for his restitution to his royal power. For that purpose, having most confidence in the earl of Lanark, that he would promote his design, he acquaints him therewith. Lanark draws over the earl of Lauderdale, and they two made it their work to procure the rest. The chancellor had agreed with one Mr. Livingston, of the bed-chamber, for the gift of the annuities, and was engaged in a great sum for the same; to secure him, the king confirmed this gift; and his estate being much in debt, he expected that these annuities would relieve the same; wherefore he was gained to a compliance, as was Mr. John Cheesley, by being made a knight; and so the king and the Scots commissioners agreed that they should go home, and present his majesty's concessions to the committee of estates, and use their utmost endeavours to obtain the consent of the ensuing parliament to raise an army for invading of England, in order to his majesty's liberation, &c.

For the better understanding of this matter, the reader will recollect, that duke Hamilton, with his brother Lanark, left the convention of estates anno 1643, and went to the king at Oxford, where the duke was imprisoned; an impeachment of his treason was given in against him by Montrose, &c., and he was sent prisoner to Carisbrooke castle, where he lay a considerable time, and Lanark withdrew himself; but after Montrose was defeated at Philiphaugh, the duke being liberated, did return to Scotland, where he and his brother took the covenant, as did several other noblemen, that they might be admitted to places of trust, and have a share in the government.

In the mean time, the duke and his party kept up a secret correspondence with the king and the prince of Wales, whose great design was, that an army might be raised under Hamilton's com-

mand, and that such men might be put in places of trust, and have the power of state and war, whom they called the king's friends, who would comply with his designs, and endeavour his restoration after his own way, according to the plan which had been concerted in the isle of Wight.

About the beginning of February, the commissioners returned to Scotland, and with all expedition the committee of estates was called to meet; to whom the chancellor made two speeches, the one upon February 10th, and the other upon the 15th day of the same month.

In the first speech he shews them, "That after the army under the command of Sir Thomas Fairfax had cast off their obedience to the parliament, in refusing to disband the army, and a party of them did seize upon the king, carry him against his will from Holmby, and usurped to themselves power and authority to intermeddle and dispose of the affairs both of church and state, the committee of the Scots parliament, apprehending the great danger which did threaten religion, the king, and peace of the kingdoms, thought fit to send Lanark and himself to join with the rest of their commissioners who were in England before, to make their addresses to the king and the houses of parliament, that the certainty of his majesty's condition might be made known unto this kingdom from himself, and to use their best endeavours for an happy composure of the differences betwixt the king and parliament; that religion and peace might be settled according to the covenant and treaties between the kingdoms; and (so far as possibly the commissioners could) to prevent any alterations in the propositions contrary thereto, and what could not be prevented, to dissent from it in the name of this kingdom, and to declare their resolutions and desires, that no harm, violence, or injury should be done to his majesty's person; that there might be no change of government, and that the king, or his royal posterity, be nowise prejudged in their right and lawful succession to the crown and government of these kingdoms.

“ And being now returned, we hold it our duty to give an account of our proceedings, and to show the true state of affairs unto this honourable meeting, that you may in your wisdom resolve upon the duties which you ought to perform for the preservation of religion, and for the safety of the king and kingdoms, all which were never in so great danger of being totally overthrown and utterly destroyed as at this time. After our arrival at London, (it being suitable to our duty, and an expression of the regard of this kingdom to the king), we delivered the message which we had from your lordships to his majesty; but to avoid jealousy or exception, we did first acquaint the houses therewith, and tendered to his majesty in writing what we had in command from your lordships, according to our instructions, which was very acceptable to his majesty, and acknowledged by him as a testimony of that civility and duty he did expect from his native kingdom. Upon the first view of it, his majesty hoped that we would not press him to a present answer, but allow him some time to think upon it, which could not be denied, and commanded us to return again within some few days to Hampton-court, to wait upon him, and that his answer should then be ready. His majesty did further tell us, that he was surprised at Holmby, and his person seized upon, and taken away against his will, by a party of the army under the command of Sir Thomas Fairfax; that the army gave him greater liberty, and used him with more civility, than he had formerly at Holmby; that large professions were made to him of their respects, but that their ways and actions were such as he did not expect performance from them of any promises they made. We did, with all humility and earnestness, beseech his majesty to give just satisfaction to the desires of the parliaments of both his kingdoms, that religion and peace might be settled, and his majesty restored to his rights and government. His majesty said he had sent many messages to his houses for that end, to which he had received no

answer; yet assured us, that no contempt put upon him, nor personal sufferings, should make him neglect any opportunity which might bring to his languishing kingdoms the blessing of a well-grounded peace. Which was all that passed between his majesty and us at that time.

“ At our next coming to Hampton-court, his majesty delivered to us his answer to what we had given in to him in writing, which did refer us for a further inquiry of his condition to the houses of parliament. We told his majesty, that we should make our address to the houses to whom we were sent, that we might jointly make our applications to his majesty, for removing the differences betwixt him and his parliaments; and that Scotland would esteem it the greatest happiness that could befall them, to see religion and peace flourish in his dominions, and to live in dutiful obedience under his government. His majesty said, he feared we should find that party who were now most prevalent, intended the ruin of religion and monarchy, rather than the establishment of either. We assured his majesty, whatever be the intention of others, the kingdom of Scotland had no other design in their covenant-engagements with England, than the reformation and preservation of religion,—the honour and happiness of his majesty and posterity,—and the peace and prosperity of his majesty’s kingdoms; that we would press the houses of parliament, according to their covenant-engagements and professions, to settle religion and peace, and restore his majesty to his just rights and government: And if the houses would proceed upon those grounds and principles upon which they did engage with Scotland, we would never depart from them: And did very instantly urge, that (if they should make their applications to his majesty upon these grounds) his majesty would give them and the kingdom satisfaction; and if they should relinquish their covenant—break their treaties with Scotland—set up a toleration of all religions—cast off

the king—and change monarchical government, yet would it prove wisdom in his majesty to offer to settle a just peace, and satisfy the desires of Scotland, especially concerning religion, which was the only best foundation of peace; and in so doing we were confident that the utmost endeavours and power of Scotland would be applied to restore his majesty to his just rights. And more particularly, we pressed the confirming of the covenant,—the establishment of presbyterial government,—and that the king would not admit of a toleration of all the abominable heresies and horrid blasphemies now professed in England under the notion of religion; and had long and earnest debates with his majesty upon all these heads, yet told that we could not enter in any way of treaty or capitulation with his majesty by ourselves, without the joint concurrence of the houses, unless they part from their former principles, and relinquish their conjunction with Scotland: And besought his majesty to apply himself to give satisfaction in what concerned religion; and we were to insist with the houses, that such propositions might be tendered to him as might settle religion and peace. After our return to London we received the propositions the same day that the king made his escape from Hampton-court, the reasons whereof were made known to the houses, and to the whole kingdom; but whether the dangers were real, or only invented and suggested, to induce the king to go to the isle of Wight, we know not; yet certainly, as they were represented to the king, he had just cause and reason to look to his own safety.

“Having taken the propositions into consideration, we found in them material alterations and essential differences from the former propositions,—contrary to the ends of the covenant,—destructive to religion, the king, and union between the two kingdoms; and in the committee at Derby-house, we desired that they would not give just cause of resentment to Scotland, by slighting their desires and just interest; but no entreaty nor

persuasion of ours could prevail so far as to procure a meeting or conference. And when they had resolved to send their bills to the king, without so much as giving an answer to our desires, we gave in our answer to the propositions, which is published; but on they went, and fixed a day to send their bills to the king, and presented them without us, which forced us, in behalf of this kingdom, to enter our dissent. And finding clearly, that the desire of the bills was, to establish by law the power of the sword perpetually in the hands of that army of sectaries, and to bind the subjects by a law to maintain and pay them; and to adjourn the parliament to be moveable, and go where the army pleaseth, without settling of religion or restoring the king; but only upon the grant of these bills, they would admit a personal treaty with the king, upon the remainder of the propositions, in the isle of Wight: by which propositions they desire the establishment of toleration in place of uniformity, and breaking off that conjunction which by covenants and treaties was bound up between the two kingdoms; we conceived that we had more than reason to try what length the king would come for the preservation and settlement of religion, and for his own and his kingdoms' safety, which we shall give an account of at the next meeting.”

Upon the 15th of February, the lord chancellor having, through indisposition, been unable to finish his report at the former sederunt, continued his account of his majesty's concessions to the committee of estates as follows:

“After we had given in our dissent against the proceedings of the two houses, we did, with all earnestness, beseech his majesty, that he would seriously lay to heart the dangerous condition that religion, himself, and his kingdoms were in, and that he would give satisfaction concerning religion, wherein the glory of God was most concerned, as the best foundation of peace, and what was the chief desire of Scotland; and that which would give them greatest satisfaction,

would endear his majesty to them, and oblige them most to express their duty and respects to him. And we did more particularly insist, that he would, by act of parliament, confirm the covenant, establish presbyterial government, and not admit that impious toleration of all religions, heresies, and sects which are now so prevalent in England: And for matters civil, that his majesty would give such satisfaction as might settle and secure a just and lasting peace. And although we could not procure from his majesty the full length of your desires, nor our own, concerning the enjoining of the covenant, and the full settling of presbyterial government for all times to come, yet we used all arguments which we could to obtain these. All his majesty would grant for the present is: for the covenant, his majesty—giving belief to the confessions of those who have entered into the league and covenant, that their intentions are real for preservation of his majesty's person and authority, according to their allegiance, and no ways to diminish his power and greatness—is content, so soon as he can with freedom, honour, and safety, be present in a free parliament, to confirm the said league and covenant by act of parliament of both kingdoms, for security of all those who have taken, or shall take, the said covenant, provided that none who are unwilling shall be constrained to take it.

“His majesty will likewise confirm, by act of parliament in England, presbyterial government, the directory for worship, and the assembly of divines at Westminster, for three years, so that his majesty and his household be not hindered from using that form of divine service he hath formerly practised; and that a free debate and consultation be held with the divines at Westminster, (twenty of his majesty's nomination being added to them), and with such as shall be sent from the church of Scotland, whereby it may be determined by his majesty and the two houses, how the church government, after the said three years, shall be fully established, as

it is most agreeable to the word of God.

“And for suppressing of schism and heresies, his majesty is content and most willing, that an effectual course shall be taken by act of parliament, and all other ways needful or expedient, for suppressing the opinions or practices of antitrinitarians, arians, socinians, antiscripturists, independents, anabaptists, antinomians, arminians, familists, brownists, separatists, libertines, and seekers; and generally, for suppressing all blasphemy, heresy, schism, and all such scandalous doctrines or practices as are contrary to the light of nature, or to the known principles of christianity, (whether concerning faith, worship, or conversation), or to the power of godliness, or which may be destructive to order and government, or to the peace of the church and kingdom.

“And as we do relate truly what his majesty is willing to do concerning religion, so his majesty did offer to the houses the power of the militia by sea and land during his reign, and that such persons shall be put in places and offices of trust and power as the houses pleased, and in whose faithfulness they might trust, as is expressed in his majesty's message from Carisbrook castle. But we shall not insist upon these, as being more proper to England; we shall only assure your lordships, in his majesty's name, that upon a good agreement, he is content, concerning the acts passed in the last triennial parliament of this kingdom, and the committees appointed by the same, to give assurances by act of parliament, that neither he nor his successors shall quarrel or call in question any for giving obedience to the same. And whatever hath been further required in any of the former instructions from the kingdom, for the liberties and privileges for commerce and trade, for a competent number of ships to attend the coast of England, and to guard your ships for freedom of trade, or which may make a nearer union between the two kingdoms under his majesty and posterity, his majesty is most willing to grant the same.”

After the lord chancellor had thus given an account of his majesty's concessions, he was seconded by the earl of Lauderdale much to the same effect; but notwithstanding the strong pretensions which those noble lords had made of their zeal to religion and the covenant, the ministers, and a good number in the state, began to suspect their intention was to involve the kingdom in a new war with England, and therefore set themselves to oppose their measures.

The parliament of England being equally averse to a breach with us, and understanding that the parliament of Scotland was to meet upon the 2d of March, they sent down the earls of Nottingham and Stamford, Mr. Ashurst, colonel Birch, Mr. Harbe, and Mr. Marshall the minister, to reside at Edinburgh during the sitting of the parliament, and to declare to them their desire of maintaining a good correspondence between the two nations; and that they, the parliament of England, would take speedy care for the advancement of L.100,000 sterling of the arrears due to the Scots army while in England; and as concerning the arrears due to the army in Ireland, they desired that the parliament of Scotland would either propose a certain sum in gross, or else appoint commissioners to repair to Ireland, and audit the accounts of that army.

Upon the 2d of March the parliament met; and having elected the earl of Loudon, chancellor, to be preses, they appointed a committee, consisting of eight lords, viz. the duke of Hamilton, the marquis of Argyle, the earls of Crawford, Lauderdale, Lanark, Callander, Traquair, and Roxburgh; eight barons, viz. Ennerpethen, Warriston, Lee, Humble, Collington, Arniston, Garthland, and Innes, with eight burgesses, to riven matters for the parliament.

While the parliament were consulting about the sending an army into England, the commission of the church being of opinion that the king's concessions were not satisfactory, and that the most part of those who were proposed to

command in that engagement were men of malignant and ill disposed principles to the covenanted reformation, did frame a declaration, tending to dissuade from that undertaking, as dangerous to religion and to the church and state. This declaration, which is printed and well known, was, March 9th, presented by Mr. Robert Douglas their moderator, accompanied with several ministers and ruling elders of chief note, who were ready to support and vindicate their declaration.

The parliament received the said declaration with no great good will, and desired that the commission would not publish the same, until an answer to it was prepared; but the commissioners told them roundly, that they could not be answerable for the trust committed to them by God and the church, if they neglected or delayed to publish that declaration, and give timeous and due warning both to the parliament and whole kingdom, as God requires of watchmen in times of imminent danger, unless they, the parliament, would give assurance, that nothing should be done in the meantime tending to a rupture with England.

All the concessions which the parliament would make, was, to desire the commission to appoint some of their number to confer with them concerning the said declaration. This was complied with, but without any good effect. For though by the treaty between the two kingdoms, Berwick and Carlisle were to be without garrisons in them, the parliament of Scotland did, by a vote, March 16th, ordain these two places to be surprised, and garrisons placed in them. Against this vote, the marquis of Argyle, the earls of Eglinton, Cassilis, Lothian, and Loudon chancellor, and with them many barons and burgesses, to the number of fifty-eight in whole, protested, that they might not be included in any such voice or resolution, but might be free, both before God and man, of all the guiltiness, prejudices, and evils that might follow thereupon to religion, the king's person and authority, to

this church and kingdom, or to the covenanted union between the two kingdoms.

