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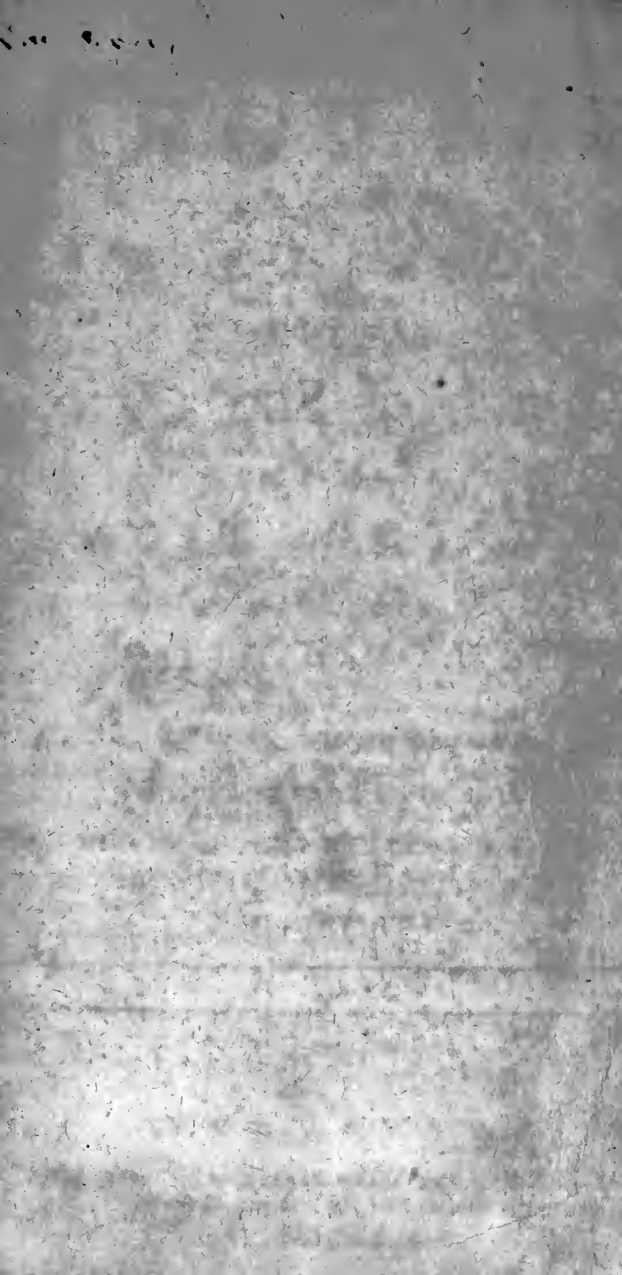
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THE

John Adams

HISTORY

OF THE

State and Sufferings

OF THE

Church of SCOTLAND,

FROM THE

RESTORATION

TO THE

REVOLUTION.

With an INTRODUCTION, containing the most remarkable OCCURRENCES relating to that CHURCH, from the REFORMATION to the RESTORATION.

By WILLIAM GROOKSHANK, A. M. Minister of the Scots Congregation in *Swallow-Street, Westminster.*

In TWO VOLUMES.

V O L. II.

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CONTENTS

Of the SECOND VOLUME.

- C**HAP. I. Of the rising at Bothwell, and the attempts made against Lauderdale 1
- C**HAP. II. Of the execution of Messrs. King and Kid, and the five that suffered at Magus-Muir; the circuit-courts; the third indulgence; and other remarkable things to the end of the year 1679 22
- C**HAP. III. Of the sufferings of gentlemen for not attending the king's host; the repeal of the third indulgence; the Queensferry paper; the Sanquhar declaration; and other things to the skirmish at Airsmoss 44
- C**HAP. IV. Of the skirmish at Airsmoss, the execution of Mr. Hackstoun of Rathillet, and others; the Torwood-excommunication, with the proceeding of the council upon it, and other branches of persecution to the end of the year 1680 61
- C**HAP. V. Of the executions of Isabel Alison, Marion Harvie, Mr. Cargill, and others; the followers of John Gib; the sufferings of heritors, &c. and other things to the session of parliament 81
- C**HAP. VI. Of the Duke of York's parliament; the test; the trial, condemnation and escape of the Earl of Argyll; the execution at the Gallowlee; and other things to the end of the year 1681 104
- C**HAP. VII. Of the declaration at Lanerk; some farther proceedings about the test; the actions of the council against conventicles; the public executions; and other branches of persecution, during the year 1682 126
- C**HAP. VIII. Of the commissions; the prosecutions before the judiciary; the Rye house-plot; the circuit courts; the public executions, and other branches of persecution during the year 1683 153

CHAP.

C O N T E N T S.

- CHAP. IX. Of the perfecution this year in general; the proceedings of the council and justiciary; the sufferings of particular noblemen, gentlemen, and others; together with the public executions, till the end of August 1684 196
- CHAP. X. Of the torture of the Rev. Mr. Carstairs; the proceedings of the council and circuit-courts; together with the societies apologetical declaration 232.
- CHAP. XI. Of the proceedings of the council and justiciary; the murders in the fields; the trial and execution of Mr Robert Baillie of Jerviswood, and others; with several other branches of perfecution till the death of King Charles II. 254
- CHAP. XII. Of the accession of King James VII. the proceedings of the council and justiciary; the murders in the fields; the unsuccessful attempt of the Earl of Argyll; the sufferings of the prisoners sent to Dunnoter; the actings of the parliament; the drowning two women; and other branches of oppression to the end of the session 285
- CHAP. XIII. Of the execution of the Earl of Argyll, Rumbold, Mr. Thomas Archer, and others; the proceedings of the council and justiciary; the sufferings of the banished; and other branches of oppression to the end of the year 1685 333
- CHAP. XIV. Of the proceedings of the justiciary and parliament; the king's remarkable letter in favour of the Papists; the death and character of the Rev. Mr. Peden; the state of Mr. Renwick and his followers; the various branches of perfecution and acts of indulgence; with other things to the end of the year 1687 368
- CHAP. XV. Of the proceedings of the justiciary; the execution of Mr. James Renwick; the acts and proclamations of council, and other remarkable things to the ever-memorable Revolution; with some account of the proceedings of the convention of estates 407



THE
H I S T O R Y
OF THE
CHURCH OF SCOTLAND.

C H A P. I.

*Of the rising at Bothwell, and the attempts made against
Lauderdale.*

FROM what has been related in the former volume, we may easily form a judgment of the dismal state of the nation on account of the arbitrary proceedings of those who had the management of affairs, and the unaccountable severities which many innocent people endured.

1679.

The rigorous and military execution of the sanguinary laws, now in force, could not but exasperate those who were by this means robbed of their liberties and properties, and of every thing that was dear and valuable, especially, as oppressions of every kind were still increasing. All legal methods of redress were cut off from the poor suffering people. What then could they do? Surely one might think, that it was incumbent upon them to fall upon measures for getting from under the feet of their cruel oppressors: for who would chuse to continue in misery, if they could, by any lawful and justifiable method, extricate themselves from it? They were most averse to take arms, until they were forced to it in their own defence. And though they were obliged to have recourse to this expedient, yet they never desired to have an opportunity of making use of it; but, being declared rebels on this account, they were constrained to persevere in it, till the fury of the persecutors drove them to the rising I am now to give an account of.

*Occasions
of the ri-
sing.*

It has been already observed, That, when they found that small meetings were more exposed to danger than greater assemblies, they altered their method, and resolved to assemble in one meeting, in those places which they

1679.

apprehended stood in most need of the gospel, and where they might meet together with greater safety. They who thus assembled were generally those who were averse to the indulgence and the accepters of it; and many came to it armed. The orders given to the soldiers, and the severe laws made on account of the primate's death, tended to increase their numbers; but the divisions occasioned by the unhappy indulgence were of great disadvantage to them, and at last proved their ruin. I need not here repeat what has been already said on this point.

*Resolution
of the suf-
ferers.*

When the numbers of the persecuted party were considerably augmented, Mr. Robert Hamilton, brother to the Laird of Prestoun, and some others, moved that something might be done as a testimony against the iniquity of the times. Accordingly, after serious consideration and prayer, they resolved to continue to hear the gospel, notwithstanding all the dangers to which they might be exposed, and to publish to the world their testimony to the truth and cause which they owned, and against the sins and defections of the times. In consequence of this resolution the said Mr. Hamilton, Mr. Thomas Douglas one of their preachers, and about 80 armed men, were pitched upon to go to some public place to publish their declaration, and burn the papers mentioned in it. They judged that the 29th of May was the most proper time for putting this in execution. Accordingly, the afternoon of that day, they came to Rutherglen, a small royal burgh two miles from Glasgow, where they extinguished the bonfires, put their resolution in practice, and affixed a copy of their declaration to the market-cross; the following is according to the copy thereof subjoined to the informatory vindication.

The declaration and testimony of some of the true Presbyterian party in Scotland, published at Rutherglen, 29th May 1679.

*Their de-
claration
and testi-
mony.*

AS the Lord hath been pleased still to keep and preserve his interest in this land, by the testimonies of some faithful witnesses from the beginning; so, in our day, some have not been wanting, who, through the greatest hazards, have added their testimony to those who have gone before them, by suffering death, banishment, torturings, forfeitures, imprisonments, and what not, from a perfidious and cruel adversary, to the church and kingdom of our Lord and Saviour Jesus Christ in the land: therefore

1679.

therefore we, owing the same interest of Christ, according to the word of the Lord, and the National and Solemn League and Covenant, desire to add our testimony to the testimonies of the worthies that has gone before us (though we be unworthy, yet hoping we are true members of the Church of Scotland) and that against all things done prejudicial to his interest, from the beginning of the work of reformation, especially from 1648 to 1660, but more particularly from the said year 1660, and downwards, against the acts following. As against the act of supremacy, the declaration whereby our Covenants were condemned; the act for the erection of the established government of the church, and for establishing of abjured Prelacy; the act recisory of all acts of parliaments and assemblies for establishing the government of the church according to the word; the act of Glasgow putting the same in execution, whereby, at one time, were violently cast out above three hundred ministers, without any legal procedure; likewise the act for appointing an holy anniversary day to be kept every 29th of May, for giving thanks for the setting up an usurped power, destroying the interest of Christ in the land, whereby the creature is set up to be worshipped in the room of our great Redeemer, and a power is assumed which is proper to the Lord only; for the appointing of ordinances in his church, as particularly the government thereof, and the keeping of holy days, belongeth to no prince, prelate, nor person on earth, but only to our Lord Redeemer. And farther, we give our testimony against all sinful and unlawful acts, emitted and executed, published and prosecuted by them against our Covenanted Reformation. And, for confirmation of this our testimony, we do here this day, being the twenty-ninth of May 1679, publicly and most justly burn the foresaid acts at this cross of Rutherglen, being the chief burgh of the nether-ward of Clydesdale, as they perfidiously and blasphemously have burnt our holy Covenants through several cities of these covenanted kingdoms. We hope none will take exception at our not subscribing this our testimony, being so solemnly given; for we are ready to do it, if necessary, and to enlarge it with all our faithful suffering brethren in the land.

When this declaration was published, Mr. Hamilton and the rest retired from Rutherglen towards Evandale and Newmills. This affair made a great noise both at Glasgow and Edinburgh. Mr. Graham of Claverhouse marches against them.

1679. (afterwards Viscount of Dundee) having unlimited powers to kill and destroy all he found in arms, came suddenly upon the town of Hamilton on Saturday afternoon, the 31st of May, and in that neighbourhood seized Mr. John King and about 14 others, who were not in arms, nor had any thing laid to their charge. They who escaped, and some who joined them in order to rescue Mr. King, repaired to the meeting, which they heard was to be at Loudonhill next day, expecting assistance from thence.

Is defeated at Drumclog.

Mean while Claverhouse, having likewise intelligence of that meeting, and resolving to disperse them, marched early from Hamilton on Sabbath morning the first of June, and carried his prisoners with him bound two and two, his men driving them before them like so many sheep. Public worship was begun by Mr. Douglas when they were informed of Claverhouse's approach. Wherefore all who were armed resolved to leave the meeting, face the soldiers, and, if possible, relieve the prisoners. Accordingly, about 40 horse and 150 or 200 foot came up with Claverhouse and his party near Drumclog, and after a short and close engagement defeated Claverhouse, and rescued the prisoners. Claverhouse had his horse shot under him, and narrowly escaped; above 20 of the soldiers were killed, and several taken prisoners, whom they released upon their being disarmed. The countrymen lost not above two or three. One John Mortoun was killed; Thomas Weir and William Danziel (which last was concerned in the bishop's death) died in a few days of their wounds.

A fruitless attempt on Glasgow.

The country people, after this action, resolved, since they could not separate without evident hazard, to keep together till they saw how matters would turn out. Mr. Hamilton marched that night to Hamilton, and Claverhouse escaped to Glasgow, and alarmed the soldiers there. Next day Mr. Hamilton, and those who joined them in their march, being too much flushed with their success, marched to Glasgow, and entered the town about ten o'clock; but after six or eight were killed, among whom was one Walter Paterson a pious youth in the parish of Cambusnethan, and two or three wounded, they were obliged to quit the place, and retire to Hamilton, where they pitched a sort of a camp.

Inhumanity to the dead.

Such as the inhumanity of the soldiers, that the dead bodies which were left in the street were for some time not permitted to be buried. Some papers say, That Claverhouse

verhouse and some of the officers gave orders that none should bury them, but that the butchers dogs should be suffered to eat them. But, be that as it will, it is certain that seven dead bodies lay in the street from eleven in the forenoon till night; and when they were taken into houses to be dressed for their burial, the soldiers came and stript them of their dead clothes; nay, when they permitted them to be buried, none durst appear to perform this service but women, whom, notwithstanding, the soldiers attacked, and cut the palls with their swords. And when the women used their plaids for palls, the soldiers took their plaids from them. In short, they were obliged to set the coffins in the alms-house, near the High-church, where they continued till the soldiers left Glasgow.

1679.

Early on the third of June the council met, and having received a false account of those transactions, issued a proclamation against the *rebels*, as they called them, wherein, after aggravating the rising, they say, That a party of disloyal persons, who had formerly tasted of royal bounty and clemency, [*viz.* the finings, imprisonments, intercommuning, banishments, &c. mentioned in the former part of this history] had come to Rutherglen and proclaimed their rebellious Covenant, and had committed a great many outrages, &c. And therefore all persons in arms were charged to lay down their arms, and surrender themselves to the Earl of Linlithgow, or any other officer or magistrate, within the space of 24 hours after the publication of this proclamation, or else to be treated as traitors, and rendered incapable of mercy [but there was no promise of pardon.] In short, all masters of families, heritors, &c. were required to be careful, lest any of their children, servants, or tenants, join the rebels, or else they were to be look'd upon as disaffected persons. We shall relate how the soldiers improved this clause after Bothwell. The reader is to judge whether they who were now in arms had any encouragement to surrender. The same day they wrote to Lauderdale on account of these things.

Proclamation against the rebels, with remarks.

Then the council issued a proclamation ordering the militia to rendezvous, and to join and act with the regular forces, under severe penalties; and another ordering all the heritors and freeholders to attend the king's host; and made all preparations they judged necessary for suppressing the *rebellion*, as it was termed. I shall only observe,

Other proclamations.

1679.

observe, that all, or most of the officers, named for this host; were violent persecutors of the Presbyterians, many of whom had a warm side to Popery and some were professed Papists. But to return to the affairs of the west.

*Motions
of the for-
ces.*

On the third of June, Lord Ross, and the officers in Glasgow, finding that the gathering of the country people still increased, marched with the forces to Killyth, and carried with them, in carts, some of the wounded countrymen who fell into their hands, and about the sixth were joined by the Earl of Linlithgow at Larbermuir; but, being falsely informed that the west-country army was 8000 strong, they wrote to the council, that it was the general sense of the officers, that his majesty should be applied to for assistance from England. The council required them to march to Edinburgh, and sent orders to the governor of Stirling to take special care of that city, and at the same time wrote to Lauderdale an account of their proceedings, and required help from England. On the 7th of June the army was cantoned about Edinburgh, where they continued till the 16th.

*D. of
Mon-
mouth
sent to
Scotland.*

Mean while matters were so managed at court, that the Duke of Monmouth and Buccleugh was pitched upon to command an army for suppressing this insurrection. When the council received the news of this, they, on the 15th, wrote to court, and proposed that Dalziel might be made lieutenant-general under the duke.

*The peti-
tion of
MacDo-
nald a
Papist.*

About the middle of this month Lord MacDonald, a professed Papist, and the MacLeans, having for some time ravaged the lands of the Earl of Argyll, sent a petition to the council offering their service in suppressing the rebels in the west, whose addresses, say they, we have rejected, and praying that the Earl of Argyll might be required, in the mean time, to desist, &c. The insinuation, that the west-country people had addressed them, needs no confutation; for they who opposed Prelacy could never encourage Popery. But it was generally believed that this army of professed Papists, now in arms, though they falsely pretended self-defence against the Earl of Argyll, were yet in close correspondence with, if not under pension to the Duke of York, and in concert with those concerned in the Popish plot in England. But if this was not the case, yet how unaccountable it was, that the council should receive a petition from the commander of this Popish party, when all Papists in arms were by a

late

late proclamation, declared to be guilty of treason, must be left with the reader; especially as it was with difficulty that they were not employed in acting against the west-country army, of whom we were now to speak.