We noticed formerly, that the chancellor was of the number of those who agreed with the king to set an army on foot for his rescue, and now we see him amongst the number of protestors against the first step taken towards it. To account for this, the reader will recollect, that the promise of a gift of the teinds might blind the eyes of a nobleman, whose estate was overburdened; but happily, when his foot had well nigh slipt, the conversation of severals of the other protestors and ministers discovered to him his mistake; and he was so fully convinced that his compliance was contrary to his trust, that he acknowledged this before the commission of the church, and submitted to a public rebuke, and admonition to more stedfastness, in the high church of Edinburgh.

The commission of the church, hearing of the above vote, and of the opposition made to it, they, upon the 22d of March, did, for their own exoneration, and for obtaining a clear understanding between the parliament and them, give into their lordships the eight demands following, viz. :

“1st, That the grounds and causes of undertaking a war may be cleared to be so just, as that all who are well-affected may be satisfied of the lawfulness and necessity of the engagement, and that nothing be acted in reference to a war, before the lawfulness of the war and state of the question be agreed upon.

“2d, As the breaches of the covenant by the prevailing party of sectarians are evident; so we desire and hope, that according to the treaty, it may be condescended upon and declared by the parliament, what are those breaches of peace which they take to be the ground of war, and that reparation thereof may be sought.

“3d, That there may be no such quarrel or ground of the war as may break the union between the kingdoms, or may discourage or disoblige the presbyterian party in England, who continue

firm in adhering to the league and covenant.

“4th, That if the popish, prelatical, or malignant party shall again rise in arms, this nation and their armies may be so far from joining or associating with them, as enemies to this cause and covenant on the one hand, as well as sectaries on the other.

“5th, Seeing your lordships' undertaking should be in the first place for religion, we desire, that his majesty's late concessions and offers concerning religion, as they have been by the church, so may be by the parliament, declared unsatisfactory; whereby your lordships may give further evidence of the reality of your intentions for the good and safety of religion.

“6th, That your lordships may be pleased not to fix or settle any such state of a question, as doth not contain security to be had from his majesty by his solemn oath, under his hand and seal, that he shall, for himself and successors, consent and agree to the acts of parliament enjoining the league and covenant and fully establishing presbyterian government, the directory of worship, and confession of faith, in all his majesty's dominions; and that his majesty shall never make opposition to any of these, or endeavour any change thereof; and that this security be had from his majesty before his restitution to the exercise of his royal power; which desire we propound for no other end, but because we cannot see how religion (which hath been, and we trust shall be, the principal end of all the undertakings of this nation) can be otherwise secured; but that, without this security, it shall be left to very great hazard.

“7th, That for the same end of securing religion (which is professed to be the principal cause of the engagement,) and for securing all other ends of the covenant, such persons only may be intrusted by your lordships to be of your committees, as have given constant proof of their integrity and faithfulness in this cause, and against whom there is no just cause of exception or jealousy, that so

we may the more confidently excite our flocks and congregations to follow the cause of God in their hands, and not to doubt of the fidelity of those who shall be intrusted by your lordships.

“*8th*, That there may be no engagement without a solemn oath, wherein the church may have the same interest which they had in the solemn league and covenant, the cause being the same.”

On receipt of these demands, the parliament appointed a new conference with the commission; but neither did it take any effect; wherefore the parliament, March 28th, emitted answers to these demands: But the commission, in a paper dated March 29th, represented, that the answers did not satisfy; and so an agreement did not take place.

The parliament being intent upon a rescue of the king, but wishing to do it in a way most acceptable to the subjects of Scotland, they, April 11th, resolved to send the three following demands to the parliament of England:

1st, That they would secure religion according to the covenant, and put in practice the directory for worship.

2dly, That his majesty may be freed from his base imprisonment, and brought to any of his houses in or near London, and allowed to enjoy himself there in freedom, honour, and safety.

3dly, To the end that all the members of parliament may freely and safely return and attend their charges, that the sectarian army under the command of Sir Thomas Fairfax might be disbanded.

At the desire of the opposing party in parliament, the first of these demands was communicated to the commission of the church; who returned for answer, that they thought the demand defective—*1st*, Because the taking of the covenant, and practising the directory, are pressed only upon the subjects, as exempting the king’s majesty not only from taking the covenant, (which yet was laudably desired in the propositions of both kingdoms,) but also, from having the directory for worship practised in his own family. *2dly*, Because the demand containeth nothing of any ap-

plication to be made at or about the same time to the king, for obtaining assurance from his majesty for his royal consent thereto.

The parliament having, at some of their conferences with the commission, thrown out some reflections against them, as intermeddlers with the affairs of the state, and this report being spread through the country, the provincial synods of Lothian and Tweeddale, Merse and Teviotdale, Fife, Perth and Stirling, Angus and Mearns, Glasgow and Ayr, Dumfries, Galloway, and Aberdeen, and several presbyteries in other synods, sent letters of thanks to the commission, for their care and fidelity in the cause; and much about the same time, they sent supplications to the parliament, humbly petitioning that before they engaged the kingdom in a war, they would seriously consider the matter, and labour to have religion secured.

The commission being now recruited with new courage, they, April 18th, did humbly petition the parliament, that they would be pleased to grant satisfaction to their desires as to the lawfulness of the intended war. And accordingly the parliament, by their seventh act, emitted a declaration to the whole kingdom, which, as it contains their manifesto or declaration of war, and their reasons for it, seems to deserve a place at full length; and it accordingly follows, in these words, viz.:

“We, the estates of parliament, now convened in the first session of this second triennial parliament, finding the strong endeavours and attempts of disaffected persons, and enemies of truth, to blast and obstruct our labours in the performance of our duties, in order to all our relations, by traducing and calumniating our proceedings, are therefore obliged to undeceive the abused people, to vindicate ourselves from all unjust aspersions, and to clear and evidence to this kingdom our constancy and firmness to the cause of God, which we now find in as great (if not greater) danger than it ever was in since the beginning of all the late troubles.

“ Upon the growing divisions and debates betwixt his majesty and his two houses of the parliament of England, this kingdom did, for the space of near two years, by reiterated petitions and messages, offer their services and endeavours for composing and removing these dissensions and differences; but their desires therein, through the counsels and practices of their common enemies, were still made ineffectual and disappointed, until at length many thousands of either side were fallen by the fury and rage of a cruel and unnatural sword, and the flourishing kingdom of England turned into a field of blood. And while they were thus, with their own hands tearing out their own bowels, and massacring themselves, the houses of parliament, then in a very low condition, invited this kingdom to their assistance; who, finding their petitions and addresses to his majesty, for a more natural and amicable decision of differences than by the sword, rejected; and justly apprehending to have the dregs of that bitter cup, which overflowed in England, poured out upon their own heads, if those counsels and advices which gave first life and motion to these dissensions, should still be prevalent, did engage in a solemn league and covenant for reformation and defence of religion, the honour and happiness of the king, and peace and safety of the three kingdoms. In pursuance thereof, this kingdom joined in arms with their brethren in England; and for divers years, through many hazards and wants, did prosecute these ends, until, by the blessing of God upon their joint endeavours, their common enemies were subdued, and most of them brought to such condign punishment as the respective parliaments thought fit. Thereafter our army returned home, upon assurances from the two houses, that the treaties and covenant should be inviolably kept; but, on the contrary, we find, that there is not an article of the solemn league and covenant which has not been sinfully and dangerously violated, before God, angels, and men, by the prevalent party

of sectaries and their adherents; nay, the covenant itself like to be destroyed, or at least forgot and laid aside: For where we expected, that, according to the first article of the treaty betwixt the kingdoms in the year 1643, it should have been taken by both kingdoms, and that the not-takers thereof are, by the joint declaration of both, declared public enemies to religion and the country, and are to be punished as professed adversaries and malignants—we now find, by the prevalent parties of sectaries and their adherents, it is not only laid aside in the new propositions lately sent to his majesty to the isle of Wight, and no execution of public orders for taking it through the country, but also, many persons of eminent and public trusts, in the army and elsewhere, have never taken it, neither are urged thereunto. Instead of reformation and defence of religion, that reformation which by the covenant ought to be endeavoured, is resisted and hindered, heresy and schism tolerated; under which most horrid blasphemies are sheltered and protected, if not openly professed and allowed. Instead of maintaining the rights and privileges of parliament, the houses have been highly disobeyed and threatened. Those who by the covenant ought to be brought to condign trial and punishment for hindering the reformation of religion, dividing the king from his people, or any of the kingdoms from another, or making any faction or party amongst the people, contrary to the league and covenant, have been protected and assisted, and those persecuted who, by the covenant, ought to be defended. Instead of a firm union and peace betwixt the kingdoms, a breach hath been endeavoured. And whereas both kingdoms, by the solemn league and covenant, are obliged to preserve his majesty's person and authority, in the preservation and defence of the true religion and liberties of the kingdoms, that the world may bear witness with our consciences of our loyalty, and that we have no thoughts nor intentions to diminish his majesty's just power and

greatness: And the kingdom of Scotland having also, upon his majesty's going from Newcastle, declared against all injury, harm, prejudice, or violence to be done to his royal person; yet, by a sudden surprisal, his majesty was violently seized on, and carried from his house at Holmby, against his own will, and the declared resolution of both kingdoms, by a party of the army under the command of Sir Thomas Fairfax; and by that army thereafter carried about from place to place at their pleasure, kept and environed with strong guards within their quarters, until he was forced, for safety of his life, to flee from Hampton-court, as he himself declared in his message from thence; and by the power and prevalency of that army and their adherents, he is kept a close prisoner in the isle of Wight, and votes passed, declaring it high treason to make any further applications to him, or to receive any messages or letters from him; yea, even to that extremity are they already gone against him, that it is declared they will repose no further trust in him: Likeas, not only such as had warrants for access to him from the parliament of this kingdom, are debarred thereof, notwithstanding of the engagements of the houses 27th January 1647, to the contrary; but the earl of Lauderdale, a public minister of this kingdom, contrary to the law of nations, was violently removed from Woburn, where his majesty then was, and not suffered to have access to him; and though reparation therein was desired by the committee of estates, yet none was given: And when the said commissioners desired to know whether the votes against all applications to the king did extend to his majesty's subjects in Scotland, to debar such as are warranted by the parliament of this kingdom, or their committees, free access to, or intercourse with, his majesty, or that he should be hindered from, and so made incapable of, any act of government in relation to the affairs of Scotland, no answer at all was returned thereto, until the commissioners from both

houses, now residing here, did, in March last, give to us a large declaration from them, claiming the sole power of disposing of the person of the king in England. We do not conceive it fit, at this time, to insist upon any violation made of the large treaty concerning the remainder of the money due upon the brotherly assistance, nor of the treaty for the army in Ireland, for whose service there was due in anno 1643, by a subscribed account, L.312,000 sterling (though we can never part from the interest of that army, till they be justly satisfied for their long and faithful services); for as money neither was the cause nor motive to any of our undertakings or resolutions, whatever hath been falsely suggested by our enemies, so we shall not value it so much, as now to mention it among the causes and grounds of our proceedings at this time.

“By the large treaty betwixt the kingdoms of Scotland and England, it is provided, That if any armies be levied in any of the kingdoms, and the neighbour kingdom thereby harmed or wronged, that then the estates of the country by which it is done shall be obliged to pursue, take, and punish the offenders with all rigour. The kingdom of Scotland hath several times desired the performance of this article; and in particular, the parliament of Scotland, upon the 16th of January 1647, to which the houses, in their letter of the 27th of January, engaged themselves to the parliament of Scotland, that the English garrisons being delivered up, and the Scots army marched out of England, they should take that desire into speedy consideration. Upon the 16th of July 1647 the Scots commissioners desired performance thereof, but, through the prevalency and power of the sectaries, no reparation, satisfaction, or answer was given.

And although, by the eighth article of the treaty 1643, it is agreed, That no cessations, pacifications, nor agreement for peace whatsoever should be made by either kingdom, or the armies of either kingdom, without mutual advice and

consent of both kingdoms,—which engagement the houses of parliament also repeated in their letter of the 17th of January 1647, to observe that article, after the removal of our army out of England,—yet contrary thereunto, the army of sectaries, and their adherents, framed proposals destructive to the ends of the covenant; which were presented to his majesty, without the advice or consent of the kingdom of Scotland. And thereafter, by their power and prevalency, the houses of parliament have laid aside the propositions agreed on by both kingdoms, and have, contrary to the treaty, presented propositions and bills to his majesty; against which the commissioners of this kingdom, by order, and according to their instructions, did protest, as being destructive to religion, the crown, and union of the kingdoms.

These dangers, so eminently threatening religion and government, call upon us as christians, as subjects, as Scotsmen, in duty to God, our king and country, and to our oppressed and heavily afflicted brethren in England, who are faithful and constant to the cause of God. We have therefore resolved, in the first place, to endeavour and essay all brotherly and amicable means of repairing and making up such differences or breaches as may otherwise necessitate this kingdom to engage in a war; and therefore we do intend to send to the honourable houses of parliament in England these following necessary and just desires for religion, his majesty, and the good and peace of these kingdoms:

“*1st*, That an effectual course be taken by the houses for enjoining the covenant to be taken by all the subjects of the crown of England, conform to the first article of the treaty, and conform to the declaration of both kingdoms anno 1643; by which, all who would not take the covenant were declared to be public enemies to religion and the country, and that they are to be censured and punished, as professed adversaries and malignants; and that reformation of, and uniformity in, religion be settled

according to the covenant; that as the houses of parliament have agreed to the directory of worship, so they would take a real course for the practising thereof, by all the subjects in England and Ireland; that the confession of faith, transmitted from the assembly of divines at Westminster to the houses, be approved; and that presbyterial government, with the subordination of the lower assemblies to the higher, be settled, and fully established in England and Ireland; and that an effectual course be taken for suppressing and extirpating all heresies and schisms, particularly socinianism, arminianism, erastianism, familism, brownism, and independency; and for perfecting what is further to be done for extirpating popery and prelacy, and suppressing the practice of the service-book, commonly called the book of English common-prayer.

“*2dly*, That, conform to the former desires of this kingdom, the king's majesty may come with honour, freedom, and safety to some of his houses in or near London, that the parliaments of both kingdoms may make their applications to him, for obtaining his royal assent to such desires as shall be by them presented to him, for establishing religion, as is above expressed, and settling a well-grounded peace.

“*3dly*, And to that end, that all members of both houses, who have been faithful to this cause, may freely and safely return and attend their charges; the city of London may enjoy the liberties and privileges which it had before the late encroachment of the army; the parliament may sit and vote with freedom and safety; both kingdoms, without interruption or disturbance, may make their application to his majesty, and the settling of religion and peace may be no longer hindered and obstructed; that the present army of sectaries, under the command of Thomas lord Fairfax of Cameron, be disbanded, and none employed but such as have taken or shall take the covenant, and are well affected to religion and government, excepting from the said disbanding the

garrisons necessary to be kept up by the parliament of England for the safety of that kingdom, which are desired to be commanded by such as have taken, or shall take, the covenant, and are well-affected to religion and government, as aforesaid.

“We will not doubt, but that the honourable houses will seriously weigh and consider how necessary and just these our demands are, to which we expect a satisfactory answer; but if, through the influence and power of the army of sectaries that now environs them, these our desires be slighted and rejected, yet we resolve, by God’s assistance in all our proceedings, never to break on our part the union betwixt the kingdoms, nor to encroach upon the national rights of the subjects of England, or intrench upon their just liberties; much less is it our intention at all to make a national engagement against the parliament and kingdom of England, but for them, whose freedom, privilege, and happiness shall be ever as dear to us as our own. And if we shall be necessitated to any undertaking in a war, we do resolve, that as the engagements of this kingdom have been constantly hitherto for settling truth and peace under his majesty’s government, so they shall still be for obtaining the same ends: And we will be careful, that in the managing and carrying on of so pious and dutiful a work, that we shall not enter into an association and conjunction of forces with those who shall refuse to swear and subscribe the solemn league and covenant, nor use such means or instruments as may discourage or disoblige the presbyterians in England who continue firm to the solemn league and covenant: And that we will be so far from joining or associating ourselves with the popish, prelatical, or malignant party, if they shall again rise in arms, either to oppose or obstruct all or any one of the ends of the covenant, that, on the contrary, we will oppose, and endeavour to suppress them, as enemies to the cause and covenant on the one hand, as well as sectaries on the other: And we further de-

clare, that we will give trust, in our armies and committees, to none but such as are of known integrity, abilities, and faithfulness to this cause and covenant, and against whom there is no just cause of exception. And as we shall endeavour the rescuing of his majesty from those who violently carried him away from Holmby, and by whose power he is still detained close prisoner, that he may come with honour, freedom, and safety to some of his houses in or near to London, where both kingdoms may make their applications to him, for settling religion and a well-grounded peace; so we resolve, not to put in his majesty’s hands, or any others whatsoever, any such power, whereby the foresaid ends of the covenant, or any one of them, may be obstructed or opposed, or religion or presbyterian government endangered; but, on the contrary, before any agreement or condition be made with his majesty, (having found his late concessions and offers concerning religion not satisfactory,) that he give assurance by his solemn oath, under his hand and seal, that he shall, for himself and his successors, give his royal assent, and agree to such act or acts of parliament, and bills, as shall be presented to him by his parliament of both or either kingdoms respectively, for enjoining the league and covenant, and fully establishing presbyterial government, directory of worship, and confession of faith, in all his majesty’s dominions; and that his majesty shall never make any opposition to any of these, nor endeavour any change thereof. And further, to shew and evidence the candour and reality of our intentions, we are willing to subjoin to the grounds of our undertakings an oath, wherein, both in the framing thereof, and otherwise, we are willing that the church shall have their due interest as formerly in the like cases.

“And albeit we are resolved not to engage in any war before the necessity and lawfulness thereof be cleared, so as all who are well-affected may be satisfied therewith, and that reparation to such breaches and injuries as are or shall be

condescended on, shall be demanded in such a just and fit way, as shall be found most lawful and expedient; yet we cannot be answerable to the great trust laid upon us, if, seeing so imminent and great dangers to all that is dearest to us, we did not make use of our authority and power for the common safety of this kingdom; and therefore we have resolved to put this kingdom presently in a posture of defence, as it was anno 1643.

“And now, as many of the dangers, with the grounds and resolutions in pursuance of our duties, are hereby made known to this kingdom, so we are assured, that all and every one who have any zeal to religion, love to monarchical government, sense of the sufferings and imprisonment of their king, affection to their oppressed brethren in England, or desire to preserve the privileges of parliament, and liberty of the subject, will cheerfully, in such an exigence, while the eyes of all Christendom are on us, rouse up themselves, and contribute their best endeavours, as they shall be required by us, in pursuance of all the ends of the covenant, as well for religion as for his majesty's person and government, and privileges of parliament; in doing whereof we shall witness to the world, that we have not swerved from these our first principles, contained in our national covenant, and in our solemn league and covenant; whereby we did solemnly swear and promise, before God and his angels, to endeavour, in our several places and callings, the reformation of, and uniformity in, religion and church government in all his majesty's dominions, according to the word of God, and example of the best reformed churches; and not only to the utmost of our power, with our means and lives, to stand to the defence of our dread sovereign, his person, and authority, in the preservation of the true religion and liberties of the kingdom, but also, in every cause which may concern his majesty's honour, to concur according to the laws of the kingdom, and duty of good subjects; and also hereby give a singular proof of the good intentions of all that maintain presbyterial govern-

ment, that they are not enemies to monarchy, as they are falsely branded by their enemies: And in particular, this kingdom of Scotland will now make it evident, as they often declared, that their quietness, stability, and happiness, doth depend upon the safety of the king's majesty's person, and maintenance of his greatness and royal authority, who is God's vicegerent, set over us for maintenance of religion, and ministration of justice; having so many bands and ties of duty and subjection to his majesty and his government, who is our native king, from a longer series and descent of his royal progenitors than can be paralleled in Europe, that we resolve closely and constantly to adhere therunto, as also to all the ends of the covenant.—ALEX. GIBSON, *clerk register*.”

The commission of the church, not being yet satisfied with this declaration, they, April 28th, gave into parliament a new representation, wherein they shewed, That though there is much said of England's breach of covenant, yet they desire, that it might not be charged on all in England, and not on sectarians only, but also on malignants here, as well as on sectaries in England; for as the sectaries endeavour a breach in England, so malignants here endeavour a breach betwixt the kingdoms. *2dly*, That they are very sensible of the attempts, injuries, and violence of the sectaries against his majesty's royal person, and the hard condition that he is reduced to by their means; and as their prayers and endeavours have not, so shall they not be wanting for the preservation of his majesty's person and authority, &c., but withal they do leave it to be pondered by the parliament, whether they that obstruct and hinder the requiring satisfaction and security from his majesty, in point of religion, before his restitution to the exercise of his royal power, do not upon the matter, and by consequence, obstruct and hinder his majesty's deliverance and restitution, whereof such security and assurance had from his majesty, might be a powerful and effectual mean. *3dly*, As to the breaches

of treaty by the parliament of England, they say, that they cannot perceive them to be so clear, and of such consequence, as to be the cause of a war; and they do humbly recommend it to their lordships' serious thoughts, whether it were not more agreeable to that brotherly way of proceeding betwixt the two kingdoms in covenant, to desire a treaty with the parliament of England concerning these breaches and demands, seeing all lawful ways are to be tried for preventing the effusion of more blood. *4thly*, As to the demands sent to the parliament of England; first, concerning religion, they observe, That though they desire that all who would not take the covenant be declared public enemies to their religion and country, &c., yet they find no such thing declared or resolved in reference to those who have not to this day taken the covenant among ourselves; and they conclude, as they desire that reformation of, and conformity in, religion, may be endeavoured by all fair, lawful, and brotherly ways, according to the covenant, and heartily approve any of their lordships' desires to that effect, so their lordships would be very cautious and tender of turning such desires to causes of war, when not obtained. As to the next demand, That the king's majesty may come to some of his houses in or near London, with honour, freedom, and safety, &c. they answer, That albeit they would not be understood as if they have had, or now have, any thoughts of declining to restore his majesty to the same condition he was in by the agreement of both kingdoms, when he was taken away by a party of Sir Thomas Fairfax's army, that both kingdoms may make their applications to him; yet they desired, that there might be no engagement by war for restoring of his majesty to one of his houses, with honour, freedom, and safety, (which doth amount to no less than the restitution of his majesty to the exercise of his royal power), before security and assurance be had from his majesty, by his solemn oath, under his hand and seal, that he shall, for himself and his succes-

sors, consent and agree to acts of parliament, enjoining the league and covenant, and fully establishing presbyterian government, the directory for worship, and confession of faith, in all his majesty's dominions; and that his majesty shall never make opposition to any of these, or endeavour any change thereof, that so no power may be put in his majesty's hands, as may bring the bygone proceedings of both kingdoms, in the matter of the league and covenant, into question. For, say they, the urging the disposal of the king's person in England, in such a way as that he may come to London with honour, freedom, and safety, without his majesty's giving, or your lordships desiring his majesty to give, satisfaction and security in religion, in such things as belong to the safety of the kingdom, as it is a far different point from the urging a joint interest in the disposing of the king's person by both kingdoms, for the good of both, so it will be judged by most of all parties in England that ever concurred in this cause, to be so prejudicial to their national rights and liberties, and such an encroachment thereupon, as that it will unite them all in opposition to this kingdom, and consequently alienate them from the intended uniformity in religion according to the covenant. As to the third demand, That the present army of sectaries may be disbanded, they answer, They think indeed no persons fit to be employed or intrusted in the armies of either kingdom, who have not taken the covenant; and that all sectaries in arms in England should be disbanded and disarmed: so likewise, they conceive reason to foresee and provide against the danger of the rising again of the popish, prelatical, and malignant party in arms; and the rather, because some in Wales and Ireland, actually in arms, have discovered and declared their principles and ends to be very malignant: Also we fear, that your present resolutions and proceedings are not the way to further, but retard and hinder, the disbanding of the present army in England, and to frustrate the ends of your declaration."

Notwithstanding of the above representation, the parliament sent their demands to England, and published their declaration to this kingdom.

No sooner had they done this, than the commission of the general assembly did emit a declaration, sadly regretting that the parliament should have sent their demands to England, and published their declaration, before they had received and considered their humble representation thereupon; and told them, that they had done what lay in them to prevent the sad inconveniences and ruptures likely to fall out; and declared, that they were ready to consent and agree to the engaging and acting in war, if they were satisfied in their consciences concerning the grounds of undertaking, and the means and ways of prosecuting the same, and concerning the other particulars contained in their desires presented to the parliament;—but, say they, we not being satisfied in these, and looking upon the war as it is now stated,—matters standing as they do,—and the whole complex business taken together, we cannot but (with all dutiful respect and honour, both to his majesty and to the estates of parliament) plainly dissent and differ from the same; being persuaded in our consciences, that it is an engagement of most dangerous consequence to the true reformed religion, both in doctrine, discipline, worship, and government—prejudicial to the true interest and liberty of the kirk—favourable to the popish, prelatical, and malignant party—inconsistent with the union of the kingdoms, and the satisfaction of the presbyterian party in England; and therefore contrary to the word of God—to the solemn covenants—first principles and public professions of this kirk and kingdom; whereupon we cannot expect a blessing from God. And though there is much zeal pretended for the ends of the covenant—uniformity of religion, suppression of sectaries, and the like; yet, say they, the more pretence be made of religious ends, the malignant designs varnished and painted therewith are unto God and good men so much

the more hateful. Doth the same fountain send forth sweet water and bitter? Or how can true zeal against sectaries lodge in one breast with zeal for malignants?

Besides, if religion and the glory of God be now chiefly aimed at, what meaneth the refusing of that satisfaction and security which hath been desired for religion? And if there be such zeal against sectaries in the engagement, what meant it, that not long ago, when the dangers of the true reformed religion of this kirk, from the prevalent parties of sectaries in England, were remonstrated by us to the honourable committee of estates, it was pleaded by some, who are now most active and forward for an engagement, that this kirk and kingdom is in no such danger from the sectaries in England, and the army there, as might be any cause of not disbanding the army in this kingdom? And is this candid or fair dealing, to extenuate or alleviate dangers from sectaries, so as may best serve men's present business?

The parliament did not take the freedom of the commission in good part; and therefore, May 11th, they sent a letter to the several presbyteries within the kingdom, complaining of the commissioners of the general assembly: And in answer thereto, the commission published a vindication; but these being already in print, it seems unnecessary to swell our volume with them.

Several synods, shires, and presbyteries did again petition the parliament, that religion might be secured, and the union of the kingdoms not violated and broken, nor war engaged in without weighty considerations.

The parliament was once upon a resolution to publish an answer, and did communicate a draught thereof to the commission of the general assembly. But on second thoughts, the next day after, they sent Sir James Lockhart of Lee and Sir James Dundas of Arniston, to the commission, desiring to wave a particular answer to that paper; and to desire the commission to tender to the parliament their advice concerning the

security of religion, in answer to the foresaid petition from synods, presbyteries, and shires; which the commission of the general assembly granted, and published their advice, June 10, 1648, as follows: "We call to record the Searcher of all hearts, the Judge of the world, that our not concurring with your lordships' proceedings hitherto, hath not flowed from want of zeal against sectaries,—for the suppressing of whom, and for the advancement of the work of reformation, we are ready to hazard all in a lawful way,—nor from any remissness in that which concerneth his majesty's true honour and happiness, and the preservation of the monarchical government in him and his posterity, nor from any want of tenderness of the privileges of parliament, nor from want of sympathy with our afflicted and oppressed brethren in England, nor from partial or sinister respect to any party or person whatsoever within the kingdom; but from mere tenderness in the point of security of religion, and the union between the kingdoms, and the unsatisfactoriness of your lordships' declaration, &c. It is therefore our humble advice, that the above mentioned petitions, being so just in themselves, and flowing from the grounds aforesaid, as they ought in equity to have been granted, so they ought yet to be granted, by the securing religion, staying the present levy, and essaying treaties with England, applications to his majesty, and all other fair and amicable ways for removing the differences between the kingdoms, before sending any forces to England, or any other way of engagement in war. And lest the taking of Berwick and Carlisle (which is so scandalous to this nation) be looked upon by England as a breach of union on your part, that your lordships would be pleased to make it appear, that neither the parliament nor any of your number, have had any accession to the surprisal or supplying of these towns, nor shall have any correspondence or compliance with those who have been actors therein. We do also conceive it necessary, for sa-

tisfaction of the petitioners, that his majesty's late concessions and offers concerning religion, may, by your lordships, directly and positively be declared unsatisfactory to this present parliament. That albeit we would not be misunderstood, as if we have had or have any thoughts of declining to restore his majesty to the same condition he was in by the agreement of both kingdoms, when he was taken away by a party of the army under Sir Thomas Fairfax, that both kingdoms may make their applications to him; yet your lordships would be pleased to declare, that there shall be no engagement for restoring his majesty to one of his houses, with honour, freedom, and safety, (which doth amount to no less than the restitution of his majesty to the exercise of his royal power, for the reasons holden forth in our late representation, never yet answered), before security and assurance be had from his majesty, by his solemn oath, under his hand and seal, that he shall, for himself and his successors, consent and agree to acts of parliament enjoining the league and covenant, and fully establishing presbyterian government, the directory for worship and confession of faith in all his majesty's dominions, and that his majesty shall never make opposition to any of these, or endeavour any change thereof.