The success they met with at Drumclog, and the retiring of the forces from Glasgow, gave opportunity to many to join them from all quarters, considering the necessity there was to assist them in this extremity, and that themselves were liable to the same common danger from their enraged enemies. They were likewise convinced of the righteousness of the cause in which they were engaged, and that, if they should be made a sacrifice to the rage of their persecutors, they would be accountable for their blood did they withhold their help. From these considerations many came from Galloway and Nithsdale, from Carrick, Kyle, Cuninghame, Renfrew, Lanerk, the Lothians, and Stirling-shire; and among them were some gentlemen of note.

West-country army.

The author of the Memoirs of North Britain, printed at London 1715, says, 'I know very well that insurrection is represented as a rigorous tumult of a few factious enthusiasts; but it is most certain that several gentlemen of note engaged in that business, the tyranny of the Tories being become intolerable.' And therefore, though Bishop Burnet vindicates the non-conformists from having formed any design of rebellion before this, yet he was misinformed when he says, 'That none came into this attempt but those desperate intercommuned men, who were, as it were, hunted from their houses into all those extravagancies that men may fall in who wander about inflaming one another, and are heated in it with false notions of religion.' Such invidious reflections are no more than what might be expected from the pen of a prelate on this subject, for I can see no extravagancies they fell into but what was the natural effect of the oppression of the managers, and there were a good many gentlemen that joined them, and many more who favoured their design.

Gentlemen join them, p. 6.

p. 472.

There were likewise several ministers among them, as Messrs. John Welsh, John King, John Kid, William Foster, Thomas Douglas, Samuel Arnot, John Rae, George Barclay, John Seraple, &c. They never, as Mr. Woodrow thinks, exceeded 4000, though Echard would have them to be 17,000, when they were routed at Bothwell; but then many were but ill-armed, and it was their loss that

Ministers with them.

1679.
Dead buried.

that they had not officers who understood the art of war. When the king's forces left Glasgow, Mr. Welsh and several others came thither from Carrick, and interred the bodies of those who had been killed in the late attempt, together with the heads of the sufferers for Pentland. They shewed the like kindness to the heads and hands of those which had been set up at Kilmarnock, Irvine and Ayr, and were well received by the good people every where; but the divisions that broke out among them occasioned the defeat of their designs at this time.

West-country army divided.

The principal thing they had in view was to publish a declaration to the world, shewing the reasons of their conduct. Mr. Hamilton, who took upon him the command, Mr. Douglas and Mr. Cargill, &c. were of opinion that the indulgence should be condemned; but this was opposed by Mr. Welsh, the Laird of Kartlock, and others: but Mr. Hamilton and his adherents being more numerous, the following general declaration was agreed to by the majority.

Their declaration.

'We, who are here providentially convened in our own defence, for preventing and removing the mistakes and misapprehensions of all, especially of those whom we wish to be and hope are friends, do declare our present purposes and endeavours to be only in vindication and defence of the true reformed religion in its profession and doctrine, as we stand obliged thereunto by our National and Solemn League and Covenants, and that solemn acknowledgment of sins, and engagement to duties, made and taken in the year 1648, declaring against Popery, Prelacy, Erastianism, and all things depending thereupon.'

Divisions upon it.

When the army increased, there were several who found fault with the last clause of the above declaration, because it comprehended the indulgence, and therefore moved that it might be taken out; they said that nothing should be in the declaration that had a tendency to exclude any Presbyterians from joining in their assistance, especially as the indulgence, in its own nature disputable, had not yet been declared sinful by any general assembly, or other competent judge. On the other hand, it was argued, that the point controverted was only declared against in general terms; that erastianism was as expressly abjured by this church as Prelacy; and that the indulgence was the fruit of erastianism. The debates were carried to a great length.

At another meeting Mr. Hamilton, and those of his sentiments, moved that they might observe a day of fasting and humiliation before they should be engaged with the enemy; but they who opposed a testimony against the indulgence did not relish this motion, unless such grounds of fasting should be given as they all could agree in. However, they were at this time over-ruled, and a committee was appointed, consisting of four ministers and four gentlemen, to draw up some causes of fasting and humiliation. Accordingly they referred to what was written in the Causes of God's Wrath, and then mentioned, 1. The extravagant rejoicing at the restoration. 2. The establishing of Prelacy. 3. The neglecting of public testimonies against that abjured hierarchy. 4. The sin of many in taking unlawful bonds. 5. The paying of unlawful cess, &c. for supporting the supremacy and suppressing the gospel. 6. The complying with abjured Erastianism in the matter of the indulgence. They who were of different sentiments from Mr. Hamilton would not come into those things as proper to be laid down as causes of humiliation, and so no fast was kept. And thus divisions broke this little army before they were broken by the enemy.

1679.

*Proposal
for a fast.*

When the cause of their appearing and continuing in arms came to be considered at a meeting of their officers, which they called a *council of war*, Mr. Hamilton and his adherents were for having it stated upon the footing of the Rutherglen declaration; but they who favoured the indulgence proposed that the king's authority should be expressly owned, according to the 3d article of the Solemn League and Covenant. Against this it was argued, that, as they had made no declaration against him, so they must be excused, and not urged to declare positively for him, especially as he was now in a stated opposition to the interest of Christ, and had, upon the matter, declared war against his people, and all the present opposition, cruelty and persecution in Scotland, for redress of which they were now appearing, were carried on in his name. The Covenants, they said, only bound them to him in the preservation and defence of the true religion, and the liberties of the kingdoms: but the king had actually overturned the true religion, set up Prelacy and Erastianism, ruined the covenanted Work of Reformation, invaded the liberties of the kingdom, persecuted to the death the asserters of both, and plainly broke the conditions of govern-

*Farther
debates
about the
state of the
quarrel.*

1679.

ment sworn at his coronation. To this it was answered, That, in 1638, the assembly and Covenanters owned the king's authority though he had declared war against them. That this method of throwing off the king's authority would obstruct the redress of their grievances, and frustrate the design of their appearance. But here the reader must observe, that Mr. Hamilton and his adherents proposed no declaration against the king's lawful authority, only would not positively mention him or his interest in the declaration: and it is certain that what they asserted, concerning the king's opposition to the true religion, &c. was fact. How far their inference was just must be left with the reader. However, they who opposed Mr. Hamilton and his adherents so far prevailed, as on the 13th of June to get a declaration published at Glasgow, called the *Hamilton declaration*, wherein the king's interest is expressly asserted. The reader may easily see that this little army must have laboured under great disadvantages from their divisions when the enemy was coming upon them.

As they had been for some days about Hamilton, so it will be proper to return to the king's army.

We have heard that the army under the command of the Earl of Linlithgow was cantoned about Edinburgh, and on the 17th they were at Kirkhill-park belonging to Lord Cardross, who suffered much at this time by the soldiers.

Monmouth at Edinburgh, p. 7.

On the 18th the Duke of Buccleugh, and Monmouth came to Edinburgh, and was admitted a privy-counsellor. The author of the *Memoirs of North Britain*, formerly quoted, says, 'That the Tories in England persuaded the king to send his grace against those unfortunate people, to make him odious to the Protestant party in both kingdoms, who wished well to all endeavours for preservation of the Protestant religion, their rights and privileges'. This same day the council wrote to Lauderdale acquainting him of the duke's arrival, and thanking his majesty for sending him.

Goes to the army.

On the 19th the duke went to the army, but marched slowly towards Hamilton. Next day he sent to the council, complaining that their march was retarded for want of provisions, which were accordingly sent to him. But some think the reasons of his grace's slow motions was, because he expected some application to be made to him by those now in arms.

On the 20th the council received a letter from the king approving of their proceedings, and requiring that they would prosecute the rebels with fire and sword, and all other extremities of war. These were orders our managers were ready enough to obey; accordingly they transmitted a copy of his majesty's letter to the duke, whose army then lay within two miles of the Kirk of Shots and was about ten thousand strong, which was more than twice the number of those they had to deal with.

1679.

King's letter.

There were, at this time, pains taken to dispose those in arms to lay before the duke their grievances, with professions of loyalty to the king; but their discords still increasing did a great deal of damage, for the time of action approached, and their numbers decreased before the king's army came up. When they heard of Monmouth's arrival, a motion was made to model their army, and pitch upon such officers as were best skilled in military affairs. About this time a person unknown came into one of their meetings with a paper, as he said, from some ministers and others, which they earnestly desired all might sign. The tenor of it was, 'We the officers of the Presbyterian army do hereby declare, That we have no intention or design to overturn the government, civil or ecclesiastical, whereunto we are solemnly sworn by our National and Solemn League and Covenant; and that it is our judgment and opinion that all matters now in controversy be forborn and referred to be determined by their proper judicatories, viz. a free and unlimited parliament, and a lawful general assembly.' But both these proposals were dropt for a time.

Discords in the west-country army.

On Saturday the 21st the officers met, when those who were not of the sentiments of Mr. Hamilton and his adherents were most numerous, and their debates ran higher than ever, though the king's forces were almost in view. At this meeting it was urged that all places in the army should be declared vacant, and officers harmoniously chosen, that so they might be intirely united in the time of action. Mr. Hamilton and those of his way of thinking declared their willingness, on condition of the right stating of the quarrel. Upon this the indulgence was again brought upon the carpet, and the dispute was carried to such a pitch, that Mr. Hamilton, John Paton, Wil. Carmichael, And. Turnbull, &c. left the meeting. They who remained chused a new preses and clerk, and entered

A council of war.

1679.
*Petition
 to Monmouth.*

upon business; but were unwilling to nominate officers when so many had withdrawn. However, being acquainted with Monmouth's willingness to receive application from them, and that being an affair which could admit of no delay, they unanimously voted a supplication to his grace, wherein, after giving a general account of their grievances, they prayed that some of their number might have liberty, under safe conduct, to come and lay before him their grievances and requests.

On Sabbath the 22d the duke and his army were come to Bothwell-muir, and their advanced guards to Bothwell-town, within a quarter of a mile from the bridge. The countrymen lay encamped on the south of the river Clyde in Hamilton-muir, and had an advanced party ready to dispute the passage at Bothwell-bridge, if the king's army should attempt it. Early that morning Mr. David Hume, the Laird of Kaitloch, and some say Mr. John Welsh in disguise, went to the duke with the supplication. They had easy access, and besides the supplication, prayed, 'That they might be allowed the free exercise of religion, and to attend gospel-ordinances dispensed by their own faithful Presbyterian ministers without molestation: that a free parliament and a free general assembly, without the clogs of oaths and declarations, should be allowed to meet for settling affairs both in church and state; and that all those who now are or have been in arms should be indemnified.' The duke heard them patiently, but refused to treat with them till they had laid down their arms and submitted to the king's mercy. He sent them back to their friends, and ordered them to bring an answer in half an hour at farthest. In short, when the commissioners came to the army, they renewed their debates, and so no answer was returned.

*Battle of
 Bothwell-
 bridge.*

The king's troops in the mean time had free liberty to plant their cannon; and Lord Livingston began the attack on the bridge with the foot-guards, the countrymen stood their ground near an hour, and defended the bridge with much gallantry. Hackstoun of Rathillet, one of their commanders, shewed a good deal of bravery upon this occasion; but their ammunition failing them, and not being properly supported, they were obliged to quit the bridge where their main strength lay. Upon this the duke ordered the whole army to pass the bridge with the cannon before them, and soon after the whole west-country army was routed.

Thus

Thus the *rebellion* at Bothwell, as it was called, was suppressed. From this I cannot but observe, that the righteousness of a cause is not to be concluded because it is not always successful. It is plain those people rose in defence of their religion and liberties. A better cause none could be engaged in, and yet they were defeated. Again though their appearance has been called *rebellion*, yet every one, who has just sentiments of liberty and law, must view it in another light. We have observed, that the constitution of the government was overturned, perjury, violence and oppression were established, and those very people put from under the protection of the law, and exposed to bonds, imprisonments, banishments, ravages and plunderings. And though they did rise in arms, and declare against the civil and religious oppressions then established by authority, yet they never did declare against the oppressors. It is true, though several of them would not take the king's interest into the state of the quarrel, yet they did not declare against him. I shall only add, that, had they been successful, so as to have restored the civil and religious liberties of their country, all good men would have honoured their memory; and as it was they deserved to be had in great reputation. Let rebellious Jacobites call this rising *rebellion*, none who own the glorious Revolution, and the Protestant succession in the house of Hanover, can esteem it so. The chief thing in which these patriots were to blame, was their making this attempt without some greater probability of success than, for ought appears, they had at that time. But as matters dien stood the divisions on the indulgence ruined this attempt. It is certain they who were for bearing their testimony against it acted according to the principles of the Presbyterians. Happy had it been for the nation had it never been complied with, especially by so many worthy and godly ministers.

There cannot be any just account given of the number of the slain, because they were murdered up and down the fields as the soldiers met them. It was reckoned 400 were killed, and 1200 surrendered prisoners on the muir, who were not only disarmed and stripped almost naked, but made to ly down flat on the ground, and not suffered to change that posture. And if any of them did so much as raise himself a little, he was shot dead in an instant. There had been a much greater slaughter had it not been for the duke, and the interest of several noble-

1679.
Remarks.

Number
of the
slain.

1679.

*Earlstoun
killed.*

men and gentlemen at that time with his grace. Nevertheless great were the severities used by the soldiers, of which the following are glaring instances. Mr. William Gordon of Earlstoun, having his affairs to settle, could not join the country army, but sent his son Mr. Alexander before, who was in the action. Mr. William not knowing of the disaster of the west-country army, and riding as quickly as he could to join them, was met by a party of English dragoons, and refusing to surrender was killed on the spot. His friends could not get him buried with the rest of his family, and therefore he lies interred in the church-yard of Glasserton. A pillar was erected over his grave, but no inscription was suffered to be upon it. Mr. Alexander Gordon, one of the predecessors of this ancient family, entertained the disciples of the great Wickliff, and had a New Testament in the vulgar tongue, which they used to read in meetings in the woods near Airds. Mr. Afterwards Sir Alexander Gordon, the present Sir Thomas's father, narrowly escaped at this time, by means of one of his tenants, who, knowing him as he rode through Hamilton after the defeat, made him dismount, put his horse furniture into a dunghill, and obliged him to put on womens clothes and rock the cradle, by which means he was preserved. We shall hear more of him afterwards.

*His son
narrowly
escapes.**Persons
murdered
in cold
blood.*

Several were murdered in cold blood by the soldiers, that same day, on the road near Hamilton. They were going to hear sermon in the camp, not knowing that the soldiers had got over the river, particularly James Scouler and Gavin Semple in the parish of Glasford, John Browning, Rob. Stobo, William Hamilton, Rob. Steil, Wil. Pate and Arch. Dick, all of the parish of Evandale, and Rob. Finlay in that of Stonehouse, though they had no arms. Next day Arthur Inglis in Cambulnethan, reading his Bible in a furrow, was looked upon as a Whig by the soldiers who happened to perceive him, and therefore one of them fired at a distance, but missed him. The good man looked about, and not offering to move, the soldiers came and clave him through the scull, and so dispatched him; and indeed they scarcely spared any they met with near the field of battle.

*Mon-
mouth's
lenity.*

Dreadful were the consequences of this fatal action, and had it not been for Monmouth's lenity, they had been much greater; for some of the officers proposed to burn Glasgow, Hamilton and the country round Bothwell-bridge; but the general rejected the motion with indig-

nation. We shall hear that most of the gentlemen in the western shires were brought to inexpressible trouble. I shall only now mention the case of Sir Thomas Stuart of Cultnesh, son to Sir James Stuart late provost of Edinburgh. He was obliged first to abscond, and then retire to Holland, orders being issued for apprehending him, though neither he nor any of his servants were there.

1679.

Dalziel's commission to be lieutenant general came down on the day of battle. The Laird of Lundin brought the first news of the action to the council, who immediately sent dispatches to Lauderdale, and wrote to Col. Struthers in Northumberland to secure the borders, stop and imprison the rebels, and gave orders where they thought it proper to accomplish this end; but these things I omit being no more than what might have been expected.

Council's proceedings.

The prisoners taken at Bothwell were this day brought into Edinburgh, among whom was Mr. John Kid. In their journey they were generally tied two and two, made a gazing stock in the places through which they passed, and exposed to the cruel mockings of the profane, who said, Where is now your God? Take him up now, and Mr. Welsh who said you should win the day; though Mr. Welsh never said any such thing. When they came to Edinburgh, the council ordered the magistrates to put them into the inner Gray-friars church-yard, with proper centinels over them, viz. 24 to guard them at night, and 8 in the day-time. The officers were to keep a list of the centinels, that, if any of the prisoners should escape, the centinels should throw the dice and answer body for body. The officers were to be accountable for the centinels, and the town of Edinburgh for the officers. These orders were put in execution, and the prisoners were all carried to the place appointed, except a few who were put in prison, and continued in that inclosure near five months, mostly in the open air. Here they generally stood all day, and lay all night on the cold ground without any other accommodation; and if any of them, in the night-time, had raised their head for a little ease, the soldiers were sure to fire at them. It would be endless to recount all their hardships, and with what difficulty persons were allowed to bring them any necessary provisions; how the women were insulted and abused by the soldiers, for no man had access. It was esteemed a singular favour that some huts made of dales were set up for them

Treatment of the prisoners.

1679.