"That your lordships will make it appear, that you intend to be far from interesting yourselves in any quarrel for his majesty, that may put in his majesty's hands such power as may not only bring the bygone proceedings of both kingdoms, in the league and covenant, in question, but also, for the time to come, make void all the authority of parliaments, though proceeding never so rightly, in reference to the religion and liberties of the kingdom.

"That a clear and direct course may be laid down and declared, not only against associating or joining in councils or forces with the popish, prelatical, or malignant party, but also to oppose, and effectually endeavour to suppress, all such of them as have already risen or

shall hereafter rise in arms, upon whatsoever pretence, as enemies to the cause and covenant on the one hand, as well as sectaries on the other.

“That nothing be done, in carrying on the engagement, which may break the union of the kingdoms, or may disoblige the presbyterian party in England.

“Because it is our grief, and the grief of all the well-affected, that those who have been of constant and approved integrity, and have been instrumental under God for our deliverance, should be forced, for want of satisfaction in their consciences, to leave the service; and that others are put in place that have not given constant proof of their integrity and faithfulness, and against whom there is just cause of exception and jealousy; so that we cannot exhort our flocks to be confident in their fidelity: yea, and severals that have been in real opposition to the cause, are intrusted with the management of your lordships’ resolutions:—that therefore your lordships would be pleased, in your wisdom, to provide a timeous remedy herein.

“That there be no engagement without a solemn oath, wherein the church may have the same interest which they had in the solemn league and covenant, the cause being the same.

“As we do humbly insist with your lordships for satisfaction to our former desires, expressed in our former papers, so it is our humble petition to your lordships, that in such things as have been ordained by your lordships, and put in execution by your order, contrary to some of these desires, some effectual remedy may be found out for help thereof; that all who, since the beginning of this levy, through tenderness of conscience, did sustain loss for not contributing to the said levies, may be repaired, &c.; all unusual and grievous courses, impoverishing good people, and utterly disabling them to subsist, may be hereafter avoided; and the intolerable insolencies, profaneness, blasphemies, and manifold outrages that of late have appeared in the soldiers, may be severely punished and repressed; that no ordi-

nance nor order may be issued from your lordships, in prejudice of the liberties of the kirk, and of the free exercise of any part of the ministerial calling; all which they have from Jesus Christ, the only head and lawgiver to his kirk, and which your lordships, by solemn oath and covenant, are bound to maintain: And that, as it is our grief, that while your lordships have been seeking our advice, you have been, and are, making grievous acts (as we are informed); so we desire your lordships, in the fear of God, to beware of making and maintaining such acts; and namely, that ye put not the power of arbitrary government in the hands of many intrusted by your lordships, or ordain any oaths to be imposed or exacted that may be a snare to men’s consciences. All which we seriously recommend to your lordships, as you desire not to provoke against yourselves and your posterity the wrath of the most high God, and that the Lord should not avenge the quarrel of a broken covenant upon the parliament and kingdom of Scotland: But if your lordships shall be pleased to hearken to our humble advice, and to satisfy the consciences of the well-affected in the kingdom to the work of reformation, by granting their just desires, your honours shall be blessed of God; the people of God shall bless you in the name of the Lord, and bless the Lord for you. You shall bind up the sores of this distressed and distracted kingdom, endear the affections of the well-affected, disappoint the designs of the disaffected, and your name shall be a praise to the present and succeeding generations, and we shall pour out our supplications before him who sitteth and judgeth among the gods,” &c.

Notwithstanding of this advice, it was carried by vote of the major part of the parliament, that an army should be levied, under the command of the duke of Hamilton, general, and the earl of Callander, lieutenant-general; and a great cess was laid upon the kingdom, for the raising and maintaining that army.

Against this engagement, the marquis

of Argyle, the earls of Sutherland, Cassilis, Eglinton, Loudon, Lothian, with many other lords, barons, and burgesses, members of parliament, entered their protestations; many officers in the army, as colonel Ker, colonel Strachan, colonel Halkett, and others, who had manifested faithfulness formerly, refused to engage in this expedition, whose places were filled with disaffected and scandalous persons; many zealous refused to pay the imposition of the parliament for levying and maintaining the said army; whereupon soldiers were quartered upon them, who pillaged them, not only exacting free quarter, but also each horseman exacted half-a-crown a-day, beside his entertainment.

While the levy was preparing, it was resolved that a declaration should be sent to the parliament of England, whereby they recount what had been done formerly by the joint councils of the parliaments and armies, and how that a party of independents in the houses of parliament interrupted their fair beginnings, created and fomented jealousies against the Scots; and by their new-modelled army, for the most part sectarians, engrossed all power, military and civil, in their own and their creatures' hands; altered the propositions agreed upon at Uxbridge, and kept the army from being disbanded; who entered into a solemn engagement against the resolutions of the parliament—cashiered all the presbyterian officers in the army—placed sectaries in their places—erected a supreme council of agitators—seized on the king's person—carried him against his will, and against the declared resolutions of both kingdoms, and came to London, and forced the houses to recall their former votes for a committee of safety, and compelled the eleven members to withdraw; and so destroyed the liberty of the parliament, and made his majesty prisoner in the isle of Wight, without any known authority; and hath broken the union between the two kingdoms, and rubbed many affronts and injuries upon this nation, their army, and commissioners. And therefore the parlia-

ment of Scotland, having sent three necessary demands to the parliament of England in April, for composing the differences in an amicable manner, viz. That they would secure religion according to the covenant—that his majesty might be freed from his base imprisonment, that he might come to some of his houses in or near London, with honour, freedom and safety, that both kingdoms may have access to him, for settling of religion and a well-grounded peace—and that the army of sectaries might be disbanded;—and not receiving satisfaction in any of them, are necessitated to undertake this engagement. And for satisfaction to all that are satisfiable, and to witness the sincerity of their intentions, they declare,

“*1st*, That they are resolved to maintain and preserve inviolably the reformation of religion, in doctrine, worship, discipline, and government, as it is established by law amongst us. *2dly*, That they will endeavour the rescue of his majesty's person from his base imprisonment, that he may come with honour, freedom, and safety to some of his own houses in or near London, that the parliament of both kingdoms may make their application to him for obtaining his royal assent to such desires as shall be by them presented to him. *3dly*, That the two houses of parliament may be restored to their freedom, that all members who have been faithful to this cause may freely and safely attend their charges; that the parliament, being masters of their own counsels and results, they may, together with the advice and consent of the kingdom of Scotland, conclude, in a treaty with his majesty, all other things expedient to our thorough settlement. *4thly*, That the city of London may have their former propositions presented to the king at Oxford and Newcastle, and pressed as was formerly intended. *5thly*, That the army of sectaries under the command of general Fairfax be disbanded, and that none be employed in war but such as have taken or shall take the covenant, and are well affected to religion and the present government.”

Although this declaration had a very fair aspect, yet the ministers, and other zealous good people, greatly doubted the sincerity of these professions; for this reason especially, that many who were known malignants, and disaffected to the covenant and work of reformation, were now principal actors in this expedition, which conveyed sufficient demonstration, that there was a design to have the malignants in place and power, and those who were truly real for the covenant and reformation, depressed;—which the wise and sagacious perceiving, did animate and instigate one another to the vigorous opposition of the same.

The general assembly convened at Edinburgh July 12, 1648, and made choice of Mr. George Gillespie, minister at Edinburgh, and one who had signalized himself remarkably in the Westminster assembly, to be moderator.

Because there had been great debates and differences betwixt the parliament and the commission of the last general assembly, they judged it necessary, so soon as the assembly was constituted, and the commissions from presbyteries examined, to appoint a committee to examine the proceedings of the commission. These reported their diligence, July 18th, whereupon the assembly did approve and ratify their proceedings.

Upon July 17th and 24th, the committee of estates sent two papers to the assembly, desiring to know what the assembly would require for securing religion. To which papers (both being to the same effect) they answered, July 25th, that they saw no possibility of securing religion, as long as this unlawful engagement was carried on, religion being greatly endangered thereby. And demonstrated this by the following reasons:

“1. Because none of the just and necessary desires of the commission of the late general assembly, for securing religion, have been granted or satisfied. More particularly, it was represented to the parliament, that for securing religion, it was necessary that the popish, prelatical, and malignant party, be declared enemies to the cause upon the

one hand, as well as sectaries upon the other; and that all associations, either in forces or councils with the former, as well as the latter, be avoided, and that his majesty's concessions and offers concerning religion, sent from the isle of Wight, be declared by the parliament to be unsatisfactory.

“That before his majesty's restitution to the exercise of his royal power, assurance be had from his majesty, by his solemn oath, under his hand and seal, for settling religion according to the covenant; that their lordships should keep themselves from owning any quarrel concerning his majesty's negative voice; that the managing of the public affairs might be intrusted only in the hands of such persons as have given constant proof of their integrity, and against whom there is no just cause of exception or jealousy; and that there might be no engagement without a solemn oath, wherein the church ought to have the same interest they had in the solemn league and covenant. Notwithstanding the engagement hath been carried on without satisfaction to these or the like desires, and so without giving security in the point of religion, but with great and manifest danger to the same.

“2. As the happy union of the kingdoms by the solemn league and covenant, hath been justly looked upon as a special mean for preserving and strengthening the true reformed religion in this island, so this union is no less weakened and hurt, by endeavouring a breach between these kingdoms; which, however disclaimed, is manifest from the reality of the public proceedings in this engagement; and namely, from the neglect of endeavouring a treaty between the kingdoms, for preventing of war and bloodshed, as was earnestly desired; from their associating and joining with known malignants and incendiaries, and such as have been declared enemies in this cause; from their entering the kingdom of England with an army, upon the grounds of the declaration of the parliament, which cannot but infer a national quarrel against the parliament and kingdom of

England, and from their garrisoning the frontier towns of that kingdom.

“3. The engagement is carried on by such means and ways as tend to the destroying of religion, by ensnaring and forcing the consciences of the people of God with unlawful bonds and oaths, and oppressing their persons and estates who have been most active and zealous for religion and the covenant.

“All which is strengthened and authorised by acts of parliament, appointing, that all that do not obey the resolutions of parliament and committee, concerning this engagement, or who shall not subscribe the act and declaration of parliament, June 10, 1648, imposed on all the subjects, shall be holden as enemies to the cause and to religion, and to have their persons secured, and their estates intromitted with.

“4. The engagement is carried on, not without great encroachments upon the liberties of the kirk, as we are ready to clear in many particulars.

“Wherefore the security of religion, and carrying on of the present engagement, being inconsistent, we do propose, for the necessary security and safety of religion, that all the dangers thereof may be taken to consideration; and among the rest the said engagement as one of the greatest dangers; which being established and authorised by act of parliament, we leave to their lordships to consider what remedy may be provided for redressing those grievances which flow from such acts and ordinances. This we are assured of, and the public desires of the kirk will abundantly witness for us, that such things as were necessary for the security of religion, were in due season represented, and not yet granted by them who had greater power and authority at the time when it was much more easy to give satisfaction therein than now; so the blame cannot lie on the general assembly, or their commission, that religion is not secured.”

The committee of estates having received the above paper upon the 28th of July, desired,

“1. That the general assembly would

be pleased to demonstrate, in writing, from the holy scriptures, the unlawfulness and sinfulness of this present engagement.

“2. That the assembly would be pleased to demonstrate from the word of God, that the kirk has interest in the undertakings in wars, and to declare what their interest is in determining thereof; after which the committee, if needful, shall give a full and clear answer to those politic reasons adduced in their paper.”

In answer to which demands, the general assembly did, upon the last of July, emit a large declaration, wherein they gave many reasons against the said engagement, and shewing their interest therein, as the reader may see amongst the printed acts of this assembly.

The assembly of divines at Westminster, being still anxious to keep up a good understanding with the Scots, sent to this general assembly a letter, carrying the most evident marks of friendship, to which the assembly gave an answer, equally solicitous to preserve peace, both which are printed amongst the acts of this assembly.