Proclamation against the rebels.

a few weeks before they were brought out of this place.

On the 25th, having had an account from the general of his having sent parties in quest of the rebels, whom he looked upon as dispersed, the council ordered Henry Ker of Graden to search for Turnbull of Bowly, Turnbull of Sandyhill, Henry Hall, and Mr. Archibald Riddel, as being either at or accessory to the rebellion; and next day they published a proclamation against the *rebels*, as they called them. Many names were inserted in this proclamation, and among others Mr. John King. The two brothers of the Earl of Galloway were named in the proclamation, but the council afterwards declared those two had made it appear that they were not in the rebellion.

Evages of the soldiers.

This proclamation made way for the soldiers to commit many cruelties up and down the country. A great many parties were dispersed through the west and south; but none were so noted for their barbarities as Claverhouse and those under his command. Accordingly, upon any frivolous information, they attacked the houses of those whom they pretended had been in the rising, especially through the shire of Ayr, which had suffered so much the last year by the Highland host. The reader will be able to judge what distress that part of the country was in by a few instances.

MacLewey and

William MacLewey and, in the parish of Bar, had been at Bothwell; his wife got liberty to have him released from the Gray-friars church-yard; but, as they were returning home, Claverhouse came with his troop to this man's house, and rifled it of every thing; and during the rest of this persecuting period they suffered many such plunderings, which I have not room to mention. James MacJarrow, in the same parish, though he was not at Bothwell, suffered much in the same manner.

Claverhouses cruelties.

Claverhouse, marching into Galloway with some English dragoons, &c. scarcely made any distinction between those who had been at Bothwell, and others, seized all the horses they could find, plundered the houses, particularly in the parishes of Carlphairn, Balmaclellan and Glencairn. In one house in Balmaclellan they forced a woman before her husband, and then pillaged the house. In the parish of Glencairn, in order to oblige a poor harmless youth to tell who of his neighbours were at Bothwell, they tied a small cord round his head, then fastened the two ends of it about the butt of one of their pistols, and twisted it so hard, that the flesh was cut round
into

into the scull. In the same parish they seized a poor shepherd boy, and, to force him to discover his maller, fastened two cords to his thumbs, and by these hanged him up to the roof of the house. Mary Gordon of Robertoun suffered much by frequent quarterings of soldiers, who took away her horses, and plundered her house. In a short time after they returned, and carried her and her only son John Gordon, a boy, to prison together, with two of her servants, who were both transported to America. She and her son continued some time in hold to their great loss. Her tenants were sadly oppressed for her sake. One of them, John Sprat, was plundered, and fined in 20 l. for speaking to his own son who had been at Bothwell.

1679.

Other shires were not exempted. Francis Park, in the parish of Carmonnock, had 14 soldiers quartered upon him; and was obliged to give 50 l. to save his house from being plundered; because he had lent his plough to a neighbour of his who had been at Bothwell. George Park in the same parish was forced to give 200 merks for harbouring his own son, who had been in the rising. John Mitchel's wife, in the parish of Cathcart near Glasgow, had lighted matches put between her fingers to force her to discover her husband; and, when the soldiers found they could not prevail, they rifled the house, and destroyed the provisions. I shall leave the reader to make reflections on these things.

Francis Park, &c.

On the 4th of July the council wrote to the sheriffs on the south of the Tay, to send up exact lists of the heritors who did not attend the king's host, or who left it without permission. This occasioned many to suffer, as we shall relate next year. At the same time they received a letter from the king, dated the 29th of June, concerning the prisoners, in which his majesty was graciously pleased to require the council to examine such of them as they thought could best discover the rise and progress of the late rebellion, and what correspondence the rebels had, especially with the kingdom of England, and to offer them pardon upon making out their discoveries, but to put them to the torture if they refused to inform in what the council had reason to believe they knew. His majesty approved of their sending 3 or 400 of them to the plantations, and ordered the ringleaders to be prosecuted as traitors, and the rest to be set at liberty upon their e-

King's letters.

1679.

*and pro-
clamati-
on.*

nacting themselves not to take arms against the king or his authority.

Together with this letter a proclamation came down of the same date, of which I must give the following abstract, as this was the foundation of the third indulgence. 'We having—past so many acts, in favour of the Protestant religion, against field-conventicles, whereby our subjects were withdrawn from public ordinances, in such ways as exposed them to hear Jesuits, or any other irregular preachers, and were at last debauched to meet in arms in formed rebellions—We have therefore thought fit—to recommend the vigorous execution of all our former laws—against such rendezvous of rebellion.—As also, we most peremptorily command all in office under us, to prosecute, with all legal rigour, those inhuman and execrable murderers of the late Archbishop of St. Andrews, and all such as have had accession thereto.—But we being desirous to reclaim all such—as have been misled by ignorance or blind zeal,—and to convince all indifferent persons that too great severity is as far from our design as our inclination, have, according to the power reserved to us by—our second parliament, suspended the execution of all laws and acts against such as frequent house-conventicles in the low countries on the south side of the Tay only, excepting Edinburgh and two miles round, the lordships of Musselburgh and Dalkeith, the cities of St. Andrews, Glasgow and Stirling, and a mile round each.—And—we hereby suspend all diligences for fines, upon the account of conventicles, except such fines as are imposed by our privy-council, and such—as were—transacted for prior to the 29th of May last. But—we hereby ordain all such as shall be suffered to preach to have their names given in, and surety found to our privy-council for their peaceable behaviour, only one preacher being allowed to a parish, and none to be allowed who have appeared against us in the late rebellion, nor none who shall be admitted by the unconform ministers in any time hereafter; assuring all those to whom we have extended this favour, that if they, or any of them, shall, for the future, frequent any field-conventicles, or disturb the peace of these our kingdoms, we will secure our people and maintain our authority.—This our forbearance being to continue in force only during our royal pleasure.'

Remarks.

It is in this proclamation alledged, that they who frequented field-meetings were exposed to hear Jesuits.

Whether

1679.

Whether this be not a most vile ianuendo must be left with the reader. Though my author says, That the favour here granted to the ministers was one of the least clogged favours that had been granted to the Presbyterians since the restoration, yet I cannot but think it impossible for those who had the management of affairs in this period to grant a favour without a clog. I shall not therefore compare this with the former two indulgences, but shall leave it with the reader, whether they who exercised their ministry, in consequence of this, did not virtually acknowledge the wickedness of field conventicles, of the late appearance in arms in defence of religion and liberty, nay, and the justice of the laws then made against the brethren. However, it was certainly some favour to be excused from the rigorous execution of those wicked laws then in force, though the condition of it was a burden to many tender consciences. But, such as it was, it is likely that it would not have been granted had it not been for the interest of the Duke of Monmouth; and, in consequence of it, the council ordered the magistrates of Edinburgh to release Messrs. John Mosman, Archd. MacLean, James Frothie, Will. Kyle, Robert Fleming, Fran. Irvine, and Tho. Wilkie, upon their engaging to live peaceably, and not to preach at field-conventicles. The ministers in the Bass were likewise sent for to be set at liberty upon the same terms.

The same day the council, in obedience to his majesty's letter, agreed that so many of the prisoners (except the ringleaders) as would oblige themselves not to take arms against the king or his authority, should be released; and ordered intimation to be made, that if they, or any of them, shall afterwards be found in arms at field-conventicles, they shall forfeit the benefit of the indemnity. Accordingly the following bond was drawn up to be subscribed by the Bothwell prisoners. 'I—being apprehended for being at the late rebellion; and whereas the lords of his majesty's privy-council, in pursuance of his majesty's command, have ordained me to be set at liberty, I enacting myself to the effect underwritten; therefore I bind, oblige and enact myself, in the books of the privy-council, that hereafter I shall not take up arms without or against his majesty or his authority. As witness my hand.' &c. It is plain that they who signed this bond acknowledged that the rising at Bothwell was rebellion, and obliged themselves against defensive arms for the

*Bond to
be sub-
scribed by
the Both-
well pri-
soners.*

*Memoirs
of the
Church of
Scotland.
P. 202.*

1679.

future; and therefore it is no wonder though many stood out, and refused to accept deliverance upon terms they thought not only contradicted their principles, but also trampled upon the blood of their brethren who died in the cause.

The duke's indemnity.

About this time the Duke of Buccleugh and Monmouth published a pardon and indemnity to all tenants and sub-tenants who had been at Bothwell, in case they submitted themselves against such a day. There was likewise a bond required of the heritors in the west-country, obliging themselves to use their utmost for securing those who did not accept of this favour. But as few of the tenants chused to venture themselves into the hands of the magistrates at that time, so the heritors chiefly concerned refused the bond. On the 6th the duke took his leave of the council, and in two or three days returned to England.

Lauderdale's letter.

On the 11th of July the council received a letter from Lauderdale, signifying, "That the king was informed of an infamous libel wrote and dispersed at Edinburgh, printed and dispersed at London, and cried in the streets, reflecting on the proceedings of the lords of council and session; that the king orders a diligent inquiry where and by whom the copies were written out and dispersed at Edinburgh, the accounts at London bearing, that they were written in the chamber of James Hay writer, who married a niece of Sir Arch. Primrose. The council appointed a committee to examine into this affair, and wrote a letter of thanks to the king for his concern for them. That the reader may know the rise of this, he will remember that Lauderdale's administration had been blamed by many as oppressive, and subversive of the liberties and properties of the subject, and that several attempts had been formerly made in vain to get him set aside; nevertheless as such a brave struggle was at this time making in England against Popery and arbitrary power, and as Lauderdale was as disagreeable there as he was to many in Scotland, so several resolved to renew their attempt against him.

Duke Hamilton went to court.

Accordingly Duke Hamilton repaired to court in the spring, and soon after was followed by the Marquis of Athol, Sir John Cochran, and others; together with these two eminent lawyers, Sir George Lockhart and Mr John Cunningham, with an intent to renew their accusations against Lauderdale. The king's advocate went up on the 6-

th

ther side. Bishop Burnet says he was sent for to defend the administration. On the 29th of May the commons of England presented another address to the king, intreating his majesty to remove the Duke of Lauderdale from his council and presence for ever.

1679.

When Duke Hamilton and the rest got access to the king, they laid before him their grievances, which were printed under the following title, Some particular matters of fact relating to the administration of affairs in Scotland under the Duke of Lauderdale, humbly offered to your majesty's consideration, in obedience to your royal commands. This paper exposed the ravages of the Highland host the hardships of incapacitating persons for public trust, of which several instances were given; the injustice of illegal imprisonments, the cruelty used to prisoners, the hardships many endured by unreasonable and arbitrary fines, and by placing garrisons in gentlemens houses, &c. The curious reader may peruse the paper at large in Mr. Wodrow, p. 102, &c. who justly observes, that it certainly contained a material vindication of the people at Bothwell, who appeared in defence of religion and liberty; and adds, that, had the noblemen and gentlemen, who drew up this paper, laid many things contained in it at the door of the prelates, as well as that of Lauderdale, the representation had been more full and just. But Sharp, the *primum mobile*, was gone; and so the duke was charged with all. Now it was the publishing and dispersing of this paper that occasioned the letter to the council formerly mentioned. However, before the council's answer to the king's letter reached the court, his majesty allowed a conference in his own presence at Windsor-castle as to the matters of complaint. The debates lasted no less than eight hours, *viz.* from ten to one in the forenoon, and from four to nine in the evening on the 8th of July. There was to be another conference on the 13th, but Duke Hamilton and the rest, seeing how things were like to go, desisted from making any farther attempt; for, on the 11th of July, the complainers found that now his majesty was resolved to stand by Lauderdale; and on the 13th the king sent three letters, one to the council, another to the lords of session, and a third to the lords of justiciary, approving of all their conduct; so that Lauderdale still stood his ground. Bishop Burnet says, 'The hearing came on as was proposed; and it was made out, beyond

Grievances laid before the king.

Lauderdale stood his ground.

1679.

beyond the possibility of an answer, that the giving commissions to an army to live on free quarters, in a quiet time, was against the whole constitution, as well as the express laws of that kingdom; and that it was never done but in an enemy's country, or to suppress a rebellion. They shewed, likewise how unjust and illegal all the other parts of his administration were. The Earls of Essex and Halifax told him that every thing was made out fully. He farther says, That though kings naturally love to hear prerogative magnified, yet, on this occasion, the king had nothing to say in defence of the administration. But when May, the master of the privy-purse, asked him, in his familiar way, what he thought now of his Lauderdale? he answered, as May himself told the doctor, That they had objected many damned things that he had done against them; but there was nothing objected that was against his service. From the whole it appears that the king was inflexible. And, as this administration had the royal countenance and approbation, the reader will not be surpris'd at the continuance and increase of injustice and oppression.

C H A P. II.

Of the execution of Mr. King, Mr. Kid, and of the five that suffered at Magus-muir; the circuit-courts; the third indulgence, and other remarkable things to the end of the year.

Two ministers the first sacrifice.

Mr. King apprehended.

MANY suffered unto death on account of Bothwell, Mr. King and Mr. Kid were the first who fell a sacrifice to the rage of the prosecutors, and were the only ministers who were apprehended on this occasion. When Mr. King was taken is not certainly known; only it is remarkable, that, when a party of the English dragoons were on horseback at Glasgow, one of them called for some ale, and drank to the confusion of the Covenants, &c. Then meeting one of his comrades at the Stable-green-port, who asking him whether he was going? he answered, To carry King to hell. This was on the Lord's day. But the poor wretch had not rode far, till his carbine accidentally went off and killed him on the spot. The party carried Mr. King to Edinburgh.

Mr. Kid frequently examined.

Mr. Kid was among the prisoners taken at Bothwell, and was frequently examined by some of the counsellors, particularly as to the occasion and beginning of the rising,

1679.

rising, and the persons concerned in it; but they could find nothing more than has been related. And though he had been accused of being a Popish priest, yet he gave abundant proof of his being a firm Protestant and a good man.

Both Mr. King and Mr. Kid were before the council on the 9th of July. When they were examined Mr. King confessed that he was with those that rose at this time; that he remembered that Earlstoun younger was with them likeways, &c. but denied that he was with them when the king's forces were assaulted at Glasgow, or that he ever heard of a rising before it happened, or was ever upon any council with them. Mr. Kid confessed that he had preached in the fields, but never where there were men in arms, except in two places. They signed their confessions, which were afterwards produced as evidence against them at their trial before the justiciary.

On the 12th of July the Earl of Queensberry was admitted a counsellor, for his zeal in promoting his majesty's service and suppressing the rebels. The same day, in a letter to Lauderdale, they proposed some difficulties relating to the proclamation of the 29th of June *, which was a modest way of asking a repeal of it, for they did not relish any favours to be shewn. However, on the 14th, a letter came by express from his majesty, at the procurement of the Duke of Monmouth, enlarging favours to ministers, which was so very disagreeable to the managers, that the Archbishop of Glasgow was dispatched to court where it is likely he fell in with the Duke of York's party; for in a little time these favours were curtailed, and about the end of the year wholly taken away.

More favours to ministers.

* p. 18.

The same day Mr. Kid was examined before the council; and they imagining that he was not ingenuous in his answers, ordered him to be put to the torture. It seems he was more than once in the boots, and behaved with great meekness and patience.

Mr. Kid put to the torture.

On the 16th Mr. King was examined before the justiciary; and when he signed his confession it was ordered to be inserted in the books of adjournal, to be produced as evidence against him. Mr. Kid appeared next day, but refusing to sign his confession, the lords subscribed it, and ordered it to be registered, as in the case of Mr. King.

Messrs. King and Kid examined.

On the 18th the council granted a petition to prosecute Alexander Hamilton of Kinkell, in order to his being forfeited; and being informed that John Cuning-

Kinkell's sufferings.

ham

1679.

ham of Bedlane, who had been forfeited on account of Pentland, had been at Bothwell, ordered him and his sureties to be summoned before them. Mr. Hamilton of Kinkell underwent a series of trouble ever since the restoration; for he had sheltered the ejected ministers, and encouraged them to preach in his house, without hindering any that had a mind to come and hear them. This exposed him to the indignation of the primate, who ordered him to be summoned from the pulpit, in order to excommunication. The people of St. Andrews being so disgusted that a person of Kinkell's piety and character should be thus served, generally went out of the church. The bishop, seeing his excommunication would be treated with contempt, got him intercommuned, which obliged him to quit his house, and undergo many hardships. Soon after that a garrison was sent to his house, by whom his lady (who was then near her time) and family were turned out of doors. The garrison continued in the house several weeks, destroyed most of the furniture, and consumed the provisions. After Bothwell he was taken, bound with cords, and carried to Edinburgh, where he remained prisoner about eight months. Though he escaped forfeiture, yet his estate was ruined. And it was after a kind of banishment for several years, that, in 1687, he returned to his own house at Kinkell; but upon setting up a meeting-house, he was brought under new troubles; for, at the instigation of the primate, Ross, he and Mr. Orrock the preacher were, by a party of soldiers, carried prisoners to Edinburgh, but in a little time they were set at liberty.

It was about this time that the king and council made over the moveables of those who had been at Bothwell to whom they thought pooper, which occasioned great oppression; for the *donatars*, as they were called, who had this gift made to them, in a manner plundered all they suspected, so that few parishes in the west and south escaped this heavy oppression.

*Ministers
released.*

On the 19th the council wrote to Lauderdale acquainting him that they had called the preachers, who were prisoners in Edinburgh, (my author thinks these were the field-preachers, the others being released the 4th) and offered them a bond, which two of them subscribed, and the rest refused, and that they had sent for the prisoners in the Bass in order to make the same offer to them. Accordingly Mr. Patrick Anderson, Mr. James Fraser of

Brae,

1679.

Brae, Mr. Thomas Hog, Mr. John MacGilligen, Mr. John MacAulay, Mr. Robert Rofs, Mr. John Law, and Mr. William Bell, were brought from the Bass to the tolbooth of Edinburgh, where some other ministers were confined, particularly Mr. Robert Fleming minister at Cambuslang afterwards of the Scots congregation at Rotterdam. Though they were willing to find bail for their appearance when called, yet, because they refused to oblige themselves to live peaceably, and not to rise in arms against the king, or any authorised by him, they were remanded to prison. This was contrary to the king's letter, which allowed them, either to oblige themselves as above, or find bail; but the managers insisted on the first. Mr. William Kyle and Mr. Francis Irvine, who signed the obligation, were set at liberty. However, after some time, the rest of the ministers were released upon bond to appear when called.

On the 22d Robert Hamilton of Airdry, his servant, and about 15 other prisoners, were set at liberty upon obliging themselves to live peaceably, &c. The same day the council had permission to release Lord Cardross upon paying his fine. Mr. King and Mr. Kid received their indictment at this time; and, on the 24th, they petitioned the council that they might be allowed advocates to plead for them, since they were so soon to be tried for their life; accordingly Mr. David Thoers and Mr. William Monnipenny were allowed them.

This day Mr. Veitch, instead of having sentence of death passed upon him, was, in consequence of a letter from his majesty, ordered to be set at liberty, and to retire to England. The reason of this sudden turn was, that Mr. Veitch, finding that sentence of death was to be pronounced against him, prevailed with his friend Mr. G. Elliot, afterwards one of the lords of session, to ride post to London. Mr. Elliot, not having access to Lauderdale, applied to the Earl of Shaftsbury and others of his party, by whom he was advised to print Mr. Veitch's case, signifying his being apprehended in England, after near 13 years residence in that country, and sent to Scotland to be judged for old alledged crimes, and to give a copy of the case to each of the members of parliament. This was done. Then the king was applied to, and in a manner threatened with a parliamentary inquiry into this conduct to an English subject. Whereupon the king wrote the letter just now hinted; and it came within an hour before the sentence of death was to have been pass-

R. Hamilton released.

Cardross.

Mr. King, &c. petitioned.

Mr. Veitch.

1679.

Linlithgow, &c. went to London.

ed. The same day about 20 more prisoners for conventicles were set at liberty.

These favours were granted to put some stop to the clamours made against Lauderdale's administration; and it is not improbable, had not the Duke of York come down, that there had been more of this kind shewn; however, they were so far from being agreeable to the managers at Edinburgh, that, on the 25th of July, the Earl of Linlithgow and Claverhouse had the council's permission to repair to London. They were in a few days followed by the chancellor, and great changes were about this time talked of.

Trial of Mr. King and Mr. Kid.

Mean while the trial of Mr. King and Mr. Kid came on, and they appeared before the judiciary on the 28th. Their advocates gave in a petition in their favour, praying that the lords would allow them an exculpation, or liberty to vindicate themselves from the charge of high-treason given in against them. In order to this the petition bears, that Mr. King's being with the rebels did not proceed from any rebellious principles, but, being taken by Claverhouse, he was refused by the rebels, and not suffered to go from them; so that, in fact, he was always in the quality of a prisoner; that, during the time he was with them, he not only refused to preach, but made it his business to persuade them to return to their former loyalty, and actually persuaded several to desert them; and that he only carried a sword the better to disguise himself from being taken for a preacher, but never made use of it. And as to Mr. Kid, that he retired from them as soon as he could, and absolutely refused to return, and intreated such of them as came in his way to lay down their arms, and throw themselves on the king's mercy. And that it was at the desire of some of the most peaceable, that, in the simplicity of his heart, he went to Hamilton to persuade them to obedience; so that, when Robert Hamilton and some of the ringleaders became enraged at his advice, as he was going home he was pursued by a party of the rebels, who threatened to kill him if he did not return; and, when taken, he got quarters and assurance of his life from the lord-general, &c. And as for being present at field conventicles, it was pleaded, that, if the petitioners freed themselves from the rebellion, they were secured from this by his majesty's late proclamation; and they offered to prove all the premises by unexceptionable witnesses. But no exculpation was allowed them;

them; for, when their indictment was read, the advocate produced their confessions before the council as proofs against them; and accordingly they were brought in guilty, and condemned to be hanged at the market-cross of Edinburgh on Thursday the 14th of August, and their heads and right arms to be cut off, and disposed of at the council's pleasure. The reader is to judge how far it was equitable to refuse them access to vindicate themselves as far as they were able. Interest was made for a remission, but to no purpose.

1679.

Their confessions produced.

On the 31st of July, John Balmerino, Andrew Snodgrafs, and about 20 others, were set at liberty, on signing a bond to live peaceably, and not to rise in arms against the king, or any commissioned by him. The same day Lord Cardross was ordered by the council to be released, upon paying the sums in which he was fined. Accordingly his lordship gave bond, and got out of prison; but, being outlawed for not paying his fine, his simple and liferent escheat was fallen into the king's hands. We shall hear more of him next year.

Cardross, &c. set at liberty.

Mean while the king signified, in a letter to the council, his detestation of the murder of the late Archbishop of St. Andrews, and commanded them to prosecute 9 of those who were concerned in the late rebellion, with this additional consideration of having owned these murderers who were excepted from any indemnity; and that, if those were convicted, they should be hanged in chains in the place where the murder was committed.

Prisoners ordered to be prosecuted.

Accordingly a committee was appointed, who, on the 6th of August, reported that they had ordered nine to be prosecuted as directed, had examined the prisoners in the Gray-friars church-yard, and took particular notice of those who refused to call the late rising in arms *rebellion*, or killing the archbishop *murder*, and those that refused the bond not to rise in arms hereafter, and had made up a list of 30 persons. They likewise gave it as their opinion, that, as there were other prisoners in the tolbooth of Edinburgh and Canongate of the same guilt and persuasion, the king's advocate or deputy should be appointed to examine them, and prosecute nine of the most guilty; and that a secret committee, consisting of three or four at most, should be ordered to give in lists of such heritors, ringleaders, and preachers, as were not yet taken, to General Dalziel, with warrants to secure their persons till they be brought to justice. They likewise

Committee appointed.

1679.

moved, that the prisoners for conventicles be set at liberty, and that William Page, who had been fined in 1000l. and Robert Blair in 2000 merks, be remitted to the treasury for a modification. All which the council approved of, and appointed the Earl of Moray, the Bishop of Edinburgh, Lord Collingtoun, Mr. Maitland, and General Dalziel, or any three of them, to be a committee for the said purposes.

A meeting at Edinburgh.

On the 8th of August a considerable number of ministers met at Edinburgh, and agreed, 1. That all ministers should, in the first place, visit their own congregations where they were formerly settled, and try what access they can have to preach the gospel to them. 2. That they associate themselves into meetings as their numbers in particular bounds and their circumstances will best allow, and take care to provide preaching to the people in the bounds of their respective meetings who are desirous of it. 3. That every minister shall be a member of the meeting within whose bounds he resides. 4. That indulged ministers, not indulged to the congregations they were in when laid aside, if their people, of whom they formerly had the charge, call them, return to them, and quit the places they are at present in. 5. That all who are licensed to preach be particularly taken, obliged into subjection unto the meeting which licensed them, and to submit themselves to their direction.

Remarks.

Though Mr. Wodrow says, that the ministers of this meeting had the principles of Presbyterian government at heart, together with the preservation of the church from any hazard from persons who should afterwards be licensed and ordained, and that, had they not been stopt by the new turn of affairs at court, the last indulgence would have been so managed as to have cured the divisions, and been of great service both to church and state, yet I find the Rev. Mr. MacWard, Mr. Brown; &c. were of a contrary opinion; for, as they esteemed the indulgence, first and last to be the product of the supremacy, and inconsistent with Presbyterian principles, so they could not call this a Presbyterian meeting, because, instead of testifying against the indulgence, they plainly approved of it, and virtually abandoned that testimony which many sealed with their blood. But these things I must leave with the reader.

Indemnity ordered to be published.

On the 13th, at a large meeting of the council, the king's indemnity was ordered to be published, by the magistrates

gistrates of Edinburgh, with great solemnity and all demonstrations of joy. At the same time a committee was appointed to consider what was farther to be done with the murderers of the archbishop, the case of the prisoners, and the state of the Highlands. This committee proposed the holding of circuit-courts, the better to prosecute those concerned at Bothwell, and the murderers of the primate, and moved that James Hamilton an apprentice, prisoner in the Gray-friars church-yard, be set at liberty. Accordingly,

On the 14th, the proclamation for holding circuit-courts in October next was published, signifying, among other things, that they who did not lay hold on the indemnity, and all who were concerned in Pentland and at Bothwell, and the murderers of the archbishop, and all who supplied or corresponded with them, were to be prosecuted with rigour before them. By this proclamation the clerks of the justice-court were enjoined to have in readiness a porteus-roll, or a list of the names and designations of the said rebels, and of those who should be informed against, upon oath, to have been in the rebellion, or to have harboured the rebels, or the murderers of the late Archbishop of St. Andrews, and of those who had been at field-conventicles since the proclamation of the 29th of June last; summonses were likewise ordered to given in time to those who were to appear. In this proclamation for circuits, they who killed the archbishop were particularly described. All heritors and landlords, where any of the rebels lived, were commanded to apprehend and present them to the circuit, and, in case they fled, to remove their wives, children and servants from off their grounds (so that the innocent were to be punished with the guilty.) By this proclamation a reward of 10,000 merks was offered to those who should bring in any of the murderers of the primate dead or alive; nay, the persons whom his majesty had cut off from his indemnity were to be pardoned, and have the reward besides, if they should apprehend John Balfour of Kinloch, and David Hackstoun of Rathillet, dead or alive; and, to put the greater honour on these courts, all dukes, marquises, archbishops, earls, lords spiritual and temporal, were ordered to attend. I shall only observe, that these courts were established through all the principal parts of the country, where it could be imagined any of these people were supposed to be found.

1679.

*Circuit-courts.**Porteous-rolls.*

The

1679.
*Indemnity
 published.*

The act of indemnity, above mentioned, was published the same day with all the outward signs of rejoicing. A scaffold was erected at the cross and the magistrates, in their formalities, were witnesses to the proclamation. But, considering the many exceptions, it yielded very little joy to the people concerned in the rising; for, at one stroke, ministers and heritors who were concerned in the rebellion, or contributed to it, were cut off together with those that did not come to assist the king's host. Nay, few could comply with the conditions of this famous act of grace; for they were to engage never to bear arms against the king or his authority, nor to be at any field-conventicles. They had no notion of passive obedience and non-resistance, though, at the same time, none shewed greater loyalty than they. But what could they do, when their liberties and lives, and, which was dearer to them than all, their religion, were in the most cruel and barbarous manner invaded? It was likewise in vain to think that these brave confessors would bind up themselves from hearing the gospel in the open fields. However, this indemnity pardoned all authors of infamous libels or pasquils, all who had misrepresented any of the king's judicatories and servants. This plainly points at Duke Hamilton, &c. So that matters were come to a fine pass, when some of the chief of the nobility were ranked among those whom they reputed rebels and traitors. In short, this was like King Charles's acts of grace, good for nothing. However, the publication of it was attended with ringing of bells in the forenoon, and in the afternoon Mr. John King and Mr. John Kid were hanged, and their heads cut off upon another scaffold. One would be tempted to think the managers pitched on that day to be a day of rejoicing for a mock indemnity, when those two faithful ministers of Christ were put to death. However, though they were cut off from having a share in this indemnity, yet they died in peace, and with a joy which none of their persecutors could intermeddle with. Their last speeches are in Naphtali, in which they bore a faithful and honourable testimony against Popery, Prelacy, Erastianism, and for the covenanted Work of Reformation.

*Mr.
 King and
 Mr. Kid
 executed.*

*Their tes-
 timonies.*

Mr. Kid, when speaking of the rising at Bothwell, says, 'For personal presence with that party whom they called *rebels*, for my part I never judged them or called them such. I acknowledge there were a great many there who came in the simplicity of their hearts.—I am

as sure, on the other hand, there was a great party there, that had nothing before them but repairing of the Lord's fallen down work, and restoring of the breach which is wide as the sea.——But for rebellion against his majesty's person or lawful authority, the Lord knows my soul abhorreth it, name and thing. Loyal I have been, and will every Christian to be so; and I was ever of this judgment, to give to *Cesar the things that are Cesar's, and to God the things that are God's.* After this he declared his abhorrence of Popery with which he had been falsely accused and concluded his testimony with these words, 'As I have lived in the faith of this, that the three kingdoms are married lands; so I die in the faith of it, that there will be a resurrection of his Name, Word, Cause, Covenants, and all of his interests therein; though I dare not determine the time when, or the manner how; but leave all these things to the infinitely wise God, who hath done, and will do all things well. O that he would return to this land again, repair our breaches, take away our backslidings, and appear for his work!——Come Lord Jesus, come quickly! himself hasten it in his own time and way! *The Lord is my light and my life, my joy, my song, and my salvation.* The God of his chosen be my mercy this day, and the enriching comforts of the Holy Ghost keep me up, and carry me fair through, to the glory of his grace, to the edification of his people, and my own eternal advantage. Amen.'

Mr. King's testimony was much to the same purpose with that of his fellow-martyr. Among other things he spoke to the commendation of the cross of Christ, and concluded in this moving and affecting manner, 'Now I bid farewell to all my friends and dear relations; farewell my poor wife and child, whom I leave on the good hand of him who is better than seven husbands, and will be a father to the fatherless. Farewell all creature-comforts, and welcome everlasting life, everlasting glory, everlasting love, and everlasting praise. *Bless the Lord, O my soul, and all that is within me.*'

Thus these two went to their Master's joy, and left their persecutors to conclude the day, with their bonfires, on account of the notable indemnity published in the forenoon. Their heads and right hands were cut off and placed beside that of Mr. Guthrie on the Nether-bow port.

On this dismal day the council wrote to Lauderdale, *Order of* desiring that a frigate might be sent down in order to *council.* transport—

1679.

transport the prisoners in the Gray-friars church-yard. They likewise ordered the ministers, who were prisoners in Edinburgh, (those, *viz.* that refused their bond) to be released, on finding sufficient bail to appear when called, under the penalty of 10, 000 merks each.

Persons to be criminally prosecuted.

Next day, the 15th of August, the king wrote to the council, and ordered the following persons to be criminally prosecuted. The reason was, that, upon examination of some of the prisoners, several did not own the rising of Bothwell to be rebellion, nor the killing of the primate to be murder. And we shall afterwards find that several were executed on this very account, when nothing else could be laid to their charge. The persons who had been called and examined, were James Lilburn in Kinross, refused the bond, *N M*; David Hardie in Leslie refused the bond, *NR, NM*; Robert Bogie in Newbigging, *NR, NM*; John Richardson in Stenhouse refused the bond, *NR*; Robert MacGill weaver in Gallawshields, *N M*; David Somervell in East-Calder refused the bond, *NR, NM*; Alexander Steven in Bothwell parish, *NR, NM*; Thomas Williamson in Overcranstoun, *NR, NM*; John Scot in Ettrick, *NR, NM*; William Cameron in Dalmeilingtoun, *NR, NM*; Robert Miller in Waterford, *NR, NM*; James Wood in Newmills, *NR, NM*; John Govan in Kirklistoun, *NR, NM*; Thomas Pringle in Stow parish, *NR, NM*; Andrew Sword in the parish of Borg in the stewartry of Kirkcudbright, *NR, NM*; James Gray in West-Calder, *NR, NM*; John Thomson in Shots, *N M*; John Waddel in ditto, *N M*; Patrick Keir in the parish of Kincairdin, *NR, NM*; Thomas Brown in Edinburgh, *NR, NM*; William Anderson in Livingstone parish, *NR, NM*.

N. B. The names marked *NR* are those who would not acknowledge the rising to be rebellion, and those marked *N M* who would not own the primate's death to be murder.

Signing the bond.

About this time 15 of the prisoners in the Gray-friars church-yard, whom they looked upon as the ringleaders, were brought to the tolbooth of Edinburgh in order to be tried for their life. Mr. Edward Jamison was sent to them from the meeting of ministers formerly mentioned; though Mr. Wodrow says he found no evidence that he was sent by them, yet he owns he went and reasoned with them at a considerable length, in order to persuade them to subscribe the bond. He urged the lawfulness of this expedient

1679.

expedient to save their lives, and endeavoured to make them sensible that their refusal would be a reflection on religion, and the cause they appeared for, and throwing away their lives, for which their friends would not be able to vindicate them. He prevailed with 13 of them, who were set at liberty. But this compliance lay heavy on several of them. Most of the prisoners in the church-yard, by the solicitations of their friends, and the advices of some ministers, particularly, as is said, of Mr. Hugh Kennedy, Mr. William Creighton, Mr. Edward Jamison, and Mr. George Johnston, signed the bond, while others refused to accept deliverance upon such terms as were inconsistent with their principles. The Rev. Mr. John Blackadder, being at this time in Edinburgh, was very serviceable to these prisoners, and in a particular manner dissuaded them from complying with the bond. What came of those who refused this compliance we shall hear in its proper place; only, several who did comply shared the same fate with those who did not.