And whereas the estates of parliament did, by an act, June 10th, ordain all subjects, by their subscription, to acknowledge as just, and oblige themselves to adhere unto all the acts and constitutions of the present parliament, upon their honour and credit, and as they desire to be holden as lovers of their country, religion, laws, and liberties, and to join and concur with their persons and estates in the assistance of the execution and observation of the acts and constitutions of this parliament, as the most fit and necessary remedies of the by-gone and present evils and distractions of this kirk and kingdom, and for the preservation of religion, and their laws and liberties, and of his majesty's authority; with certification, that such who refuse or delay to subscribe the same, shall be holden as enemies, and opposite to the common cause, &c.;—the assembly, by an act, July 28th, declared, that the said bond and declaration was a snare to the consciences of the people of

God, tended to involve them in guiltiness, and to draw them from their former principles and vows in the solemn league and covenant; and that subscription thereto was an approving of some acts of parliament which they have never yet seen nor known, they not being all published; were an agreeing to acts of parliament highly concerning religion and the covenant, made not only without, but expressly against, the advice of the church; were an acknowledging of this present engagement in war, in all the means and ways for promoting the same, to be the most fit and necessary remedies for the present and bygone evils—whereas so many petitions to the parliament, from committees of war, presbyteries, synods, and particular parishes, have made it appear that they are nowise satisfied therewith in point of conscience; were ascribing a power to the parliament, to declare those to be enemies to the true religion, whom the kirk hath not declared to be such, but rather friends; were an approving of an act restraining the liberty of printing from the church; yea, and of all the acts of the committee of estates, to be made in time coming, which by act of parliament are ordained to be obeyed; were an allowing of acts for securing of the persons and intromitting with the estates of such as themselves will not obey, or persuade others to obey resolutions concerning this engagement, and for protecting persons under the censures of the church, and so an infringing and violating of the liberties and discipline of the church established by the laws of the land, and sworn to, in the national covenant, to be defended under the pains contained in the law of God. And in all these, such as do subscribe do bind themselves, not only to active obedience in their own persons, but to the urging of active obedience upon all others, and so draw upon themselves all the guiltiness and sad consequences of the present engagement; yea, such as are members of parliament, and in the oath of parliament sworn not to vote or consent to any thing but what,

to their best knowledge, is most expedient for religion, the church and kingdom, and accordingly have reasoned against, and dissented from divers acts of parliament: these, by the description of this act, cannot eschew the danger of perjury, in obliging themselves to active obedience to these acts, which, according to their oath, they did judge unlawful. And therefore the general assembly, professing all tender respect to the high and honourable court of parliament and committee of estates, but finding a straiter tie of God lying upon their consciences, that they be not found unfaithful watchmen, and betrayers of the souls of those committed to their charge, do unanimously declare the foresaid subscriptions to be unlawful and sinful; and do warn, and in the name of the Lord, charge all the members of this church to forbear the subscribing of the said act and declaration, much more the urging of the subscription thereof, as they would not incur the wrath of God, and the censures of the church; and considering how necessary it is, that according to the eighth desire of the commission of assembly to the parliament, that the church might have the same interest in any new oath in this cause as they had in the solemn league and covenant, and what danger is of contradictory oaths, perjury, and snares to men's consciences, may fall out otherwise: therefore they likewise enjoin all the members of this kirk to forbear the swearing, subscribing, or pressing any new oaths or bonds in that cause, without advice and concurrence of the church, especially any negative oaths or bonds which may any way limit or restrain them in the duties whereunto they are obliged by the national or solemn league and covenants, and that with certification as aforesaid: And such as have already pressed or subscribed the foresaid act and declaration, the general assembly doth hereby exhort them most earnestly, in the bowels of Christ, to repent of that defection, and ordains that presbyteries, or, in case of their negligence or being

overawed, the provincial synods, or the commission of the assembly, which of them shall first occur; and in case of the synod's negligence, that the said commission be careful to proceed against and censure contraveners of the act, according to the quality and degree of their offences, as they will be answerable to the general assembly; and that therefore this act be sent to presbyteries to be published."

Likewise the assembly did supplicate the committee of estates, exhorting their lordships to be sensible of the guilt that they had already brought upon themselves and others, by enjoining and urging that subscription; and in the bowels of Jesus Christ, entreated that their lordships would take such order and course, as that it may be no further pressed upon the people of God within the land.

The other principal acts and overtures of this assembly were,

1st, That no commissioners of the general assembly be admitted from burghs, but such as shall be consented to, and approved by the ministry and session thereof, the persons elected being always elders.

2d, That the commissioners of the general assembly give an account of their proceedings, during the whole time of their commission, in the beginning of the assembly, and their proceedings to be allowed or disallowed, as the assembly shall think expedient, according to an old act in the assembly at Burntisland 1601.

3d, The larger catechism, agreed upon by the assembly of divines at Westminster, being printed, and copies sent to presbyteries for more exact trial thereof, and public intimation being frequently made in this assembly, that all who had any doubts might offer them, the assembly did conclude, that the said catechism was agreeable to the word of God, and in nothing contrary to the received doctrine, worship, discipline, and government of this church, a necessary part of the intended uniformity in religion, and a rich treasure for increasing

knowledge amongst the people of God. And therefore the assembly, as they bless the Lord that so excellent a catechism is prepared, so they approve the same as a part of uniformity; agreeing for their part, that it be a common catechism for the three kingdoms, and a directory for catechising such as have made some proficiency in the grounds of the knowledge of religion.

4th, The assembly appointed that no minister deposed be actually admitted to any particular congregation without consent of the general assembly.

5th, The assembly having seriously considered the shorter catechism agreed upon by the assembly of divines at Westminster, found, upon due examination, that the said catechism is agreeable to the word of God, and in nothing contrary to the received doctrine, discipline, and government of this church; and therefore approved the said catechism, as a part of the intended uniformity, and to be a directory for catechising of such as are of a weaker capacity.

6th, The assembly condemned a little catechism, entitled The A, B, C, with the catechism, *i. e.* an instruction to be taught and learned of young children, as grossly erroneous; and did prohibit the selling, vending, or printing thereof.

7th, The assembly appointed all ministers to preach against the evils and corruptions of the time, particularly the errors of the sectaries in England; the contempt of the word read or preached; all profaneness; the present defection from the solemn league and covenant; the unlawful engagement in war; the unlawful bond June 10th; the plots and practices of malignants and the principle and tenets of erastianism, under the pain of rebuke, and, if continued in, of suspension.

8th, The assembly having taken into consideration the deplorable condition of the Highlands for want of a faithful ministry, approved of the overture following, *viz.* That forty boys of a good genius, and approved by the synod of Argyle, be put to school, and trained up in learning, and that every parish

shall pay 40s. Scots yearly for their maintenance; and that presbyteries augment or diminish the same as they think expedient.

9th, The assembly condemned as forged, a lying pamphlet, published in name of Mr. Alexander Henderson, after his death, as we noticed at more length in the history of that excellent man's exit.

10th, The assembly appointed all young students, at their entry to the college, to take the covenant; and that, in time coming, all persons take the covenant at their first receiving the Lord's supper.

11th, That every presbytery maintain a student in theology.

12th, That whosoever shall fight duels, or give or receive, or with their knowledge carry challenges, or go to the fields, either as principals or seconds, to fight duels or combats, that they shall, without respect of persons, be proceeded against with the censures of the church, and brought before the congregation two several Sabbaths; in the first thereof, they are sharply to be rebuked, and convinced of the heinousness of their sin; and on the next, to make solemn public confession thereof, and profession of their unfeigned humiliation, and repentance for the same; and if they be elder or deacon, they are to be deposed.

13th, Overtures for the remedies of the grievous and common sins of the land.

The sins of the land, and the causes and occasions thereof, being considered, the following remedies of these sins were propounded:

“*Civil Remedies.*—It is recommended to every congregation, to have magistrates and justices in every congregation, according to the 9th act of parliament 1645, and the 8th act of the same parliament, against swearing, drinking, and mocking of piety, and all other acts of parliament for restraining or punishing of vice; particularly, for the better restraining of the sin of whoredom, that each magistrate in every congregation exact, and make compt to the session, of L.40 Scots for each fornicator, and of 100 merks for every one who relapses in for-

nication, and of L.100 for each adulterer, according to the express act of parliament, which is to be exacted of those who may pay it; and the discretion of the magistrates is to modify it according to the ability or inability of each delinquent.

“*Domestic Remedies.*—1. Let care be taken of conscionable receiving of servants, that they have testimonials of their honest behaviour; and let all such who give testimonials take heed that those to whom they give them be free of scolding, swearing, lying, and such like common sins, as well as fornication, adultery, drunkenness, and other gross and heinous evils. Let the ordinary time of giving testimonials be in face of session; and if any extraordinary case happen, let it be given by the minister, with consent of the elder of the bounds wherein the person craving the testimonial hath resided; if they have fallen, or relapsed in scandalous sins, let their testimonials bear both their fall and repentance. 2. Let care be had that the worship of God be practised, and discipline exercised in families, according to the directory for family worship, in all things as was appointed in the general assembly 1647, especially in the master's constant catechising of the family, and in the performance of the duties of the Sabbath by all the members thereof. 3. Let persons to be married, and who have children to be baptized, who are very rude and ignorant, be stirred up and exhorted, as at all times, so especially at that time, to attain some measure of christian knowledge in the grounds of religion, that they may give to the minister, before the elder of the bounds wherein they live, some account of their knowledge, that so they may the better teach their families, and train up their children. 4. That every family have a Bible, with a psalm book, for each in it who can read and make use of them; and where none can read, let them be stirred up to train up their children in reading, and use every other good remedy which the minister and session can fall on.

General Ecclesiastic Remedies.—1.

Let the remedies which were given at Perth 1645, and are mentioned in the general assembly 1646, against the sins of ministers, be put in execution. 2. Let suspension from the Lord's supper be more carefully executed. 3. Let persons relapsed in fornication, as above, or often guilty of other grosser scandals, be excommunicated somewhat more summarily, not in an ordinary process (except there be more than ordinary signs, and an eminent measure of repentance made known to the session and presbytery), both for the heinousness of the sin, and continuance therein, and also for terror to others; and these not to be relaxed from the sentence of excommunication, without evidence and undeniable signs of repentance. 4. Let the church proceed impartially against men of all stations, for their scandalous walking; and, in particular, for drunkenness, swearing, and other scandalous sins;—and this to be tried at the visitation of the particular congregations.

Particular Ecclesiastic Remedies.—

First, against *ignorance*: 1. Let ministers catechise one day in every week, wherein also they may baptize, and lecture, or preach; and let them preach every Lord's day, both before and after noon, according to former acts of general assemblies; let presbyteries and synods be careful of this, and let every provincial book contain an exact account thereof. 2. Let ministers examine all of every station, of whose knowledge they have no certain notice. 3. Let young persons be catechised by the minister, from the time they are capable of instruction, and let them not be delayed till they are of age to communicate. 4. Let persons grossly ignorant be debarred from the communion; for the first and second time, let them be debarred, suppressing their names; for the third time, expressing their names; for the fourth time, bring them to public repentance. All this is to be understood of those who profit nothing, and labour not for knowledge; but if they be profiting in any measure, or labouring that they may

profit, their case is very considerable,—they ought to have more forbearance.

Ecclesiastic Remedies.—Against *Prophaneness*: 1. Let ignorant and scandalous persons be put off, and kept off kirk sessions. 2. Let every elder have a certain bound assigned to him, that he may visit the same every month at least, and report to the session what scandals and abuses are therein, or what persons have entered without testimonials. 3. Let scandalous persons be suspended from the Lord's supper. 4. Let the minister deal in private with them that are professing public repentance before the elder of the bounds, and thus try the evidence of their repentance. 5. Let those who have fallen in fornication make public profession of repentance three several Sabbaths; if guilty of relapse in fornication, six Sabbaths; if guilty of relapse in fornication, or hath once fallen in adultery, twenty-six Sabbaths—and these sins to be confessed in sackcloth; quadruple in fornication, or relapse in adultery, three quarters of a year; incest or murder, for a year, in case the magistrate do not his duty, in punishing such crimes capitally. They that fall in fornication, or relapses therein, are first to confess their sin before the session, and thereafter before the congregation; they that are guilty of greater degrees of that sin, and the other sins mentioned in this article, are to confess their sin, both before the session and presbytery, and there to shew some signs of repentance, before they be brought before the congregation. 6. Some are to be rebuked at the time of catechising, who deserve more than a private reproof, and yet needs not to be brought to public repentance. 7. It will be a good remedy against Sabbath breaking by carriers and travellers, that the minister where they dwell cause them to bring testimonials from the place where they rested those Lord's days wherein they were from home. 8. Let all persons who remove from one parish to another, have sufficient testimonials—(this is to be extended to all gentlemen and persons of quality, and all their followers, who come to re-

side with their families to Edinburgh, or elsewhere)—and let the minister from whom they remove, advertise the minister to whom they remove, if to his knowledge they be lying under any scandal.

9. Let ministers be free with persons of quality, for amendment of their faults ; and, if need be, let them take help thereto of some of the brethren of the presbytery. 10. Let the presbyteries take special notice of ministers who do converse frequently and familiarly with malignants, and scandalous or profane persons ; especially those that belong to other parishes. 11. Let private censures of presbyteries and synods be performed with more accuracy, diligence, and zeal than hath been of late. 12. For better keeping of the Sabbath, let every elder take notice of such as are within his bounds ; how they keep the kirk, and how the time is spent before, betwixt, and after, the time of public worship. 13. Let no minister resort to any excommunicated person, without licence from the presbytery, unless in extremities ; and let ministers take special notice of such persons as haunt with excommunicated persons, and process them. 14. Frequent correspondence betwixt presbyteries is a good remedy. 15. At the visitation of each congregation let the session-book be well visited ; and, for that effect, let it be delivered to two or three brethren seven or eight days before the visitation.—(The assembly allowed of all these overtures and remedies of the sins of the land, and ordained all of them to be carefully and conscionably put in practice.)—16. Overtures concerning papists, their children, and excommunicated persons :

“The general assembly, considering the manifold inconveniences that follow upon the sending the children of noblemen, and others of quality, to foreign countries wherein popery is professed, especially that thereby such children are in peril to be corrupted with popery, and so corrupt those families and persons to which they belong ; whereby that wicked root of damnable idolatry, error, and heresy, may again be permit-

ted to spring up and trouble many, and provoke the most high God to wrath, and cause his Majesty to leave this land to strong delusions—to believe lies :

“Therefore they do, in the name of God, charge and require all the presbyteries in this kingdom to observe and practise the rules and directions which are made in former general assemblies, for preventing of the foresaid fearful inconveniences ; and namely, the overtures against papists, non-communicants, and profaners of the Sabbath, approved by the general assembly at St. Andrews 1642 ; and the act ancient children sent without the kingdom, made in the general assembly at Edinburgh anno 1646 ; and that they use all diligence for putting in execution the acts of parliament and secret council made against papists and excommunicated persons, and that they register their diligence thereunto, in the presbytery books from time to time, which are summarily to be recorded in the synod books from time to time, that the general assembly may see how these laudable acts are put in execution, which here are presented, with some necessary additions, in one view :