On the 20th of August, William Richardson in Stenhouse, Thomas Brown shoemaker in Edinburgh, John and Alexander Balfours in Giltfoun, Thomas Williamson in Over-Waristoun, Robert MacGill in Gallashiels, Rob. Miller in Waterfoot, James Paton in Inverkeithing, and Andrew Thompson in Sauchy, were indicted for treason in joining with those at Bothwell; but it was the month of November before any of them were brought to trial, mean while several were appointed to plead for them. The same day Mr. Andrew Donaldson, Mr. — Erskine, and John Henderson in Cliech, who had been confined for conventicles, and had been forgot when others obtained their liberty, were released.

Nine indicted.

On the 19th of September the council wrote to Lauderdale for liberty to the justices to offer the bond, which was granted. At the same time new powers were given to the army to seize the murderers of the archbishop, to apprehend any ministers or heritors guilty of the late rebellion, or others of the rebels who had not signed the bond, or any who harboured them, and secure them in prison, with power likewise to dissipate field-conventicles, and apprehend the preachers and others present at them, and indemnified the soldiers of all slaughter and mutilation in case of resistance. They likewise ordered the rents, money and moveables belonging to the murderers of the primate, and the heritors engaged in the rebellion,

New powers to the army.

1679.

to be sequestrated; and enjoined the advocate to prosecute Mr. George Johnstoun, or any other ministers who have been guilty of field-conventicles since the 29th of June last, with power to Major Robert Johnstoun to search for any suspected conventicles in or about Edinburgh, &c.

Licence.

On the same 16th of September they agreed upon the following licence to be given to those ministers who had liberty to preach: 'The lords of his majesty's privy-council, having considered the petition of —, representing that they have chosen — to preach and administrate the sacraments in the parish of — conform to his majesty's proclamation June 29th, and his letter July 11th, and therefore desiring that caution may be received for the said — conform to the said proclamation. The lords grant the supplicants desire, who have accordingly found sufficient caution acted in the books of privy-council for the said — that he shall live peaceably, and in order thereto, that the said — shall appear before the council, when the said cautioners shall be called to produce him, under the penalty of six thousand merks in case of failie.'

Bond.

The following bond was likewise to be given for the said minister: 'Be it kend to all men, by these presents, me — for as much as, upon a humble supplication, given in to his majesty's privy-council, they have ordained caution to be received for — who is allowed to preach and administrate sacraments in the parish of —, therefore I bind and oblige myself, my heirs and successors, that the said — shall live peaceably; and in order thereunto, that I the said — oblige myself and fore-saids to present him before his majesty's privy-council when I am called so to do; and in case of my failie in not presenting him, I shall be liable in the payment of the sum of six thousand merks Scots money. Consenting, &c.' in common form.

It was on account of these bonds that some have called this the *banded indulgence*. At a meeting of ministers, about the end of this month, the most part judged it lawful at this time to comply; but I find them condemned by others, who thought that, by coming under these bonds, they condemned themselves as guilty of former unpeaceableness, and engaged in a sinful peace with the enemies of God, and became bound and fettered, by these bonds, from bearing a testimony against the defects of the times, and the encroachments made both upon

upon civil and sacred liberty †. But these things I must leave with the reader. We shall find that this third indulgence was but of short continuance.

1679.

On

† Some time after this a pamphlet was published, intitled, *The banders disbanded*; in which the author, said to be Mr. MacWard, endeavours to prove, that it was sinful, scandalous and inconvenient to comply with these bonds. It will not therefore be improper to give the reader a short view of some part of his reasoning on this subject. Having accordingly laid down sundry positions concerning the reformed government of the Church of Scotland, and shewn the many engagements that lay upon the nation, by the Covenants, to maintain and defend the same, together with the manifold encroachments and invasions made by the civil magistrate upon the royal prerogatives of Christ, the intrinsic privileges of his church, and the just freedom of his ambassadors, by introducing Prelacy, and persecuting non-conformists, &c. and taken notice of the faithful wrestlings and contendings of our worthy predecessors in defence of their sacred liberties, from thence he infers, that the very name and notion of any bond and engagement, required by the then rulers as a condition of admitting ministers to the exercise of their ministry, was odious and detestable at the first view, especially to engage in such a bond as then required, and most of all that a body of ministers should vote this to be lawful and warrantable. And,

1. He produces several arguments to prove the sinfulness of giving such bonds, because the cautioner, or surety, by this bond, obliges himself to perform an impossibility; for however he might engage for himself, yet he could not engage for another, whom he could neither constrain by force, nor command by authority. He farther shews, that whoever engages in this bond, thereby acknowledges the civil magistrate to be the fountain of all ecclesiastical authority, without any regard either to the rights of the people, or the just authority of the church-judicatories. He likewise observes, that this bond may be interpreted contrary to former lawful bonds and covenants, and so cannot be entered into without sin. Besides, he that engages in this bond, binding himself to pay 6000 merks in case he fail, or do not present the minister to the council when called, to be active in persecuting and punishing

1679.

Proclamation
with the
names in-
serted.

On the 20th of September another proclamation was issued against the murderers of the archbishop, with their names inserted, *viz.* John Balfour of Kinloch, David Hackstoun of Rathillet, George Balfour in Gillstoun, James Russel in Kettle, Robert Dingwal a tenant's son in Cadam, Andrew Guillan wayer in Balmerinock, Alexander and Andrew Henderfons sons to John Henderson in Kilbrachmont, and George Fleming son to George Fleming in Balbuthy. Such ministers and heritors who were in what they called the late *rebellion*, and any that had harboured any of the murderers, or rebels, were put into the proclamation; at the end of which all magistrates of royal

himself for that which is not his own fault. From these and several other considerations he infers, that these bonds could not be entered into without sin. But,

2. *This author asserts it to be scandalous to enter into these engagements, because the bond presupposes the faithful ministers of the gospel to have formerly been of a turbulent and rebellious disposition, and therefore were not now to be trusted, but others were to be taken engaged as sureties for their peaceable carriage and behaviour; and therefore, as this has a natural tendency to put a disgrace upon ministers, so also to bring their ministry into contempt: for what respect can any have for the ministry of those who are looked upon as so infamous as not fit to be trusted? The author, after insisting on several other arguments shewing the scandalousness of these bonds, proceeds,*

3. *To shew the manifold inconveniencies of coming under the obligation of them. By this, he says, the minister is brought into a great strait, either to conceal some part of the whole counsel of God, or, by preaching up his Presbyterial principles, to expose himself either to lose his liberty, or be otherways punished. By this the surety is obliged either to persecute the minister, if he should, in his apprehension, speak any thing that ought not to be spoken, by presenting him to the council, or be obliged to pay the penalty if able, and, if not, to suffer other hardships. By this also, not only the surety himself, but his heirs and successors are involved with him: from these, and many other topics, this author infers the inconveniency of these bonds. How far his arguments are conclusive must be left with the reader, who will still be a better judge in this particular if he carefully examine the pamphlet itself.*

royal burghs were ordered to take the declaration by next Michaelmas.

1679.

The same day Mr. William Erskine, who had been prisoner in Stirling above three years, was ordered to be set at liberty. And though Mr. James Rymer, late professor of philosophy at St. Andrews, was found innocent of harbouring any of the murderers of the primate, yet he was ordered to give another bond, under the penalty of 10,000 merks, to appear before the justiciary when called.

*Mr. Erskine.**Mr. Rymer.*

According to the order of time we are now come to speak of the circuit-courts, which were appointed to sit down on the first of October, &c. A distinct account of their proceedings is not to be expected, as their records, if they kept any, are not to be found. According to the proclamation, the clerks, or their deputies, before the meeting of the circuits, went through every parish in the precinct of the court, and took up information as directed; and not only the sheriffs and justices of the peace, but also the curates, exerted themselves to the utmost to get informations.

Circuit-courts.

From these informations the porteous-rolls were framed. These rolls were filled up with all sorts of persons who had any substance, whether they had been at Bothwell or not. The most innocent were informed against by any envious neighbour, or base prodigal, and, when once in those rolls, the greedy donatars obliged them to compound for their moveables, or seized them, even before any indictment or sentence. Many were the oppressions and hardships which numbers endured upon this score.

Porteous-rolls.

When the lords of the circuit sat down in the places assigned them, great numbers were before them, especially at Glasgow, Ayr and Dumfries. They who appeared, and confessed they had been at Bothwell, if they were not heritors, had the bond offered them. They who appeared, and desired their indictment, were imprisoned till they found bail to appear at Edinburgh, and answer to the things that should be laid to their charge; but all who did not appear were declared fugitives, and denounced rebels. The absent heritors (for very few of them appeared) were denounced, and not a few soon after were forfeited. Noblemen, gentlemen, soldiers, and others, who were most active in the arbitrary measures of this period, obtained gifts of their estates, and several kept possession of them till the happy revolution; and they

Oppressions.

who

1679.

who had no heritage had their houses and goods spoiled by the soldiers. These were the happy effects of these itinerary courts ! We shall hear more of them in the following years.

Preparations for the Duke of York.

On the 16th of October, the council, being informed that the Duke of York was coming to Scotland, wrote to the absent members to repair with all speed to Edinburgh, since they intended to meet his royal highness on the borders. All noblemen and gentlemen in the neighbourhood were orderd to attend them on this occasion ; and Mr. Maitland of Dudhop was sent to wait on the duke in England.

Occasions of his coming to Scotland, Rapin.

About the end of August last, the king being at Windsor was seized with three violent fits of an intermitting fever. The fits were so long and severe that the physicians apprehended he was in danger. The Earl of Essex and Lord Halifax, two of the four counsellors who then managed the king's affairs, fearing, if the king died, to fall into the hands of the Duke of Monmouth and Earl of Shaftsbury, advised the king to send for the Duke of York, which was done with all secrecy and speed ; for the duke arrived at Windsor on the second of September. But the king, being then out of danger pretended a surprise at his arrival : and, when he was recovered, it was moved that the duke should return beyond sea. This was contrary to the inclinations of his highness ; but, finding his brother positive, he moved that the Duke of Monmouth might be put out of all command, and sent abroad. This was complied with. Both dukes went beyond sea. But, says Bishop Burnet, Lord Tweeddale, being then at London, moved the Lord Peterborough, that it would be more honourable, and more for the duke's interest, instead of living beyond sea, to go and live in Scotland ; his motive was, that, since the Duke of Monmouth had lost all credit with the king, Duke Lauderdale would again be continued in his posts, and act over his former extravagancies ; he judged, that, upon the Duke of York's being in Scotland, Lauderdale would be chequed. Peterborough went immediately to the king, who approved of it. So notice was given to the duke, and he was appointed to meet the king at New-market. The duke met the king accordingly ; upon which Shaftsbury was soon turned out, and Lord Roberts, then made Earl of Radnor, became president of the council. There were several other alterations ; and the king became entirely under the
management

p. 477.

management of his brother. Besides all this, his highness, perceiving a storm gathering against him in England, was willing to retire till that was a little abated. However, the reader may see that the ministry in Scotland had early notice of these proceedings; for the council had a letter from the king on the 18th of September, signifying that he had recalled the commission of the Duke of Buccleugh and Monmouth from being general; and on the 16th of October they began to prepare for the reception of his royal highness, whose presence very much strengthened the violent party in the council, and promoted the severe measures of the prelates against the Presbyterians, who could expect no favour from Popery and Papists.

1679.

By a letter from the king, dated November 1st, General Dalziel received an unlimited commission, except in emergencies of state, when the council were allowed to give directions; and the officers and soldiers had orders to search for and apprehend those who were declared fugitives and rebels by the justiciary.

*Dalziel's
commission.*

When the managers found that what would arise, from the estates of those who had been personally concerned in the rising, would not answer their expectation, a more general oppression was resolved upon. Accordingly, on the sixth of November, a committee was appointed to meet with the lords of justiciary to consider what was to be done with those who did not attend the king's host. Accordingly, on the 8th, they gave it as their opinion that they should be fined, the most guilty not above two years valued rent, and the least in the fourth part of their rent, and be obliged to take the oath of allegiance and the declaration; but, if they refused this last, to be fined in the highest degree. This was approved of, first by the council, and afterwards by the king; and measures were taken for getting lists of all those gentlemen they intended to prosecute on this point.

*Non-attendants
on the
king's host
prosecuted.*

The same day the council ordered about 30 of the prisoners in the tolbooth of Edinburgh, who had refused the bond, to be prosecuted before the criminal court. Accordingly, on the 10th, James Finlay, Thomas Brown, J. Wood in Newmills, Andrew Sword weaver in the stewartry of Kirkcudbright, John Waddel in New-Monkland, J. Clyde in Kilbryde, with several others, were before the justiciary. In their indictment they were charged with entering into a deep combination to overturn the fundamental laws both of church and state, professing that they

*Prisoners
indicted.*

1679.

they would have a parliament of their own framing, without either bishops or noblemen, [*all this was false*] with burning his majesty's laws at Rutherglen; declaring his majesty an usurper, [*false*] and that he had robbed Jesus Christ of his crown, because he would not acknowledge them and their ministers to be Christ's infallible vicegerents, and to be superior to him in his own kingdom, [*false and slanderous; no such thing ever entered their thoughts*] that, when they engaged his majesty's forces, they gave for their word, *No quarter*; and that they refused it to all universally who fought for his majesty; [*false*] that they joined with the murderers of the archbishop, as their emissaries, [*still false*] and assembled an army of 10 or 12,000 men; [*they never were half the number*] that at Glasgow they robbed and spoiled the king's subjects, opened the prison-doors, and threw out of the graves the dead bodies of such children as belonged to the orthodox clergy. [*false*] In short, their indictment was stuffed with falsehoods, and embellished with lies. The truth is, the prisoners favoured the rising at Bothwell, though only some of them were personally there; and one without arms too. However, it was thought necessary to aggravate their rising to the utmost. My author justly observes, that, as the public papers of this period were generally so full of lies and slanders; it was no wonder though the English historians were led into mistakes when treating on the affairs of Scotland, especially considering the many lying pamphlets that were published by the Jacobites after the revolution.

Five condemned.

The same day John Brown of Drumfarhan, James Clow in Ballock, and John Stevenson in Water-side, and eight others, were indicted for harbouring the murderers of the archbishop; but it seems the process was dropt; whereas five of the prisoners that had been indicted for the affair at Bothwell, *viz.* Thomas Brown, John Waddel, Andrew Sword, James Wood and John Clyde, were marked out for ruin; and, upon confessing their being at Bothwell; and refusing the bond, were condemned to be executed at Magus-muir on the 18th instant, and to be hanged in chains, as if they had been the persons that killed the primate, though they were no ways accessory to it. However, it seems, that, for some reasons, their execution was put off to the 25th. And though the jury brought in James Wood as being taken at Bothwell without arms, yet the judges made no difference.

November

November the 13th, the magistrates of Linlithgow, Inverkeithing and Kirkaldy, had orders to suppress the meeting-houses there; and a proclamation was published against conventicles, discharging all to preach, or hear sermons, in any parish which had not given bond to the council, under severe penalties. And the same day, by another proclamation, the common people engaged in Bothwell were ordered, by the first of January next, to come and sign the bond, and satisfy the lords of justiciary why they had so long delayed it. There is no occasion for any remarks on these things.

1679.
Meeting-houses suppressed.

On the 15th, 257 of the prisoners in the Gray-friars church yard were put aboard a ship lying in the road of Leith, before any of their friends knew of it; and, though 30 were dangerously ill of a flux and other distempers, yet they were hurried away with the rest. They continued 12 days aboard before the ship sailed, and suffered inexpressible barbarity in the ship. They were so closely pinned up together, that they had scarce room to move. Their friends were neither permitted to see them; nor minister to their necessities. Some of them were forced to drink their own urine to quench their thirst; and some of the wicked sailors threw their excrements in their faces; and though a large collection, amounting, as was reported, to 14,000 marks, was made for them, yet little of it came to their hands; and indeed few of them lived long to want it, as we shall hear.

Prisoners put aboard.

Their hardships.

On the 24th his royal highness the Duke of York was received into the town of Edinburgh with great solemnity and was sumptuously entertained by the magistrates and the nobility. And thus the managers in Scotland cared less the great promoter and supporter of Popery and tyranny, while many brave patriots in England were endeavouring his exclusion, as the only means to preserve the Protestant religion and the liberties of the subject.

Duke of York's reception at Edinburgh.

Next day the five prisoners above mentioned were executed at Magus-muir; and nothing could be more proper, after the arrival and splendid reception of a Popish prince, than to gratify him by cutting off some of the worst of heretics. The joint and separate testimonies of these sufferers are in Naphthali, to which I refer the reader, who will there find the reasons why they could not take the bond to save their lives, &c.

Thomas Brown was the first that was executed. He declared that he was never before in that country, and

Thomas Brown.

1679.

so was no ways accessory to the bishop's death; and added, 'As for my part in rising in arms, I intended no rebellion, but was then with that party in defence of the gospel, which I judged my duty.' — After he had prayed, 'he blessed the Lord, that, if this day every hair of his head was a man, and every drop of his blood a life, he would cordially and heartily lay them down for Christ and his cause, for which he was now sentenced.'