“1. That every presbytery give a list or roll of all excommunicated papists, that they know to be within their bounds, to the commissioners of the general assembly ; and of all papists, and of them also who profess to have renounced popery, but yet have their children educated abroad, with the names of those children that are abroad, according to the fifth overture of the general assembly 1642. 2. That every presbytery, at their first meeting, convene all known papists within their bounds, and such as, having professed to have renounced popery, have their children abroad, and cause them find sufficient caution for bringing home, within three months, such of their children as are without the kingdom, to be educated in schools and colleges at the sight of the presbyteries, if they be minors ; and to be wrought upon by gracious conference, and other means of instruction, to be reclaimed from popery, if they be come to

perfect age. 3. The parents, tutors, or friends of children and minors, shall, before they send them out of the kingdom, first acquaint the presbytery or classes within the kingdom or dominion beyond seas where they intend to send their children; and at the time of their children's return, that they report a testimonial from the presbytery or synod where they lived without the kingdom, to the presbytery who gave them a testimonial at their going away, according to the act concerning children sent out of the kingdom, anno 1646. 4. That all presbyteries take up the names of such pedagogues as were abroad with the children of noblemen within their bounds, and diligently inquire whether these pedagogues do continue stedfast in the true religion, and continue in their service; or whether these pedagogues do either become corrupt in religion, or, continuing constant, are removed from their charge, and by whom they are removed; and that they signify these things to the general assembly from time to time, or their commissioners, that they may present the same to the high court of parliament, lords of secret council, or committees of estates, for such remedy as shall seem expedient to their honours, for preventing of, and purging the land from the plague of idolatry. 5. That such parents, tutors, or friends, as either send away children to foreign parts infected with idolatry, without such testimonials as aforesaid, or do recall them who are already abroad, within such time as is above prefixed, or do remove them from their protestant pedagogues (that they may the more easily be infected with popery), be prosecuted; and in case of not amending these things, be excommunicated. 6. That the names of such as are excommunicated for these or any other causes, be sent in to the general assembly from year to year, that from thence their names may be notified in all the kingdom, and that the acts of parliament and secret council may be put in execution against them, and all diligence used for that effect; and that by the effectual

dealing of the general assembly with the parliament, lords of secret council, or committee of estates, their lordships may enact such further just and severe civil punishment on such excommunicated persons, for terror to others, as shall be found necessary for purging this land from all abominations. Because persons addicted to idolatry, will use all means for their own hardening in their superstitious and idolatrous way, even within the country: therefore all known papists, or persons suspected of popery, upon probable grounds, are to find caution before their presbyteries for their abstinence from mass, and from the company of all jesuits and priests, according to the second overture against papists, made anno 1642: Also, presbyteries are to press them to find such caution, and to observe what persons put their sons and daughters to such families as are tainted with popery within the land, the same being a special mean to corrupt them with idolatry, and to cause such parents recall their children, or else proceed with the censures of the church against them. All which overtures presbyteries are seriously required and ordained to observe diligently, with certification, that they shall be severely censured, if they shall be found remiss or negligent in any of these points, which are so necessary for keeping of the Lord's house and people unpolluted with error, idolatry, and superstition. 15. Act appointing the examining the paraphrase of the psalms, and other scriptural songs. 16. Act renewing the power and commission granted by preceding assemblies for prosecuting the treaty for uniformity in religion, unto Mr. Robert Douglas, Mr. Samuel Rutherford, Mr. Robert Baillie, and Mr. George Gillespie, ministers, and to John earl of Cassilis, John lord Balmerino, and Sir Archibald Johnston of Warriston, elders; authorising them with full power to prosecute the said treaty of uniformity with the honourable houses of the parliament of England, and the reverend assembly of divines there, or any committees appointed by them, and to do all that may bring that treaty to

a happy conclusion. 17. Act renewing the commission for the public affairs of the kirk to one hundred ministers, and sixty elders, whercof seventeen (thirteen being ministers) were a quorum; and appointed them to sit down on the 12th of August, and thereafter upon the last Wednesday of November, February, and May. 18. Act discharging collections for the poor in time of divine worship. 19. Act discharging ministers deposed for malignancy, to enter into a congregation where another minister was deposed for malignancy."

Many inveighed against this assembly, because opposition was made by it to the engagement carried on at this time: But it should be considered, 1st, That the church and state were very sensible of the ill usage of the king by the army and sectarian party, which they did in their public papers remonstrate to both houses. 2dly, They were all clear, that if the king would have granted the proposals, they would have sent in an army to England under the command of the earl of Leven and others, whose fidelity they had proof of; but the king and some of his councillors fearing this, had a secret design to have an army raised, under the command of duke Hamilton, and the power put in the malignants' hands; and for accomplishing this, Lanark, as we heard before, drew over Lauderdale, and both influenced Loudon the chancellor, and Sir John Cheesly; which being discovered, was acknowledged by the chancellor publicly. 3dly, They judged it not lawful to engage in a war with England before they had used all fair means, and given up with them according to the treaty at Rippon. 4thly, They saw a malignant design carrying on, to the ruin of religion and reformation, which moved many to join in the opposition, who were willing to give to Caesar the things that are Caesar's, and to God the things that are God's.

Notwithstanding of all this opposition made against the engagement, it was carried by plurality of votes in parliament, and an army appointed to be raised, under the command of James duke

of Hamilton; and although the duke and his accomplices did profess great respect to the presbyterial government, and their adherence to the covenant, yet their dissimulation was so palpable, that Dr. Burnet, in his character of his grace,¹ finds it necessary to make an apology for his disingenuity in this matter.

The army being raised, they marched towards England about the latter end of July; and many of them being very profane and dissolute, did abuse the country at Mauchline, set upon the people who were convened at a communion there, and killed and wounded several of them; and at Carsefearn, the minister and people being engaged in the like solemn work, the soldiers profaned the holy communion elements, eating the bread and drinking the wine: On which occasion the minister went up to a hill and prayed; and being inquired at by some of his familiars, what answer he got to his prayers, he replied,—that he fought neither with small nor great, but with the duke himself, whom he never left until he was beheaded; which was too sadly verified.

This army marched as far as Lancashire, and there, at a town called Preston, was overthrown by the English army about the middle of August, where duke Hamilton himself, and many others, were taken prisoners.

The noblemen who opposed this engagement in the parliament, especially Argyle, Eglington, Cassilis, and Loudon, with their assistants, did rise in arms to oppose Sir George Monro, who had come with considerable forces from Ireland to join with duke Hamilton; but after they had some little skirmish at Stirling, they made an agreement, upon condition to permit Sir George Monro's forces to return to Ireland.

Duke Hamilton's army being routed, Oliver Cromwell pursued the victory, and came with his army the length of Berwick, threatening to invade the kingdom; but the committee of estates diverted him, by shewing, that both the general assembly, and a considerable

¹ Mem. p. 412.

part of the parliament, had opposed the said engagement, and dissented from the same.

About the middle of October, the commissioners of the general assembly met at Edinburgh, and appointed the solemn league to be renewed throughout the kingdom, with a solemn acknowledgment of sins and engagement to duties.

Accordingly the covenant was renewed very solemnly, and with great professions of repentance, sorrow, and lamentation, by persons of all ranks and degrees.

After renewing of the covenant, many scandalous and unworthy ministers were deprived of their office by church judicatories; and although some alleged that too great severity was used, yet there cannot be many instances given of ministers deposed, except such as were unworthy and insufficient; and the few others were looked on as leading men in opposing the assembly, and animating the carrying on of the engagement.

About this time, the Lord blessed the preaching of the gospel with great success in many places, and a great reformation visibly ensued there.

Much about this time died Mr. George Gillespie, moderator of the last assembly, very little past the prime of life, and who, having signalized himself on every occasion where he was called to exercise any act of the ministerial functions, and especially in the Westminster assembly, and in his book entitled *Aaron's Rod Blossoming*, and other writings still extant. No man's death was more lamented than his; and such was the sense which the public had of his merit, that first the committee of estates, and then the parliament, ordered £1000 sterling to be paid to his widow and children; but, through the troubles of the times, no part thereof was ever paid to this day.

After the breaking of the duke's engagement, several noblemen in England were apprehended for corresponding with the said duke, and some of them were beheaded, such as the earl of Holland and lord Capel.

The parliament of England, finding that the kingdom was not like to be settled in peace, except some agreement were made with the king, they set on foot a new treaty, and sent Mr. Richard Vines, and Mr. Stephen Marshall, to confer with the king at the isle of Wight. Their conference is in print; and the king's concessions were voted satisfactory; but Oliver Cromwell and his party observing this, set a guard upon the parliament, and secluded a great number of the members; and a party was sent to bring the king from the isle of Wight to the Tower of London, and a high court of justice (as it was termed) erected, and the king appointed to be brought to his trial.

The ministers and others of the presbyterian persuasion in England, especially in and about London, did much oppose these proceedings with the king, as not being agreeable to the covenant, and did give public testimonies against the same, which were subscribed by above 600 ministers; and did represent to the parliament, what a great odium it would bring on the protestant religion, if they should meddle with the king's life; but nothing could hinder them from their purpose.

In Scotland the case of the king was much lamented,—many prayers were put up for him; and our commissioners, then at London, did use all means to keep from intermeddling with the king; but nothing prevailed, nor could impede their proceedings.

But to return to Scotland. The marquis of Argyll, and the rest of the noblemen that rose in arms in the west, modelled their army, under the command of the earl of Leven, partly to oppose Sir George Monro, and partly to put themselves in a posture of defence, if they met with any invasion from England.

These noblemen, and others who were opposed to duke Hamilton's engagement, finding themselves to be a quorum of the committee of estates appointed by the parliament, they sat down and acted in that capacity, and did several things

of worth; as, first, they made a peaceable agreement with the forces under the command of Sir George Monro, and settled the country in peace; they prevented an invasion by Cromwell and the English army, by insinuating that both the church, and a considerable part of the state, opposed a breach with England, and were very willing to observe all the articles of the large treaty at Rippon; likewise, in October, they sent up the earl of Lothian, Sir John Cheesly, and William Glendinning, commissioners to the parliament of England, and ordered them to signify to the houses that, as they were nowise accessory, but opposed to the late breach between the kingdoms, so they were very desirous that peace and amity should be kept still, and that they would willingly concur in any good mean for settling the peace of both kingdoms; and if the parliament of England resolved to set on foot a new treaty with the king, they were ready to appoint their commissioners for that effect.

Likewise the commission of the kirk sent up Mr. Robert Blair, minister at St. Andrews, as commissioner from them, to join the commissioners from the state, in any thing that concerned religion and uniformity thereof in the three kingdoms.

But shortly after they came there, when men were expecting a settlement, a force was put upon the parliament, and many of the members excluded (as we have just now seen); and in December, the king was brought prisoner from the isle of Wight to London.

Finally, the committee of estates called a parliament to meet at Edinburgh upon the 4th January 1649; but they secluded all who voted for the engagement from being members of the ensuing parliament, which they had promised to do to the parliament of England, that thereby they might prevent an invasion.¹ And so endeth this year 1648.

1649. At the time appointed, the parliament sat down at Edinburgh,

¹ Baillie.

re-elected the lord London, chancellor, to be their president, and appointed a day of solemn fasting and humiliation to be kept by all the members by themselves, confessing their own and the land's sins, and renewed the national covenant and the solemn league. In the next place, they repealed all the acts of the parliament and committee of estates, authorising the late invasion of England under the duke of Hamilton, as contrary to God's word, and as destructive to religion, the king, and these kingdoms; and further, they ratified the protestation given in against it by sundry noblemen, barons, and burgesses, and approved the opposition made to it at Mauchline muir.

Because the corruption of the judicatories of this kingdom, and officers of state, and other persons in public trust, was judged the cause and fountain from whence their former evils had proceeded, they made an act of classes, for purging the judicatures and other places of public trust; whereby they secluded from these all who were promoters of the late engagement, and, in general, all of malignant principles or scandalous practices, as the reader may see at more length from the act itself, as engrossed amongst the rescinded acts, and reprinted in the collection of laws respecting religion.

While the parliament were thus employed, an express arrived from their commissioners at London, with the news that the sectarian army in England had secluded all the members of the house of commons whom they suspected stood affected to monarchy in the state and presbytery in the church; and that they had brought the king under a strong guard from the isle of Wight to Windsor, laid aside all ceremony due him, and intended to take away his life, by a sham trial of 145 of Cromwell's creatures, in the capacity of a high court of justice, whereof any twenty to be a quorum.² About one half would not accept; however, the other half being prompted to go through with their design, Mr. serjeant Bradshaw was named

² Baillie.

president of this mongrel court, Mr. Cook solicitor-general, and Mr. Steel, Mr. Doristaus, and Mr. Aske, were appointed to manage the cause.

The church and state of Scotland, wishing for nothing more than a reconciliation with the king, upon proper security given to maintain religion, and being prodigiously shocked at the unparalleled attempt to take away his life, did instruct their commissioners at London to oppose this by all means possible.¹ Accordingly, January 6th, 1649, those commissioners did, in name of the kingdom of Scotland, give in a letter to the honourable William Lenthal, speaker of the house of commons, concerning the proceedings against religion, the king, and government, of the following tenor:

“Sir,—The committee of estates of the kingdom of Scotland, understanding that the honourable houses of parliament were proceeding in a treaty for peace with his majesty, did, about the beginning of the last month, authorise us to present propositions to his majesty; and particularly, to deal with him and the honourable houses for establishing the covenant and presbyterial government, the confession of faith, directory for worship, and catechisms; for preventing the toleration of idolatry, popery, prelacy, superstition, blasphemy, heresy, and schism; and for perfecting the great work of reformation and uniformity, according to the covenant; the substance whereof hath been formerly communicated in a letter from the committee of estates to both houses, and by one of our number, upon his reception at the committee of Derby-house, by order from the houses of parliament. But to our great grief we do perceive that the distractions of this kingdom are, beyond our expectation, grown exceeding high; that a force hath been placed on the passages to the houses; which, during transactions of highest concernment, hath imprisoned and secluded a great number of members of parliament, and given occasion to many others to withdraw, because they find

¹ Baillie.

they cannot act as in a free parliament: That applications are made to you for proceeding against the king, to take away his life, and for changing the government of this kingdom; and strong endeavours are used to overturn the whole work of reformation, to cast off the ministry, and introduce a toleration of all religions and forms of worship; and so in effect to destroy the cause wherein both nations have been engaged, and frustrate all the ends of the solemn league and covenant, which both kingdoms have sworn with uplifted hands to almighty God sincerely, really, and constantly to perform. The consideration of these things doth exceedingly trouble us, and fill our hearts with fears, that as they are for the present matter of great provocation of the wrath of God against us, dishonourable to his name, and a reproach to religion; so, if persisted in, that they shall greatly weaken and divide us amongst ourselves, unite foreign enemies against us, advance the popish interest, lose Ireland, and, in the end, prove destructive to the reformed religion, and to the peace and happiness of these kingdoms.

“In the year 1640, when these kingdoms were oppressed under the yoke and tyranny of the prelates, who then were far advanced in the design to introduce popery, the kingdom of Scotland did join their endeavours with this kingdom, to procure a free parliament here; looking upon it as the chief mean, by the blessing of God, to give a check to the designs of the prelates, who were studying the change of religion; and to the enterprises of evil counsellors about the king, who were endeavouring to establish an arbitrary and tyrannical government. And afterward, when, through the power and prevalency of papists, prelates, and malignants, this kingdom was distressed, the kingdom of Scotland did enter into a solemn league and covenant with this nation, for reformation and defence of religion, the honour and happiness of the king, and the peace and safety of the three kingdoms; and particularly, for bringing the churches of

God therein to the nearest conjunction and uniformity in religion, confession of faith, form of church government, directory for worship and catechising; for extirpation of popery, prelacy, superstition, heresy, schism, profaneness, and whatsoever shall be found contrary to sound doctrine; for mutual preservation of the rights and privileges of the parliaments, and liberties of the kingdoms; for discovering of incendiaries, malignants, and evil instruments, that hinder reformation of religion, divide the king from his people, or one of the kingdoms from another, or make any faction or party among the people contrary to this league and covenant, that they might be brought to public trial and punishment; for preserving of peace and union betwixt the kingdoms, and defending one another in this cause, and continuing therein all the days of our lives, zealously and constantly, against all opposition, and for promoting the same according to our power, against all lets and impediments whatsoever.