*Andrew
Sword.*

Andrew Sword sung the 34th Psalm, and declared that he was never in that place before, and never saw a bishop, that he knew to be so. He blessed God for being kept from taking the ensnaring bond; and, having bid farewell to all created comforts, prayed before he died.

*James
Wood.*

James Wood said the same as to the bishop's death, and was so far from repenting his being at Bothwell, or refusing the bond, that he gloried in it. When he was almost at the top of the ladder, he pulled up the napkin, and said, 'Now I am going to lay down this life, and to step out of time into eternity; and if I had as many lives as there are hairs in mine head, and drops of blood in my body, I would willingly lay them down for Christ, and for you all that are here upon Christ's account. You may think that this is a frothy word, but it is the word of a dying man.' He then recommended Christ and his cause, in a moving way, to the spectators.

*John
Waddel.*

John Waddel declared his innocence as to the bishop's death, being never in that country before. He said that he refused to take the bond, because it was a denying of all appearances for Christ and his cause. He bore his testimony against Popery, Prelacy, Malignancy, the indulgence first and last, and the abominable cess. Before he went to prayer, he said, 'Now, Sirs, I am not a whit discouraged to see my three brethren hanging before mine eyes, nor before all this multitude to pray.'

*John
Glyde.*

After John Clyde had gone to the ladder, he said, 'I think our being fetched here is like that which we have in scripture, about Herodias's suit to Herod ament John the Baptist's head, to gratify the unsatiableness of that lewd woman. Nothing would satisfy the lust of our persecutors but our blood, and in this manner and place, to gratify the bishop's friends. 'He vindicated his joining those at Bothwell, and his refusing the bond, as the others had done before him. At the ladder-foot he said to his brother, 'Weep not for me, brother, but weep for your-
self

self and the poor land; and seek God, and make him sure to yourself, and he shall be better to you than ten brethren. Now, farewell all friends and relations; farewell brother, sister and mother, and welcome Lord Jesus; into thy hands I commit my spirit.' And lifting his napkin from his face, he said, 'Dear friends, be not discouraged because of the cross, nor at this ye have seen this day; for I hope you have seen no discouragement in me, and you shall see no more.'

1679.

They were hung in chains according to the sentence, but now ly buried in a corn-field near Magus-muir, with a grave-stone upon them, which was set up in October 1728, with an inscription, which the reader may see in the last edition of the Cloud of Witnesses.

p. 204.

On the 27th the ship sailed from the road of Leith with the poor prisoners, and met with several storms in her passage. On the 10th they got to Orkney in a very tempestuous sea. The prisoners, fearing what happened, desired to be set ashore, and sent to what prison the master pleased. But the captain, who was a Papist, confined them under the hatches. About ten at night the ship was drove from her anchor upon a rock, and broke in the middle. The sailors quickly got down the mast, and laying it between the broken ship and the rock, got ashore; but such was their barbarity, that no intreaties of the poor men could prevail with them to open the hatches, though, had that been done, most of them had been saved; whereas all of them were drowned in the hold, except only that an honest seaman, being struck with horror at this cruelty, ventured his life to go aboard, and with an ax cutting through the deck of the vessel, got 49 or 50 of them out alive; and so 200 were drowned, or rather murdered. 'After this piece of cruelty, says the author of the Memoirs, I think I need make no apology for saying, that the reign of Dioclesian, or any of the most cruel persecutors of God's church, could not match this; for these were men delivered, men to whom life was granted, according to the king's letter, dated 29th June, and the indemnity afterwards; and consequently the perpetrators of this villany ought to have been punished by death. But no notice was taken of it. And if it be true, as was reported, that it was not possible that the ship in which these prisoners were to be sent to America, could contain provisions sufficient for such a number

*Prisoners
lost.**Memoirs
of the
Church
of Scot-
land,
p. 204.*

1670.

Duke of
York ad-
mitted a
counsellor
without
the oaths.

Lord
Bargeny
imprison-
ed.

State of
prisoners.

for so long a voyage, I leave the reader to make his own reflections

Mean while a letter came down from the king, dated the 30th of November, ordering the Duke of York to be admitted to act as a privy counsellor in Scotland without taking the oaths; to which our obsequious managers readily complied, his majesty alledging that this was the privilege of the lawful sons and brothers of the king.

About this time John Lord Bargeny, nephew to the Duke of Hamilton, being suspected to favour those concerned at Bothwell, was imprisoned in Blackness. Though he was examined by a committee, yet nothing was recorded; and, after all the attempts they made to fasten guilt upon him, they were forced to drop the affair.

On the 18th of December the council ordered Alex. and James Balfours, with James Ness, to be farther examined concerning the primate's death, and Robert Garnock smith in dwelling to ly in prison for farther examination. Some were released, as John Henderson, an old man, who had been imprisoned for harbouring his sons after they had been at what they called the *murder*. Henry Schaw and Robert Blaw, George Fleming and — Steik were continued in prison on suspicion of accession to the death of Charles.

C H A P. III.

Of the sufferings of gentlemen for not attending the king's host; the repeal of the third indulgence; the Queensferry paper; the Sanguar declaration, and other things to the skirmish at Airsmoss.

1680.

THE affair of Bothwell was improved by the managers as a sufficient handle for oppressing all ranks of people who could not in conscience conform to Prelacy; for not only the heritors and gentlemen who were suspected to have countenanced the rising, but those who did not attend the king's host, were rigorously prosecuted, together with several others; for nothing but their non-conformity. They who did not appear before the circuit-courts were declared fugitives, and the donatars were most severe upon the houses and possessions of those who were declared fugitives; and, in some places, the enemies of the Presbyterians discovered what spirit they were of, when they could act without controul. Thus, from the

year

year 1680 to 1687, no family was permitted to live in the town of Dundee, but such as constantly heard the Episcopal ministers. And this year Will Mitchel, John Davidson, John Sterrock, Eliz. White, and several more, were forced to leave the town on this very account. But I shall, as briefly as possible, relate the proceedings in the order of time.

1680.

Accordingly, on the sixth of January, the council gave full power and commission to the Earl of Glencairn, Lord Ross, General Dalziel, or any fit person in the army, to discover the heritors who were at Bothwell, in the shires of Ayr, Lanerk, Kenfrew and Dumbarton; and likewise to the Earl of Queensberry, Sir Robert Dalziel of Glens, Claverhouse, or any two of them, and such as they should appoint, for the shires of Dumfries and Wigtoun, the stewartry of Kirkcubright and Annandale. There were the like commissions given to others for other shires, and doubtless the commissioners acted their part.

*Commis-
sion.*

On the 14th of January the council, in consequence of a petition from John Lord Bargeny, ordered him to be brought from Blackness to the castle of Edinburgh whenever the advocate should have his indictment ready. And,

*Lord Bar-
geny.*

On the 29th they empowered the Earl of Monteith to dissipate the conventicles in that shire, and apprehend and imprison the preachers, in order to their being brought to trial.

*Earl of
Monteith
impower-
ed.*

On the 15th of February Lord Cardross presented a petition to the king, praying that his simple and liferent escheat might be granted to the Earl of Mar. With his petition he presented a paper, intitled, *A short account of his sufferings*. The Duke of Lauderdale had procured a gift of this for his nephew Mr. Maitland; and when his lordship's representation had like to have some weight, a copy of it was transmitted to the privy-council, that they might interpose and prevent the king's granting his petition. Accordingly they wrote to his majesty, and represented Cardross as disaffected, &c. so that he obtained no redress, but continued under hardships till the revolution.

*Lord Car-
dross's
petition,
&c.*

Mean while, on the 12th of February, the council granted liberty to such as had a mind to use the English liturgy in their families, but very few were now tempted with this novelty, I shall only observe, that, while the council were paving the way for the introduction of the liturgy and ceremonies in Scotland, there was a brave set

*English
liturgy
approved
in fami-
lies.*

of

1680.

of patriots in England who began at this time to talk of reforming it there. And it is certain that the Scots Episcopal clergy never received the service book, till the interest of a Popish Pretender came to be promoted in the reign of Queen Anne.

Duke of York returned to court.

On the 15th of February, the Duke of York took his leave of the council, and on the 17th set out for court, where he appeared on the 24th, and was received with great pomp and satisfaction by the king. The council at Edinburgh wrote up a letter full of the highest encomiums on his royal highness.

Heritors forfeited.

On the 18th many heritors were forfeited, mostly in absence, for their pretended accession to the rebellion. The witnesses brought against them were generally spies and soldiers. Mr. Will. Ferguson of Kaitloch, the Lairds of Earlstoun elder and younger, James Gordon younger of Craichlaw, Will. Gordon of Culvennan, Patr. Dunbar of Machrimoir, and — MacGhie of Larg were all called, and, the prepared witnesses swearing to their being concerned in the rebellion, were forfeited. The reader is to observe, that the Laird of Earlstoun was killed when going to join the west-country army. On this same day, Pat. MacDonald of Freugh was called, and two witnesses swearing that they saw him among the rebels, was sentenced to be executed when taken, and all his goods, &c. to be confiscated.

Gentlemen fined.

On the 23d a great number of gentlemen were brought before the justiciary for absence from the host, and were fined, particularly James Young of Kirkton in 1870 l. — Pitlochrie 700 l. Alexander Durham of Largo 1850 l. Dav. Balcanquhal 500 l. Alexr. Nairn of Samford 294 l. Geo. Moncrief of Redie 300 l. James Weems in Glencortoun 175 l. Scots money, with many more. This was the practice of other meetings of the justiciary, by whom not a few were fined in thousands of pounds. We shall afterwards find that this affair of absence from the host was taken from the justiciary, and put into the hands of the council.

Bargeny's indictment.

On the 24th John Lord Bargeny was indicted for cursing some of the chief nobility, corresponding with Mr. Welsh and others of that party, maintaining the principles of Naphthali and Lex Rex, and declaring that it would never be well in Scotland till Episcopacy was brought down, &c. and therefore ought to be punished with forfeiture of life, &c. In March he was before the lords

lords of justiciary, who postponed the affair till the second Monday of June, because the advocate wanted some of his material witnesses, notwithstanding his pains to produce them, and the prisoner had neglected to give a copy of his letter of exculpation or defence.

The council, on the 6th of March, wrote to Alexander MacKenzie, sheriff-depute of the shire of Ross, to use his utmost to suppress conventicles, and to apprehend Mr. Denoon and Mr. Hepburn, and dissipate their meetings with all severity.

On the 12th they wrote to the Earl of Moray on the same subject and renewed their appointment of a committee for public affairs, for there had been none since last year; and accordingly they named Mr. Alex. Burnet Archbishop of St. Andrews, who was translated from Glasgow after Sharp's death, the Marquis of Athol, Earl of Moray, Bishop of Edinburgh, Lord Elphinston, &c. or any three of them, to meet, as they shall see fit, and take the most effectual methods for suppressing field-conventicles and other disorders, with all the powers the former committees had. The same day, being informed that these meetings abounded, especially between the shires of Edinburgh, Berwick and Peebles, they ordered the general to have some of the guards ready to suppress them.

Some time in this month the council interposed in behalf of Will. Paterson, who had the care of the prisoners whom he drowned at Orkney, for repairing the loss he sustained by his shipwreck. Thus a murderer was rewarded, while the innocent were persecuted by death!

On the 8th of April they wrote to Lauderdale, and proposed, that since the lords of justiciary were so much engaged in prosecuting the heritors and ministers who were in the rebellion, and the absents from the king's host, justiciary commissions might be granted to several persons for punishing those who frequented field-conventicles, &c. With the letter they sent up articles for the general, by which they moved that the forces might attack the king's enemies, viz. 1. All who were forfeited by the parliament or criminal court. 2. All heritors and ministers who had been in the rebellion. 3. Heritors who contributed to it. 4. All rebels who have not taken the bond. 5. All such, who, though they have taken the bond, have been at field-conventicles since the 27th of July last. 6. All those who have done violence to the orthodox clergy. 7. Assassians, especially the murderers of the bishop, &c.

Al

1680.

Proceedings against conventicles.

Committee for public affairs.

W. Paterson.

A persecuting proposal.

1680.

All these proposals were readily complied with at court, as we shall hear. The same day, James, David and Geo. Sinclairs and John Baptie in Pencaitland, were fined as guilty of field-conventicles, because they heard sermon in a private house where some stood without doors.

Mr. Rule sent to the Bais.

At the same time the Rev. Mr. Gilbert Rule (after the revolution principal of the college of Edinburgh) being found guilty of keeping conventicles, and baptizing children without the parish of Prestonhaugh, where he was indulged, and preaching in St. Giles's church Edinburgh, and baptizing the two children of John Kennedy apothecary and James Livingstone merchant; for these dreadful crimes the council deprived him of his majesty's indulgence, and sent him to the Bais till the king's pleasure should be known. He had been regent in Glasgow, and afterwards sub-principal in the king's college at Aberdeen and before the restoration was minister at Alnwick in Northumberland; but, upon his being ejected by the Bartholomew act, he came down to Scotland, and now was imprisoned. John Kennedy was fined in 100 l. and James Livingstone in 200 l. Scots.

Arthur Dougal, &c. prisoners.

On the 18th one Arthur Dougal, who had been at Bothwell, having been seized by the Earl of Monteith with some papers about him, was ordered to be sent to Edinburgh, as was one Kob. Short for some attempt on Mr. Honnyman minister at Livingstone.

Mr. Ker.

On the 6th of May Mr. James Ker, having preached at the house of Grange to about 500 hearers, while some were without doors, was ordered to oblige himself to keep no more conventicles under the penalty of 5000 marks.

Garrisons appointed.

The same day they wrote to the king, and moved that, for the security of the government, and conveniency of the forces, the mansion-houses, castles, and towers standing on the forfeited estates, might be employed as he should judge proper. The king thanked them for their care, and ordered them to give out commissions of justiciary, and sufficient warning to the owners of the houses where the garrisons were to be placed. And now I am brought, in the order of time, to shew the rise of new troubles, and of the increase of the persecution; for on the third of June, Henry Hall of Haughead was seized. This gentleman, during the month of May and beginning of June, was much in company with Mr. Cargill. They kept themselves as private as they could, but at last were disco-

1680.

*Mr. Hall
of Haugh-
head, ap-
prehend-
ed.*

vered and informed against by Mr. John Park the curate of Carridden and the curate of Borrowstounneis; for the curates were very diligent in informing against the wanderers. Middleton the governor of Blackness, who was a Papist, came to the house where they were, as if he had been a stranger, and pretended a great deal of respect for Mr. Cargill, begged leave to drink a glass of wine with them. At last, drawing his sword, he told them they were his prisoners, and called the house to his assistance; however, none regarded him except one Thomas George. Mr. Hall struggled hard with the governor, till Mr. Cargill made his escape, notwithstanding his being wounded. Mr. Hall would likewise have got off, but Thomas George knocked him on the head with the doghead of his carbine, by which he was mortally wounded. However, the townswomen came in a body, and conveyed him out of the town. But such was the nature of his wound, that, not being able to walk far, he fainted, and was obliged to be carried to the next country house belonging to one Robert Punton. Dalziel, in the mean time, whose house of Binns was in the neighbourhood, came with a party of the guards and apprehended him. And though every body saw he was a-dying, yet Dalziel would carry him directly to Edinburgh; but he died among their hands before they got thither. His corps were laid in the Canon-gate tolbooth for three days without burial; neither could his friends be suffered to do this last office for him, till at last he was buried in the night-time. When Mr. Hall was taken, there was found in his pocket an unsubscribed paper, called, from the place where it was found, *The Queensferry paper*, of which I shall give the following abstract.

Abstract of the Queensferry paper.

WE undersubscribers, for ourselves and all that shall adhere to us—are resolved—to bind ourselves with a solemn and sacred bond,—declaring those, and nothing but those, to be our present purposes. 1. We covenant and swear, that we acknowledge and avouch the only true and living God, Father, Son and Holy Ghost, to be our God, and that we close with his way of redemption by his Son Jesus Christ,—and that we acknowledge the Old and New Testaments to be by divine revelation, and to contain the will of God to man, &c. 2. That we shall, to the utmost of our power, advance the king-

*Queens-
ferry pa-
per.*

1680.

dom of God, (if at any time God shall give us power) by establishing, throughout the lands, righteousness and the true reformed religion, in—its doctrine—worship—discipline and government; and that we shall free the land from—Prelacy on the one hand,—and Erastianism on the other. 3. That we confess with our mouth, and believe with the heart, that the doctrine of the reformed churches, especially that of Scotland, contained in the scriptures, summed up in our Confessions of Faith, and engaged to by us in our Covenants, is the only true doctrine of God; and that we purpose to persevere in it to the end.—4. That we shall endeavour, to our utmost, the overthrow of the kingdom of darkness, and whatever is contrary to the kingdom of Christ, especially idolatry and Popery—superstition, will-worship and Prelacy—and Erastianism,—and execute righteous judgment impartially, according to the word of God and degree of offences, upon the committers of these things especially, *to wit*, blasphemy, idolatry, atheism, buggery, sorcery, perjury, &c.—5. Seriously considering, that the hand of our kings and rulers with them hath been a long time against the throne of the Lord,—the power and purity of our religion—and Christ's reigning over his church,—and that there is no more speedy way of relaxation from the wrath of God, (that hath ever lien heavy on us since we engaged with him) but of rejecting them, who have so manifestly rejected God,—disclaiming the Covenants with God,—governing contrary to all right laws divine and human,—and to all the ends of government,—seeing they have stopt the course of law and justice—and have made butcheries and murders on the Lord's people, sold them as slaves, &c. and that upon no other account but for maintaining Christ's right of ruling over their consciences, against usurpations of men, for fulfilling their vows, &c. for—1. Our ancestors neither did, nor could bind us; they did not buy their liberty and conquest with our thraldom and slavery;—neither did they bind us to any thing but to a government which they esteemed best for the commonwealth and subjects; and when this ceaseth we are free to chuse another.—2. The Covenant—only binds us to maintain our king in the maintenance of the true established and covenanted religion—without the swearing and sealing of which our fathers, or rather we ourselves, refused to receive him for king, or them for rulers; and—we are free to reject him upon his renouncing of it.—3. Neither

is there any hopes of their returning from these sinful courses,—having so often renewed their purposes and promises of persevering in those crimes : and, suppose they should dissemble a repentance,—yet they cannot now be believed, after they have violated all ties that human wisdom can devise to bind men. And, besides, who sees not somewhat of folly to be in this, to think to bind a king that pretends to absoluteness?—We then do reject that king, and those associate with him in the government, from being our king and rulers ;—they having altered and destroyed the Lord's established religion, overturned the fundamental and established laws of the kingdom—and changed the civil government,—into tyranny—We then—do declare, that we shall set up over ourselves, and over what God shall give us power of, government and governors according to the word of God, and especially that word, Exod. xviii. 21.—that we shall no more commit the government—to any one single person, or lineal successor, we not being by God, as the Jews were, bound to one single family,—that kind being liable to most inconveniencies, and aptest to degenerate into tyranny.—Moreover, we declare, that those men, whom we shall set over us, shall be engaged to govern us, principally, by that civil and judicial law (not that which is ceremonial or typical) given by God to his people of Israel.—6. It being the work of the ministers of the gospel to preach—and defend the kingdom of God, and to preserve the doctrine, discipline, &c. of the same, from all corruptions and encroachments of rulers and all others ; and seeing the greatest part of ministers were not only defective in preaching against the acts of the rulers for overthrowing religion and reformation, but—hindered those who were willing, and insured some that did it, &c. &c. we declare, that we neither can nor will hear preaching, nor receive sacraments from any of these ministers,—nor from any who have encouraged and strengthened their hands, by hearing and pleading for them.—7.—We declare, that a gospel ministry is a standing ordinance of God,—and that none of us shall take upon him the preaching of the word, or administering of the sacraments, unless called and ordained thereto.—And yet separation cannot be imputed to us ; there is both malice and ignorance in the calumny ; for if there be a separation, it must be where the change is, and that is not in us. We are not separating from the communion of the church, and setting up new ordinances and

1680.

a new ministry, but cleaving to the same ministers and the same ordinances, when others have slidden back to new ways, and have a new authority superadded, which is like the new piece in the old garment. 8. We bind and oblige ourselves to defend ourselves, and one another, in our worshipping of God, and in our natural, civil and divine rights and liberties;—and if we shall be pursued or troubled, in our worshipping, rights and liberties,——we shall look on it as a declaring war, and take all the advantages that one enemy doth of another,—but not to trouble or injure any but those that have injured us.

Remarks.

This then is the substance of that paper called, *The Queensferry-paper*. It was but a rude draught, and un-subscribed, and had not been consulted upon by the rest of the community. Whether there were just grounds for the severe things said against the governors at that time must be left with the reader. As to their disowning the king's authority, we shall have occasion to consider that afterwards; but, for their taking upon them to alter the form of government, and introduce a new constitution, I do not see how to vindicate it; only this must be said, that it was a rude draught, and the contents of it had never been deliberated upon.

The reader will observe, that, after the defeat at Bothwell, they who opposed the indulgence kept by themselves, not being able to comply or countenance those that did accept the indulgence: and however they were blamed for running into heights and excesses, yet this must be said, That some of the greatest lengths, as my author calls them, such as renouncing the authority that then was, in less than ten years after this, had the approbation of the whole nation. That in some things they might have been wrong, who can wonder at it, considering the time in which their lot was cast?

Orders to the general.

On the 4th of June the council enjoined the general to send a sufficient number of soldiers to Queensferry, for guarding the passages and apprehending those that should be informed against, together with two of the magistrates who refused to suppress the tumult, and other suspected persons, and indemnified them in case of slaughter; and ordered the advocate to prosecute, before the justiciary, Anne Hamilton Lady Gilchristcleugh, and James Thomson tenant in Tankertoun parish, for harbouring the murderers of the archbishop.

On the 10th one Margaret Wauch was brought in prisoner

prisoner from Queensferry, for being accessory to Mr. Cargill's escape. When he got out, though much wounded, during the confusion about Mr. Hall, he retired to a private place on the south side of the town. A certain woman, finding him there, tyed up his wounds with her head-clothes and conducted him to James Panton's in Carlowrie, where he lay in the barn all night. Mrs. Panton gave him some warm milk, and a surgeon happening to come to the house dressed his wounds. General Dalziel came and took James Panton to Kirklistoun, where, being accused by the curate for shewing kindness to such a rebel as he called Mr. Cargill, he was carried to Edinburgh, where he lay in prison three months, and payed 1000 merks fine.

1680.

The same day the council received a letter from the king, dated at Windsor the 14th of May last, wherein his majesty, after expatiating against field-conventicles as the causes of rebellion, and signifying his resolution to preserve the sacred order of Episcopacy, &c. declared that he was resolved to continue the indulgence for some time; but then that he had thought fit to send these instructions:

*King's
letter and
instructions.*

1. They were to suffer none to preach who had been banished from any parish or corporation in England, or who, since the last indemnity, had preached in places constructed field-meetings, or who could not certify their ordination before the 29th of June last, or who did not receive their licence from them. In short, they were to indulge none upon the north side of the river Tay. 2. They were to suffer no meeting-house to be within a mile of a parish-church, and to pull down such as were, especially that at Newbottle. 3. They were to suffer none to preach in the parishes where they were formerly ministers. 4. No indulged ministers must preach or baptize out of their own parishes, or take upon them to marry any persons, that being restricted to the regular incumbents. 5. None is to be indulged where the generality are regular or orderly, *i. e.* Episcopalian. 6. No indulged ministers are to be suffered to keep presbyteries or synods, these being the grand nurseries of schism and sedition. 7. The families of irregular ejected ministers [*such as would have none of their indulgences*] must be removed from Edinburgh, St. Andrews and Glasgow. 8. As by a former proclamation no non-conformists were to preach in Edinburgh, nor two miles round it, so, least that city should be corrupted in its religion and loyalty, none of these preachers

1680.

preachers were to be suffered within 12 miles of it; and if the council had given any such licences, they were to revoke them. 9. They were to protect the regular ministers.

*Repealed
the indul-
gence.*

In pursuance of these instructions, which, in effect, repealed the indulgence, the council that same day recalled Mr. Johnston's licence at Newbottle, and ordered his meeting-house to be pulled down, which was accordingly done; and the timber and seats were sold at 10 l. sterling; 8 l. 6 s. 8 d. was given to the poor of the parish, and the rest to the persons employed in executing these orders. The meeting-houses in Kilpatrick, Longtoun, Prestonhaugh, Orwal, Ceres, &c. were all ordered to be shut up, and the council gave an account of their diligence in his majesty's service in a letter to the king.

Remarks.

These proceedings bring to my mind what the Marquis of Argyll, when under sentence of death, said to some ministers; 'My skill fails me, if you who are ministers will not either suffer much or sin much; for, though you go along with those men in part, if you do it not in all things, you are but where you were, and so must suffer; and if you go not at all with them, you shall but suffer.' I do not in the least question that many worthy and valuable persons complied with the indulgence, but they found that no partial compliances could satisfy; and as for those who would make no compliances, yea, resisted even to blood, though their sufferings were the most severe, yet they had this for their comfort, stedfastness in their principles and peace of conscience.

*L. Bar-
geny re-
traced.*

On the 14th of June the advocate appeared against L. Bargeny, and offered an additional libel or accusation, signifying that his lordship had spoken in favour of the murder of the archbishop; but an act of council was produced ordering him to be set at liberty, since he had found bail to appear when called; upon which the process was dropt; for the king had likewise wrote in his favour. He was accordingly released. The whole process was malicious. Bishop Burnet says, 'When he was at liberty he discovered a conspiracy in which Halton and others were concerned. They had practised on some who had been in that rebellion to swear that he and several others were engaged in it, and that they had sent them out to join in it. They promised these witnesses a large share in the confiscated estates if they went through in the business. Depositions were prepared for them, and they

promised

p. 515.

promised to swear to them : upon which a day was fixed for their trial ; but the hearts of these witnesses failed them, or their consciences rose upon them ; so that, when the day came, they could not bring themselves to swear against an innocent man, and they plainly refused it. In short, after all practices of this kind, Bargeny was at last released.

1680.

After Mr. Cargill escaped at Queensferry, he fled south, where several of his friends were wandering and concealing themselves ; for the reader must know that all these wanderers were outlawed and declared rebels. Mr. Richard Cameron and some others, after several meetings among themselves for forming a declaration and testimony they were to publish to the world, at last agreed upon one ; and about twenty persons came armed to the small burgh of Sanquhar, where Michael Cameron read the declaration at the cross, and left a copy affixed there, as follows :

The declaration and testimony of the true- Presbyterian, Anti-prelatic, Anti-erastian, persecuted party in Scotland, published at Sanquhar, June 22. 1680.

IT is not among the smallest of the Lord's mercies to this poor land, that there have always been some who have given their testimony against every course of defection we were guilty of, which is a token for good, that he doth not intend to cast us off altogether, but that he will leave a remnant in whom he will be glorious, if they, through his grace, keep themselves clear, and walk in his ways and methods, as they have been walked in and owned by our predecessors, of truly worthy memory, in their carrying on of our noble Work of Reformation in the several steps thereof, both from Popery and Prelacy, and likewise from Erastian supremacy, so much usurped by him, who, it is true, so far as we know, is descended from the race of our kings ; yet he hath so far deborded from what he ought to have been, by his perjury and usurping in church-matters, and tyranny in matters civil, as is known by the whole land, that we have just reason to account it among the Lord's great controversies against us, that we have not disowned him, and the men of his practices, whether inferior magistrates, or any other, as enemies to our Lord Jesus and his crown, and the true Protestant and Presbyterian interest in these lands, our Lord's espoused bride and church. Therefore, although

*Sanquhar
declarati-
on.*

1680.

we be for government and governors, such as the word of God and our Covenants allow; yet we, for ourselves, and all that will adhere to us, the representatives of the true Presbyterian church, and covenanted nation of Scotland, considering the great hazard of lying under sin any longer, do, by thir presents, disown Charles Stuart, who hath been reigning these years bygone, or rather, we may say, tyrannizing, on the throne of Britain, as having any right, title, or interest to or in the said crown of Scotland or government, as forfeited several years since by his perjury and breach of Covenant with God, and his church, and usurpation of his crown and royal prerogative, and many other breaches in matters ecclesiastic, and by his tyranny and breaches in the very rules of government in matters civil. For which reasons we declare, that, several years since, he should have been denuded of being king, ruler, or magistrate, or of having any power to act, or to be obeyed as such. As also we, under the banner of our Lord Jesus Christ, the captain of our salvation, do declare a war with such a tyrant and usurper, and all the men of these practices, as enemies to our Lord Jesus Christ and his cause and Covenant; and against all such as have any way strengthened him, sided with, or acknowledged him, in his usurpation, civil and ecclesiastic; yea, and against all such as shall any ways strengthen, side with, or acknowledge him, or any other, in the like usurpation and tyranny; far more against such as would betray or deliver up our free and reformed church into the bondage of Antichrist the Pope of Rome. And by this we homologate our testimony, at Rutherglen, the 29th of May 1679, and all the faithful testimonies of those that have gone before us, as also of those who have suffered of late. Also we disclaim that declaration published at Hamilton the 13th of June 1679, chiefly because it takes in the king's interest, which we are, several years since, loosed from; as also, because of the foresaid reasons, and others that we may after this (if the Lord will) publish. As also we disown and resent the reception of the Duke of York, a professed Papist, as repugnant to our principles and vows to the Most High God, and as that which is the great, though (alas!) the just reproach of our church. We also, by this, protest against his succeeding to the crown, as against whatever hath been done, or any are assaying to do in this land given to the Lord, in prejudice to our Work of Reformation. And, to conclude, we hope after this

none will blame us, or offend at our rewarding of those that are against us, as they have done to us, as the Lord gives the opportunity. This is not to exclude any that have declined, if they be willing to give satisfaction according to the degree of offence.

1680.

It is scarce worth while to take notice of the false and indistinct account given of this matter by Bishop Burnet, who represents those, whom he calls *Cargillites*, as being acted by a strange spirit of fury, and that they affixed their declaration to the cross of Dumfries, since it was at Sauguhar, from whence their declaration had its name, and which exposed them not only to the cruelty of their enemies, but even to the censures of those who should have been their friends. Though every expression in their declaration was not so well chosen, yet that which was most cried out against is not incapable of being defended. They disowned the king's authority, and they gave their reasons for so doing, *viz.* his breaking all his engagements, overturning the constitution both in church and state, depriving his subjects, not only of their liberties and properties, but likewise of the free exercise of their religion, by claiming and assuming an absolute tyrannical and arbitrary government. If matters were as they represented, and the reader is to judge, from the former part of this history, whether they were or not, then it is certain that the conduct of the whole island at the revolution, justifies their disowning the authority that then was. 'It is certainly unlawful, says an ingenious modern author, to resist government; but it is certainly lawful, to resist the deviation from government. To resist the abuse of government is to assist government. It is allowed to be just to help our protectors; but it is equally just to oppose our enemies, madmen and spoilers. Now; what was Nero, what Caligula and Claudius? The one a bloody idiot, the other two inhuman madmen.—If their course of cruelties and oppression was government, so are plagues, tempests and inundations; but if their lives and actions were altogether pernicious and detestable, the exterminating such monsters from among men would have been a service to the whole race.' And a little farther he says, 'What avail laws and liberty, ever so excellently framed, when they are at the mercy of lawless rage and caprice? If we are forbid by God to defend laws, why do we make them? Is it not unlawful to make what it is unlawful to defend? What else is the

Remarks.

p. 511.

Gordon,
on Tacitus, vol. I.
p. 102.

p. 105.

1680.

end of government but the felicity of men? And why are some raised higher in society than others, but that all may be happy? — What more right had Nero to take away the lives of innocent men than any other assassin, what more title to their fortunes than any other robber? What better right to spill their blood than any other tyger? And is it unlawful to resist robbers and assassins and beasts of prey? Did the Almighty ever say of that beastly tyrant, Touch not Nero mine anointed, and do his ruffians no harm? And as the Rev. Author of the Hind let Loose says, Though it is not the prudence of the management, but the justice of the action, that I would have vindicated from obloquies, yet nothing was wanting but success to justify both. From the whole I think I may assert, that it was from the vigorous prosecution of the principles upon which these men acted, that the nation owed the revolution, and the happiness of the Protestant succession. It was therefore a pity that they had so few to take their part and espouse their cause, especially of those who were under the same Covenant engagements with them. Had all the Presbyterians in Scotland remained united, and continued in opposing Erastianism, as well as Prelacy, none, humanly speaking, would have had occasion to accuse these men of going heights and lengths, and what not. As for their protestations against the succession of the Duke of York, it was no more than what was done by those worthy English patriots who promoted the bill of exclusion. If the reader wants a farther vindication of these men, I must refer him to their own informatory vindication, the Hind let Loose, and Jus Populi Vindicatum, and proceed in the history of matters of fact.

*Letter
and pro-
clamati-
on.*

When the account of the above declaration came to the council, they wrote to Lauderdale, June 30, wherein, as might be expected, they branded these poor people with the names of villains, ruffians, the scum of the people; and the same day published a proclamation for apprehending Mr. Donald Cargill, Mr. Richard Cameron and his brother, Mr. Thomas Douglas, John Vallange, Dan. MacMitchell, Tho. Campbell, John Moodie, Pat. Gemble, James Stewart, Alex. Gordon, Francis Johnston, and — Erichton. In order to this there was not only a price set upon each of them, for the better encouragement of all who should be at pains to apprehend them, but likeways all heritors, &c. in the south and west shires, were to call all who dwelt within the bounds of their

their estates, from 16 years of age and upwards, to swear whether they saw any of these persons, or discovered any lurking or concealing themselves, under the pain of being looked upon as traitors themselves.

1680.

Jointly with this proclamation they ordered Dalziel to send out parties to search for and apprehend the last mentioned persons, and bring them in dead or alive, and to call to his assistance any of the nobility and gentry, with their dependents, as he should see proper.

Orders to Dalziel.

The people concerned in the Sanquhar declaration, perceiving the preparations against them, entered into the following bond of mutual defence, subscribed by Mr. Richard Cameron, his brother Michael, Archibald Stewart, John Potter, and about 30 more, which was found on Mr. Cameron when he was killed at Airsmoss.

Bond of mutual defence, Cloud of Witnesses, p.

359.