“In pursuance of the solemn league and covenant, both houses of parliament have often declared, that they will establish the reformation of religion, extirpate popery and prelacy, and suppress heresy and schism; and that they will maintain the fundamental government of this kingdom, by king, lords, and commons. And, when the common enemy being subdued, the Scottish army was to go out of this kingdom, in the beginning of the year 1647, and his majesty, by consent of both kingdoms, was to come to Holmby, the houses of parliament did declare both to the king and to the kingdom of Scotland, that respect should be had to the safety and preservation of his majesty's person, in the preservation and defence of the true religion and liberties of the kingdoms, according to the covenant. And when the king should be at Holmby, and the Scottish forces gone out of this kingdom, that they would join with the kingdom of Scotland in employing their best endeavours to procure his majesty's assent to the propositions agreed on by both

kingdoms. And in case the king should not give his assent thereunto, that the houses were resolved still to maintain the happy union already settled between the two kingdoms, according to the covenant and treaties. The parliament of Scotland did at the same time also publish a declaration of their intentions (whereof one copy was delivered to his majesty, and another to the houses of parliament), that in the interim (until his majesty should give satisfaction to both kingdoms in the propositions of peace), there should be no harm, prejudice, injury, or violence done to his royal person; that there should be no change of government, other than had been for the three years preceding; and that his posterity should be nowise prejudiced in their lawful succession to the crown and government of these kingdoms.

“These being the engagements of both kingdoms jointly together, and severally one to another, for the ends aforesaid, we hold it our duty to endeavour that reformation of religion be settled and established, as is before expressed; and especially, that the toleration of idolatry, popery, blasphemy, heresy, and schism be prevented, lest we partake in other men's sins, and thereby be in danger to receive of their plagues; that the rights and privileges of parliament may be preserved; that there may be no change of the fundamental government; and that there be no harm, injury, or violence offered to his majesty's person, the very thought whereof the kingdom of Scotland hath always abhorred, as may appear by all their proceedings and declarations: and the houses of parliament have, upon several occasions, expressed a detestation thereof in their declarations.

“Wherefore we do expect, that there shall be no proceeding against his person, which cannot but continue and increase the great distractions of these kingdoms, and involve us in many difficulties, miseries, and confusions; but that, by the free counsels of both houses of the parliament of England, and with

the advice and consent of the parliament of Scotland, (which is now sitting), such course may be taken in relation to him, as may be for the good and happiness of these kingdoms, both having an unquestionable interest therein. We are yours," &c.

And to satisfy the world, that not the state only, but also the church of Scotland, were against the measures now carrying on in England, the commission of the general assembly met, and upon the 16th of January published a solemn testimony against toleration, and the present proceedings of sectaries and their abettors in England, in relation to religion and the government, with an admonition to their brethren there; which having been communicated to the parliament, they published their concurrence therewith in two days following; and both these papers were sent to their commissioners at London, to be given to the speaker of the house of commons, which they did upon the 26th of January.

But before this last step, which we have mentioned here on account of its connection with our proceedings at home, the commissioners at London, finding that, notwithstanding all their endeavours to stop the taking away of the king's life, the persons named to try him were going on with precipitation, our commissioners, January 22d, did, in the name of the parliament of Scotland, send, under cover to the speaker of the house of commons, their solemn protestation against it, of the following tenor:

"By our letter of the 6th of this instant, we represented unto you what endeavours have been used for the taking away of his majesty's life; for change of the fundamental government of this kingdom, and introducing a sinful and ungodly toleration in matters of religion; and therein we did express our sad thoughts and great fears of the dangerous consequences that might follow thereupon. And further, we did earnestly press, that there might be no proceeding against his majesty's person, which would certainly continue the

great distractions of these kingdoms, and involve us in many evils, troubles, and confusions; but that, by the free counsels of both houses of the parliament of England, and with the advice and consent of the parliament of Scotland, such course might be taken in relation to him, as may be for the good and happiness of these kingdoms, both having an unquestionable and undeniable interest in his person, as king of both; which duly considered, we had reason to hope should have given a stop to all proceedings against his majesty's person. But we understand, that after many members of the house of commons have been imprisoned and secluded; and also without and against the consent of the house of peers, by a single act of yours alone, power is given to certain persons of your own number, of the army, and some others, to proceed against his majesty's person: in order whereunto he was brought upon Saturday last, in the afternoon, before this new extraordinary court. Wherefore we do, in the name of the parliament of Scotland, for their vindication from false aspersions and calumnies, declare, That though they are not satisfied with his majesty's concessions in the late treaty at Newport in the isle of Wight, especially in the matters of religion, and are resolved not to crave his majesty's restitution to his government, before satisfaction be given by him to his kingdoms; yet they do all unanimously with one voice (not one member excepted) disclaim the least knowledge of, or accession to, the late proceedings of the army here against his majesty; and sincerely profess, that it will be a great grief unto their hearts, and lie heavy upon their spirits, if they shall see their trusting of his majesty's person to the honourable houses of the parliament of England, to be made use of to his ruin; so far contrary to the declared intentions of the kingdom of Scotland. And to the end it may be manifest to the world how much they abominate and detest so horrid a design against his majesty's person, we do, in the name of the parliament and king-

dom of Scotland, hereby declare their dissent from the said proceedings, and the taking away of his majesty's life; and protest, that as they are altogether free from the same, so they may be free from all the evils, miseries, confusions, and calamities that may follow thereupon to these distracted kingdoms."

And that no means might be left untried, the commissioners, despairing of success with the commons, and having some faint hopes that Fairfax, general of the parliament's forces, being esteemed a nobleman of humanity and honour, would interpose to save his sovereign from the impending stroke, they, upon the 29th of January, wrote to his lordship in the following terms:

"May it please your excellency, we have divers times waited on you to solicit your endeavours for preservation of his majesty's person; and now having received particular directions from the estates of the parliament of Scotland to make application to your excellency for the same end, we do, in their names, earnestly desire and entreat, that you will take into serious consideration, that the kingdom of Scotland hath undoubted interest in his majesty's person, and how hard a thing it is to proceed against their king, not only without but against their advice and consent; that his person was intrusted by that kingdom to the honourable houses of parliament; and how much it will reflect upon the honour of Scotland, and the faith of England, to take away his life. Be pleased also to remember the many ties and bonds of love and friendship betwixt the kingdoms, their solemn engagements in one cause and covenant, and the many obligations and mutual good offices which have passed betwixt the kingdom of Scotland and the forces under your command;—consider what an unsettled peace it is like to prove, which shall have its foundation laid in the blood of our king; what dangerous evils and grievous calamities it may bring upon us and our posterity; what reproach upon religion, and the work of reformation; and what infamy abroad in other na-

tions. And let it never be recorded to future ages, that you have been wanting in your duty at such a time as this; but according to the eminency of your place, honour, and dignity, and the greatness of your interest, improve this present opportunity by all lawful ways and means, to prevent the taking away his majesty's life; wherein we do earnestly entreat the concurrence of your council of war; and so we rest yours," &c.

The presbyterians in the synod of London, who were joined with others in the neighbourhood, to the number of about 800 in whole, likewise gave in a bold remonstrance to the general,¹ to be communicated to the king's judges, wherein they say, "We remember that when the king, with a multitude of armed men, demanded but a small number of the members of parliament, it was deemed an unparalleled breach of the privilege of parliament, and was one reason that an army was raised by their authority, and for their preservation; but that this very army should so far exceed that act, which was then esteemed without parallel, is what we could not believe, had not our eyes been witnesses of it.

"And though both houses of parliament saw reason to take up arms in their own defence, and in defence of the protestant religion and the fundamental laws of their country, yet this cannot be pleaded in justification of your usurping an authority over king and parliament, who are so many private persons, and no part of the legislature.

"Moreover, though the parliament took up arms in defence of the laws, it was never their intention to do violence to the person of the king, or divest him of his royal authority, much less to overthrow the whole constitution.

"We therefore think ourselves bound by our protestation, and by our solemn league and covenant, to appear for our excellent constitution against arbitrary and tyrannical power in the king on the one hand, and against the illegal proceedings of private persons, tending to

¹ History of the Puritans, p. 419.

suvert the constitution, and introduce anarchy and confusion, on the other.

“Instead, therefore, of consulting with you, we earnestly entreat you, as the ambassadors of Christ, that you would consider of the evil of your present ways and turn from them. You cannot but know, that the word of God commands obedience to magistrates; and consonant to scripture, this hath been the judgment of all protestant divines at home and abroad, with whom we concur, disclaiming, detesting, and abhorring the practices of jesuits concerning the opposing of lawful magistrates by any private persons, and the murdering of kings by any, though under the most specious and colourable pretences. Examine your consciences, if any number of persons, of different principles from yourselves, had invaded the rights of parliament, imprisoned the king, and carried him about from place to place, and attempted the dissolution of the whole government, whether you would not have charged them with the highest crimes.

“We desire you not to infer the justice of your proceedings from their success, but to distinguish between God’s permission and approbation; and that God’s suffering men to prosper in their evil courses is one of the severest judgments. The providence of God, therefore, which is so often pleaded in justification of your actions, is no safe rule to walk by, in such actions as the word of God condemns.

“Nor is it safe to be guided by the impulses of the spirit, when they are contrary to the written word of God; we are to try the spirits, and to have recourse to the law and the testimony: if they speak not according to these, it is because there is no light in them.

“If you plead necessity for doing that which yourselves confess to be irregular, we answer, no necessity can oblige men to sin: besides, it is apparent you were under no necessity, the parliament (till forced by you) being full and free: besides, you have engaged, by oath, to preserve his majesty’s person, and the privileges of parliament; and no neces-

sity can justify perjury, or dispense with lawful oaths.

“We therefore beseech you to recede from this your evil way, and learn John Baptist’s lesson to soldiers, ‘Do violence to no man, neither accuse any man falsely, and be content with your wages.’ But if you persist in this way, be sure your sin will find you out. If our exhortations prevail not, we have discharged our duty, and, we hope, delivered our own souls. If it be our portion to suffer as we are told, we trust we shall suffer as christians; but we hope better things of you;—and subscribe ourselves your servants in the Lord.”

Notwithstanding these bold but dutiful remonstrances, the king was brought to his trial January 20th, and a very long charge exhibited against him, the sum of which may be easily gathered from the preface to the ordinance for trying him, which is in these words: “Whereas, it is notorious that Charles Stuart, the now king of England, not content with those many encroachments which his predecessors had made upon the people, in their rights and freedoms, hath had a wicked design totally to subvert the ancient and fundamental laws and liberties of this nation, and in their stead to introduce an arbitrary and tyrannical government; and that besides all other evil ways and means to bring this design to pass, he hath prosecuted it with fire and sword; levied and maintained a cruel war in the land against the parliament and kingdom, whereby the country hath been miserably wasted, the public treasure exhausted, trade decayed, thousands of people murdered, and infinite other mischiefs committed: For all which high and treasonable offences, the said Charles Stuart might, long since, justly have been brought to exemplary and condign punishment. Whereas also the parliament, well hoping that the restraint and imprisonment of his person, after it had pleased God to deliver him into our hands, would have quieted the distempers of the kingdom, did forbear to proceed judicially against him; but found by sad expe-

rience, that such remissness served only to encourage him and his accomplices in the continuance of their evil practices, and in raising of new commotions, rebellions, and invasions. For preventing therefore of the like or greater inconveniences, and to the end no chief officer or magistrate whatsoever may hereafter presume traitorously and maliciously to imagine or contrive the enslaving or destroying of the English nation, and to expect impunity for so doing, be it ordained and enacted by the commons in parliament, and it is hereby ordained and enacted by the authority thereof, That," &c.

The king was brought three times before the high court of justice, and as often called upon to answer the charge entered against him.¹ But instead of pleading to the charge, he constantly refused to own the authority of the court, and of those who erected it. On the other hand, the court would never hear his reasons for declining their jurisdiction; they took for granted that their authority was sufficient. At last the king, seeing he could not be heard on that which was the only subject he had freedom to dispute, it is said he intended to have spoke, as his reasons for declining them, what follows: "That no earthly power could justly call him, who was their king, in question as a delinquent: That there were no proceedings just against any man, but what were warranted either by God's laws, or the municipal laws of the country where he lives. As for the proceedings against him, they could not be warranted by God's laws; for, on the contrary, it is there said, 'Where the word of a king is, there is power; and who may say unto him, what dost thou?' Eccles. viii. 4. Then for the law of the land, no impeachment can lie against the king, they all going in his name; and one of their maxims is, that the king can do no wrong. Besides, the law upon which they grounded their proceedings must either be old or new; if old, they ought to shew it; if new, they should tell what authority, warranted by the fun-

¹ Rapin

damental laws of the land, had made it, and when. How the house of commons could erect a court of judicature, which was never one itself, he left to God and the world to judge. And it was full as strange, that they should pretend to make laws without king, or lords' house, to any that had heard speak of the laws of England. And admitting that the people of England's commission could grant their pretended power, he saw nothing they could shew for that; for certainly they never asked the question of the tenth man in the kingdom. That having concluded, as much as in him lay, a treaty at Newport, and expecting the houses' agreement thereunto, he was suddenly surprised, and hurried from thence as a prisoner. That the higher house, for any thing he could see, was totally excluded; and for the house of commons, it was too well known that the major part of them were detained, or deterred from sitting: so as, if he had no other, this would have been a sufficient reason for him to protest against the lawfulness of their pretended court. And, that the arms he took up were only to defend the fundamental laws of this kingdom against those who had supposed his power had totally changed the ancient government."

His majesty persisting in his refusal to plead to the charge, the clerk was ordered to record the default. The 24th, the court examined witnesses against the king, on interrogatories which did not so much ascertain who were the first raisers of the war, as his dissimulation in carrying it on. Though one day sufficed for this important proof, two days were spent in consulting how to proceed upon it; and on the 27th, king Charles was brought the last time to the bar; when, persisting in his disowning of the court, but desiring to be heard before the lords and commons in the painted chamber, to abdicate, as is alleged, the crown in favour of prince Charles his eldest son, his request was denied, and the president, with forty-eight others, unanimously pronounced sentence of death against him, to be beheaded as a traitor.

Tuesday, January 30th, being appointed for executing the king, he was offered the assistance of five divines; but these not being episcopals, he refused them, and chose Juxon, bishop of London, who, according to bishop Burnet, did his duty with too much coldness to assist the king in his devotions. And as in his trial no difference was put between him and his subjects, so on the fatal day he was conducted on foot by a strong guard through St. James's park, to a scaffold erected in the open street, before the banqueting-house at Whitehall, where, in a short speech to the people, he vindicated himself, without so much as acknowledging a mistake in his government. And though the oppression of the subjects in their rights and liberties had been the original cause of this whole catastrophe, yet he declared himself a martyr for the laws and liberties of the people; after which, with a resolution exceeding all expectation, he laid down his head on the block, which was severed from his body at one blow, by one of two masked executioners, in the 49th year of his age, and 24th of his reign; and his body was buried privately at Windsor without ceremony, and with no other inscription on the coffin than, "King Charles, 1649."

The character of this king hath been drawn in very opposite colours; some loading him with nothing else than satirical reflections, and others daubing him with the most fulsome flattery; so that it is impossible to draw it anew in a manner that will please all, and even very difficult to keep the path-road between truth on the one hand, and the humanity that naturally recoils towards a suffering sovereign on the other; yet, avoiding many things that have been thrown out on both sides, we think ourselves warranted to say, that king Charles was sober, temperate, chaste, a good husband, father, and master. It seems likewise undeniable, that he gave regular attendance on the duties of devotion. But without casting out of our view the countenance he gave to sports on the Lord's day, and the harassing

and oppressing the puritans, while papists were overlooked, yea, encouraged, and liberty given them to rise for him in Ireland, before the necessity of his affairs could be pled as the cause, it seems difficult to account for the sincerity of his profession. His insincerity in his treaties with the parliament might be drawn in as a further proof of this point, while it serves equally to shew a defect of that probity which every gentleman does, and every prince ought to account the most valuable gem in his honour and crown. And with respect to his politics, the whole scene of his government was almost an uninterrupted series of blunders and misfortunes. But it tends somewhat to alleviate, that he was bred up in such high notions of kingly power as were incompatible with British liberty; that his education and austerity seemed more adapted to the priestly than the regal office; and that he seems to have been led into most of his errors through an over-attachment to his queen, a bigotted papist, archbishop Laud, lord Strafford, and other favourites, who gratified his humour most. And whatever censures his crimes might have drawn on a subject, it was, for aught we know, unprecedented in subjects towards their sovereign, and shocking beyond conception, when executed by a few officers of the army, &c., upon the ruins of the parliamentary as well as regal power.

So soon as the parliament of Scotland had certain intelligence of this parricide committed upon the person of their king, they, to witness their abhorrence thereof, proclaimed prince Charles king, and sent a copy of their act and proclamation to their commissioners at London, with a remonstrance to the junto of the English house of commons, of the following tenor:¹

"In the year 1642, and afterwards in the year 1643, when the popish, prelatical, and malignant party did grow prevalent in this kingdom, the honourable houses of parliament did communicate several declarations and papers to the kingdom of Scotland, thereby to inform

¹ Baillie.

their judgments of the state of the differences here, and to gain their assistance, and invite their forces to come into this kingdom.¹ In which declarations, and other papers, they affirm and declare, That the army of the houses of parliament was raised for maintenance of the true religion, the king's person, honour, and estate, privileges of parliament, rights and liberties of the subjects, and for the prevention of the alteration of religion: That their enemies' design was to corrupt and alter religion throughout the whole island; and that they began with Scotland, knowing well that the same fate attended both kingdoms: That they have only inverted the manner of their proceedings, conceiving it an easier way to destroy them, if they may first prevail over the parliament and kingdom of England: That whensoever religion is subverted or changed in one kingdom, it will be easily accomplished in the other; religion being the band and foundation of the happiness of both: That what corruptions take root in England, will quickly spread their venom and infection to their neighbour church of Scotland.

"They declare the true state of the quarrel to be religion; in reformation whereof they are so forward and zealous, as there is nothing expressed in Scotland's former or latter declarations, which they have not seriously endeavoured to effect.

"They earnestly entreat the general assembly to further and expedite the assistance desired by both houses from the kingdom of Scotland, upon this ground and motive, that thereby they shall do great service to God, and great honour may redound to themselves, in becoming the instruments of a glorious reformation, not only throughout this island, but from thence possibly to be spread to other churches, oppressed under the antichristian bondage and tyranny of the popish and prelatical faction.

"They commend the prudence and faithfulness of the general assembly of

the church of Scotland,² in propounding those things which may conduce to a more close and firm union of the two churches and nations of England and Scotland, in preserving and maintaining the truth and purity of the reformed religion, not only against popery, but all superstitions, sects, and innovations whatsoever: And declare, that the houses of parliament have ever made the reformation of church-government and discipline their chiefest aim, though they have been frequently interrupted and powerfully opposed in the prosecution and accomplishment of it; and however they continue still in their storm and conflict, yet they take the peace, liberty, and preservation which God hath afforded Scotland, as a pledge of the like mercy intended to them in his good time; hoping that God will perfect their designs and endeavours of a full reformation in all things pertaining to religion; and profess their earnest desires for unity of religion, in all substantial parts of doctrine, worship, and discipline, that both kingdoms might be more strictly united, and enjoy the advantages of his majesty's more easy, safe, and comfortable government; the people a more free communion in all holy exercises and duties of worship; and that there might be a more constant security of religion, against the bloody practices of papists, and deceitful errors of sectaries. They remonstrate, that it is far from their purpose or desire to let loose the golden reins of discipline, and government of the church; to leave private persons, or particular congregations, to take up what form of divine service they please; but do hold it requisite, that there should be throughout the whole realm a conformity to that order which the laws enjoin, according to the word of God. They protest, in the presence of the all-seeing Deity, that the services which they have been desirous to perform to their sovereign lord and king, and to his church and state, in providing for the public peace and prosperity of his majesty, and all his realms,

¹ Declaration and Account to all the World, Aug. 1642.

² Declaration, Sept. 1642, in answer to the Scots Declaration.

to have been, and still to be, the only end of all their counsels and endeavours, wherein they have resolved to continue, freed and enlarged from all private aims, personal respects or passions whatsoever. They oft mention their protestation taken by every member of both houses, promising, in the presence of almighty God, to defend his majesty, and disclaim the having any purpose to offer the least violence to his person, which hath, and ever shall be, dear unto them. They declare,¹ that they expect the help and assistance of Scotland in defence of the cause; which, if the popish party prevail, must needs either involve them in that alteration of religion which will be made here, or engage them in a war against this kingdom, to defend their own religion and liberty: And they profess, before the ever-living God, the safety of religion, laws, and liberties, in this and all other his majesty's dominions, to be the chief end of all their counsels and resolutions, without any intention or desire to hurt or injure his majesty, either in his person or in his just power: That they rest assured, both God and man will abhor and abominate that monstrous and injurious charge laid upon the representative body of this kingdom, of designing the ruin, not only of his majesty's person, but of monarchy itself; and appeal to all the world, whether worse words than these can be given them.

“These declarations, and solemn engagements, were communicated to the kingdom of Scotland, before they did join in the war with the houses of parliament: And also, both kingdoms entered into a solemn league and covenant, for reformation and defence of religion, for reformation in one confession of faith, form of church-government, directory for worship and catechising; for extirpation of popery, superstition, heresy, schism, profaneness, and whatsoever shall be found contrary to sound doctrine, and the power of godliness; for preser-

¹ Declaration, Oct. 1642, in answer to the king's, concerning the battle of Keinton. Declaration and Protest to all the World, 1642.

vation of the rights and privileges of parliament, and liberties of the subject; for the honour and happiness of the king and his posterity, and the peace and safety of these kingdoms.

“In the year 1646, after the power and strength of the enemy was broken, the house of commons did, upon the 17th of April, publish a declaration, which they likewise caused to be set up and affixed in every parish church, wherein they vindicated themselves from several misconstructions and misrepresentations of their proceedings: As that they should have any intention or desire to make use of the great success God had given them, contrary to their former professions; or to exceed or swerve from their first aims and principles, in the undertaking this war, and to recede from the solemn league and covenant, and treaties betwixt the kingdoms, or to prolong those uncomfortable troubles and bleeding distractions, in order to alter the fundamental constitution and frame of this kingdom, and to leave all government in the church loose and unsettled; and themselves to exercise the same arbitrary power over the persons and estates of the subjects, which the present parliament had thought fit to abolish, by taking away the star-chamber, high-commission, and other arbitrary courts, and the exorbitant power of the council-table. And further, they declare, that their true and real intentions are, and their endeavours shall be, to settle religion in the purity thereof, according to the covenant, and to maintain the ancient and fundamental constitution and government of this kingdom, by king, lords, and commons.

“In November 1647, when a petition was presented to the house of commons, styling them the supreme authority of the nation, together with a printed paper annexed, entitled An Agreement of the People, for a firm and present peace, upon grounds of common right, (which agreement, as we have found, upon perusal of both, is the same for substance with the agreement lately published), the house of commons did declare, that

the matters contained in these papers were destructive to the being of parliaments and to the fundamental government of the kingdom; and appointed a letter to be written to the general, to examine the proceeding of that business in the army, and return an account thereof to the house. And when another petition, directed to the 'Supreme authority of England, the commons in parliament assembled,' was presented the 23d of the same month, they voted that petition a seditious and contemptuous avowing and prosecution of the former petition and paper annexed, styled An Agreement of the People, formerly adjudged to be destructive to the being of parliaments, and fundamental government of the kingdom: And another letter was appointed to be sent to the general, to take notice of his proceedings in the execution of a mutinous person (who was an abettor of that agreement) at the rendezvous near Ware, and to give him thanks for it, and desire him to prosecute the examination of that business to the bottom, and to bring such guilty persons as he shall think fit to condign and exemplary punishment. All which declarations, protestations, oaths, covenants, and solemn engagements notwithstanding, we find to our great grief, wonder, and astonishment, that, contrary to the dissent and protestation of the kingdom of Scotland, his majesty is removed out of this life by a violent death; that orders are published in print, entitled Acts of Parliament, prohibiting the proclaiming the prince of Wales king of these kingdoms; that the commons which now sit at Westminster (after many members of that house have been imprisoned, secluded by force, or necessitated to withdraw, because they cannot act as in a free parliament) have voted away the kingly office and the house of lords, and claim the authority of a parliament; and, under colour thereof, the power of repealing all oaths of allegiance or obedience whatsoever, even without exception of the solemn league and covenant, from which the conscience

cannot be absolved by all the powers on earth.

"We see likewise strong endeavours used, and resolutions taken, to maintain a licentious liberty, and ungodly toleration in matters of religion, as appears by a paper lately published, commonly called An Agreement of the People, against which, upon the 26th of January last, we did present a testimony of the commissioners of the general assembly of the church of Scotland, approved of by the estates of parliament of that kingdom.

"If the honourable houses of the parliament of England, who made the declarations and engagements aforesaid, had been permitted to sit and act with freedom, we know there would have been no such proceedings as we have already seen, nor cause to fear such dangerous evils, and strange alterations, as are now carried on by will and power: we may confidently say, they would have been more mindful of their many declarations, and the solemn league and covenant, and more ready to hearken to the advice of their brethren of Scotland. And however no regard hath been had by those who now rule, to what we have formerly said, (and so we have small hopes that any great notice shall be taken of what we shall further say), yet in pursuance of the instructions we have received from the parliament of Scotland, we hold it our duty to desire; that there be no toleration of idolatry, popery, prelacy, heresy, schism, or profaneness; that there be no change of the fundamental constitution and government of this kingdom, by king, lords, and commons; that there may be nothing done which may wrong king Charles II. in his succession, as righteous heir of the crown of these kingdoms; but that, by the free counsels of both houses of parliament, reformation of, and uniformity in, religion, may be settled according to the covenant; and particularly, that presbyterial government, the confession of faith, directory for worship, and catechisms, may be established; that the just right

and title of king Charles II. to the crown of these kingdoms, may be acknowledged; and upon just satisfaction given to both kingdoms, he may be received and admitted to the exercise of his government: And if, notwithstanding all our earnest desires and endeavours to the contrary, the commons now sitting at Westminster shall proceed otherwise, in all or in any of the particulars aforesaid, we do hereby, in the name of the parliament and kingdom of Scotland, dissent from the same; and solemnly protest, that they may be free before God and man, of the guiltiness, evils, confusions, miseries, and calamities that may follow thereupon to these distracted kingdoms."

This protestation did greatly incense the junto at Westminster; wherefore they, by vote, declared, that the said paper did contain much scandalous and reproachful matter against their proceedings; that the contrivers and subscribers of it had a design to raise sedition, and lay the grounds of a new and bloody war; and declared all persons residing in England or Ireland, that should join with, or adhere unto, or voluntarily aid or assist the Scots, rebels and traitors to the commonwealth of England. And not satisfied with this, they imprisoned the messenger, shut up our commissioners in the block-house at Gravesend, and set a guard upon them, with orders that none should have any access to or from them, except with necessities.

Of this paper they sent a copy, with one Mr. Belford, to the parliament of

Scotland, to see if they would own it: And the parliament having owned that every step taken by the commissioners was by their authority, and highly represented the imprisoning of their commissioners, as a breach of the law of nations, they, with Mr. Robert Blair, who, as commissioner from the church of Scotland, was likewise confined with them, were sent with a troop of horse, commanded by one captain Dolphin, down to Berwick, and dismissed at the Bound-road there.

Upon the whole, to impartial men there is no need to make any apology for the presbyterians as to the king's death: They did not begin the war, though they joined in it, as what they thought unavoidably necessary; nor did they cut off the king's head, or in the least concur in it; it was done very much by the influence of the papists, who played protestants so artfully one against another, that they were almost consumed one of another, and immediately by a faction in the army, as the act for keeping the 30th of January admits, without consent of the house of lords, and after they had forcibly excluded a considerable number of the commons. And that therefore the anniversary charging of the presbyterians with it, and that, with all the circumstances of reproach imaginable, is prostituting the pulpit, poisoning the auditory, sowing discord amongst brethren, keeping up our fatal animosities, and cherishing those sparks that formerly broke out into a terrible flame.







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