We underscribers bind and oblige ourselves to be faithful to God, and true to one another and to all others who shall join with us, in adhering to the Rutherglen testimony, and disclaiming the Hamilton declaration, chiefly because it takes in the king's interest, which we are loosed from by reason of his perfidy and covenant breaking, both to the Most High God, and the people over whom he was set upon the terms of his propogating the main ends of the Covenants, *to wit*, the reformation of religion; and, instead of that, usurping to himself the royal prerogatives of Jesus Christ, and encroaching upon the liberties of the church; and so stating himself in opposition to Jesus Christ the Mediator, and the free government of his house; and also in disowning and protesting against the reception of the Duke of York, a profest Papist, and whatever else hath been done in this land (given to the Lord) in prejudice of our covenanted and universally sworn to Reformation. And although, as the Lord who searcheth the heart knows, we be for government and governors, both civil and ecclesiastic, such as the word of God and our Covenants allow, yet by this we disown the present magistrates, who openly and avowedly are doing what in them lyes for destroying utterly our Work of Reformation from Popery, Prelacy, Erastianism, and other heresies and errors; and by this we declare also, that we are not any more to own ministers indulged, and such as drive a sinful union with them; nor are we to join any more in this public cause with ministers, or professors of any rank, that are guilty of the defections of this time, until they

1680.

give satisfaction proportioned to the scandal and offence they have given.

*Process
against
the Earl
of Tweed-
dale, &c.*

On the first of July a process was commenced against the Earl of Tweeddale, for a meeting in the town-barn belonging to his lordship in the town of Inverkeithing; but, as the barn held of the town, the earl was acquitted, and the magistrates fined in 50 l. sterling, which the inhabitants were obliged to pay. The same day Messrs. Will. Row and Jo. Gray, not having proper licences, were discharged from preaching, and Messrs. Geo. Hamilton and Ja. Rymer, not appearing to answer for their preaching in several places, were denounced and put to the horn.

*Gentle-
men for-
feited.*

On the 6th the Earl of Rothes was made a duke; and the following gentlemen were forfeited in absence for their supposed accession to Bothwell, *viz.* John Bell of White-side, John Gibson of Auchinchyne, — Gibson younger of Inglisfoun, — Gordon of Dungeugh, — Grier of Dalgoner, — Smith of Kilroy, — MacClellan of Balmagachan, Thomas Bogle of Bogleshole, Baird younger of Dungeon-hill, Gordon of Craig, Lenox of Irelandtoun, Gordon of Barharrow, John Fullertoun of Auchinhate, David MacCulloch son to Ardwell, William Whithead of Millhouse, John Welsh of Cornley, — Neillon of Corfack, Robert MacClellan of Barscob, and his brother Samuel, — Fullertoun of Nethermill, Geo. MacKartney of Blaiket, — Gordon of Garrery, — Gordon of Knockgray, — Herron of Little-park, Gordon of Holm, Gordon of Overbar, John MacNaught of Culquhad, Murdoch, alias Laird Murdoch, and John Benning of Dalvennan. Many others were forfeited whose names are not now known, and many were declared fugitives. And, to conclude the affair of the forfeitures,

*Estates
given to
Papists.*

My author, from written accounts from Galloway, tells us, that Alex. Hunter of Colquhasben was forfeited, and his estate given to the Countess of Nithsdale a Papist, A. Hay of Ardwallen was likewise forfeited, and his estate given to the same Popish family. His mother, a pious gentlewoman of 80 years of age, was imprisoned for non-conformity, and her annuity given to the said Popish family. Thus the Duke of York and his creatures were making way for the introduction of Popery, so low was the Reformation brought under the tyranny of Prelacy.

*John Ni-
ven.*

On the 15th of July, John Niven thipmaster was pro-
secuted

secuted for saying, at Bruatisland, ' That the Duke of York had been upon a plot for taking away his majesty's life, and had contrived with the King of France to invade England with an army, and had come to Scotland to make a party and faction, and to introduce Popery.' They wrote to London before they passed sentence, though he was found guilty. At last he was condemned to be hanged on the 18th of August; but the king, at the intercession of his dear brother, ordered the sentence to be suspended, and that he continue in prison during pleasure. On the 19th Alex. Ross was condemned for being in the rebellion; but, upon his casting himself on the king's mercy, and promising to take the oaths, obtained a remission.

C H A P. IV.

Of the skirmish at Airsmoss; the execution of Mr. Hackstoun of Ratbillet, and others; the Terwood excommunication, with the proceedings of the council upon it, and other branches of persecution to the end of the year.

WHILE the soldiers were ranging up and down the country, in quest of the wanderers, a remarkable skirmish happened at Airsmoss in the parish of Auchinleck in Kyle. On the 20th of July, Bruce of Earls-hall, commanding Lord Airly's troop and Strachan's dragoons, having information from Sir John Cochran of Ocultree where Mr. Cameron and several of his followers were, came upon them with great expedition and fury, about four o'clock. Perceiving the enemies approach, and that there was no possibility of escape, Mr. Cameron, after a short prayer, encouraged them to fight in their own defence. The dragoons that came upon them were about 120, whereas the persecuted people were only about 40 foot, indifferently armed, and 26 horse. Mr. Hackstoun and Mr. Cameron commanded the horse, who all behaved with great bravery; but were overpowered and broken by a vast superiority of numbers; the former was wounded and taken prisoner, and the latter was killed. There were in all nine killed on the spot, viz. Mr. Richard Cameron and his brother Michael, Captain John Fowler, John Gemble, John Hamilton, Rob. Dick, Tho. Watson, Rob. Paterson in Kirkhill of Cambusnethan, a singularly pious youth, and Jam. Gray younger of Christoun, who was a youth of good parts and eminent piety. Mr. Cameron was observed to pray, when he had the prospect

*Skirmish
at Airf-
moss.*

1680. of this engagement, *Lord, take the ripeſt and ſpare the greeneſt*, which was evidently to be ſeen in this pious youth. The ſoldiers owned he was the perſon who mauled them moſt. Several were wounded. — Manuel of Shots died of his wounds, as he entered the tolbooth of Edinburgh, and John Vallange died on the day following. Archibald Alifon in the pariſh of Evandale and Jo. Malcolm in the pariſh of Dalry were taken priſoners, as was one John Pollock, who was put in the boots, and endured the torture with great firmneſs and reſolution, and was afterwards baniſhed. Biſhop Burnet was miſinformed in ſaying that Mr. Cargill was taken here.

P. 511.

*Treat-
ment of
Mr. Ca-
meron.*

When Mr. Cameron was killed, his head and hands were cut off by Robert Murray, and carried in to the council, who ordered them to be ſet up on the Netherbow port in Edinburgh. It is ſaid that Earlſhall gave a guinea for this piece of ſervice. John Fowler's head was ſtruck off through miſtake, inſtead of Michael Cameron's. When Earlſhall came to Edinburgh, he ordered the heads to be taken out of the bag in which they were carried, put them upon a halbert, and carried them to the council. Robert Murray ſaid, There is the head and hands that lived praying and preaching, and died praying and fighting. Mr. Cameron's father being in the tolbooth of Edinburgh, they carried them to him to add to his ſorrow, and enquired if he knew them. He took his ſon's head and hands and kiſſed them, and ſaid, I know them, they are my ſon's, my dear ſon's. It is the will of the Lord, good is the will of the Lord, who cannot wrong me nor mine, but has made goodneſs and mercy to follow us all our days. Mr. Cameron's head was fixed on the port, and his hands by his head, with his fingers upward.

Thus the famous Mr. Cameron fell a ſacrifice to prelatiſm, and died a martyr for religion and liberty. It was from him that theſe tormented and persecuted people were afterwards nick-named *Cameronians*. He was a zealous preacher, not only againſt Prelacy, but alſo againſt the indulgence, following the example of Mr. John Welwood and Mr. John Kid. For a farther account of him the reader may conſult P. Walker's remarkable paſſages of his life, who was a ſufferer in this period, and the appendix to the Cloud of Witneſſes. Mr. Cargill, the Sabbath following, preached from 2 Sam. iii. 38.

On the 23d of July Mr. Rule was appointed to be ſet at liberty, upon giving a bond of 5000 merks to leave the kingdom

kingdom in eight days. Accordingly he went abroad, studied physic, and took his degrees. After which he came and lived in Berwick, where he was very useful. While there the Earl of Hume formed a design to apprehend him, because, when visiting the Laird of Houndwood's family, he expounded a chapter, which was constructed keeping of a conventicle; but he very providentially escaped, though Houndwood was fined in 100 merks. See the account given of him by the Rev. and worthy Dr. Calamy, in his abridgment of Baxter's life, Vol. II. p. 517.

On the 24th the magistrates of Glasgow were ordered to turn all the non-conform preachers out of town, and suffer none of them to live within a mile of it.

The same day, being informed of the taking of Rathillet and the other prisoners, they ordered the magistrates of Edinburgh to receive him at the Water gate, to set him on a bare horse, with his face to the tail, to tie his feet under the horse's belly, and his hands with ropes; that the executioner go before him covered, carrying Mr. Cameron's head on a halbert, and leading the horse up the high-street to the common prison; that the other three prisoners be conducted on foot bare-headed after him, with their hands tyed to a goad of iron; that no meat be given to Rathillet, but what should be prepared by the master of the jail, nor any permitted to speak with him, or any letters conveyed to him.

In a letter to his friend, he says, That he was carried up to the parliament-clofs, and brought before the council, where the chancellor read an indictment against him; first concerning the bishop's murder, to which he answered, That he was obliged by no law, either of God or man, to answer to it, either by accusing himself, or impeaching others. Being asked if he thought it murder, he told them, That he was not obliged to answer such questions, yet he would not call it so, but rather say it was no murder. Being farther asked, if he owned the king's authority, he replied, That though he was not obliged to answer, yet, being permitted to speak, he would say something to that; and first, 'That there could be no lawful authority but what was of God; and that no authority stated in a direct opposition to God, could be of God; and that he knew of no authority nor judiciary this day in these nations, but what were in a direct opposition to God, and so could neither be of God, nor lawful; and that their fruits were kything it, in that they were setting buggerers,

1680.

*Carried
thorough
Edin-
burgh.*

1680.

buggerers, murderers, sorcerers, and such others, at liberty from justice, and employing them in their service, and made it their whole work to oppress, kill and destroy the Lord's people.' This enraged the chancellor and the rest so much, that they required him to give an instance. He answered, ' Though it were enough to instance any such when he saw a judicature to execute justice, yet he would instance one; and accordingly mentioned a buggerer released at the sheriff-court of Fife, and employed in their service; and offered to prove it notwithstanding all their rage.' Bishop Paterfon asked, If ever Pilate and that judicature, who were direct enemies to Christ, were disowned by him as judges? He said, He would answer no perjured prelate in the nation. Paterfon replied, He could not be called perjured, since he never took that sacrilegious Covenant. Mr. Hackstoun told him, that God would own that Covenant when none of them were to oppose it. A good deal more passed to the same purpose, which the reader may see in the Cloud of Witnesses. Notwithstanding his bold and open answers, he was threatened with torture, which he no way regarded.

Gentlemen fined for absence from the host.

On the 26th the affair of absence from the king's host was taken out of the hands of the justiciary, and put into those of the council, which was a more arbitrary court; and the following gentlemen, viz. Dundas of Borthwick, the Laird of Riddel, Geo. Douglas of Bonjedburgh, Ker of Cherrytrees, James Scot of Thirlestane, Francis Scot of Greenhill, P. Wardlaw, Robert Brown of Blackburn, Pringle of Greenknows, Alex. Hume of St. Bathans, Sa. Spence, Clappertoun of Wyliecleugh, Geo. Hume of Bassenden, were fined in above 22011. sterling. Many others were fined for the same cause; and about the end of this year the council ordered all found guilty of absence to be kept in custody, for the future, till their fines be discharged.

Mr. Hackstoun declined the king's authority, &c.

Mr. Hackstoun was again before the council this day, and answered much to the same purpose as before, and on the 27th was before the justiciary, when, as he says himself in another letter to his friend, ' He declined the king's authority, as an usurper of the prerogatives of the Son of God, whereby he hath involved the lands in idolatry, perjury, and other wickednesses, and declined them, (as exercising under him the supreme power over the church usurped from Jesus Christ) who, in carrying on their designs of confirming themselves in their usurpati-

1680.

ons of the crown of Christ, had shed so much innocent blood through the land; and therefore he durst not, with his own consent, sustain them as competent judges, but declined them as open and stated enemies to the living God, and competitors for his throne and power belonging only to him.

On the 29th, the day before he was brought to his trial, the council, in a most unprecedented manner, appointed the manner of his execution. On Friday the 30th, being again brought before the justiciary, and being asked if he had any thing more to say, he answered, That which I have said I will seal it. Then they told him that they had something to say to him, and commanded him to sit down and receive his sentence, which he did; but told them, 'They were all murderers; for all that power they had was derived from tyranny; and that, these years bygone, they had not only tyrannized over the church of God, but had also *grinded the faces of the poor*; so that oppression, bloodshed, perjury, and many murders were to be found in their skirts.'

Upon this he was condemned, and carried from the bar to the place of execution. None were suffered to be with him but two of the bailies, the executioner, and his servants. He was permitted to pray; but not to speak to the people. His right hand was first cut off; and a little after his left; which he endured with great firmness and constancy. The hangman being long in cutting off his right hand, Mr. Hackstoun desired him to strike in the joint of the left; but spoke no such thing as Bishop Burnet represents, 'That, when his hands were cut off, he asked, like one unconcerned, if his feet must be cut off likewise.' He was next drawn up to the top of the gallows with a pulley, and, says the Cloud of Witnesses, was suffered to fall down a very considerable way, upon the lower scaffold, three times, with his whole weight; then he was fixed at the top of the gallows, and the executioner, with a large knife, cutting open his breast, pulled out his heart before he was dead; for it moved when it fell on the scaffold. He then stuck his knife in it, shewed it on all sides to the people, crying, Here is the heart of a traitor. At last he threw it in a fire prepared on purpose, with his other inwards; and, having quartered his body, his head was fixed on the Nether-bow, one of his quarters, with his hands, at St. Andrews, another at Glasgow, a third at Leith, and a fourth at Brunt-

What passed when he received his sentence.

His execution.

Pref. edit. 4. p. 18.

1680.

island. Thus fell David Hackstoun, of Rathillet, Esq; a gentlemen related to some of the principal families in Scotland, and a person of eminent piety and courage.

*Two more
executed.*

On the 4th of August, John Malcolm in the parish of Dalry in Galloway, and Archibald Alison in the parish of Evandale in Clydesdale, two other prisoners taken at Airsmoss, were sentenced to be hanged on the 11th instant in the Grass-market, which was executed accordingly. Their testimonies are both in the Cloud of Witnesses, wherein they shew the reasons of their conduct, and declare their constant adherence to the covenanted Work of Reformation against Popery, Prelacy, Erastianism and Tyranny. Thus all the prisoners taken at Airsmoss, except John Pollock, were executed, as above.

*Another
committee
for public
affairs.*

Mean while, on the said 4th of August, another committee for public affairs was appointed, consisting of the Archbishop of St. Andrews, the Earl of Linlithgow, the Bishop of Edinburgh, the president, Collingtoun, Lundin, Niddry, the officers of State, or any three of them, with the former powers; and the former endeavours for discovering those concerned in Bothwell were enforced with new orders. The reader perhaps may think it tiresome to pursue the various and repeated commissions granted in order to apprehend those concerned in the late rising.

*Soldiers
sent to
oppress
the coun-
try.*

During these things many parties of soldiers were sent through the country to quarter in the west and south, to be in readiness when any of the persecuted party were heard of; and none of them were more eager, than one Captain Inglis, in searching for those who had been hearers of Mr. Cameron or Mr. Cargill; Robert Cannon of Montdroggat, once a professor, was very useful to the soldiers in discovering the lurking places of the poor wanderers; and about this time he was made collector of the cess and excise in Carsphairn and the neighbourhood; and as he was pretty much acquainted, so, when the soldiers seized suspected persons, Cannon was sent for, and they were kept or let go according to his direction. Courts likeways were held at New-Galloway, and other places, for the trial of those who had the misfortune to fall into their hands; but, as the heritors were not very cordial in these things, the officers of the army took the work upon themselves, and put many to their oath in a most arbitrary and unprecedented manner.

In consequence of the opinion of the last made committee, on the first of September, Mr. James Ker and Mr.

Arthur

Arthur Dougal were ordered to be released upon bail, but Mr. John Dickson, late minister of Rutherglen, was sent first to prison at Edinburgh, and from thence to the Bass, where he continued several years. By a letter from the king, of the third, the common people, who had been concerned in Bothwell, had to the first of March next to take the bond; but heritors, ministers, ringleaders, &c. were still excepted.

Mr. Cargill was now the only person who ventured to preach in the fields, notwithstanding the sanguinary laws against that practice, and who prosecuted the testimony for religion and liberty in that manner; and considering all the preachings, protestations and declarations against the wickedness and tyranny of those who had the administration of the government in their hands, and that both the defensive arms of men, and the Christian arms of prayers, &c. had been used, yet that of ecclesiastical censure had not been authoritatively exerted; therefore, though he could not have the concurrence of his brethren to strengthen the solemnity of the action, yet he did not think that defect, in this broken state of the church, could disable his authority, or lessen the duty. Accordingly, in September or October this year, he had a large meeting at the Torwood in Stirlingshire, when he pronounced the sentence of excommunication against some of the most violent persecutors of that day, as formally as the present state of things could permit; and in doing this he gave them the ordinary names by which they were called, that all might know who the persons were.

After he had lectured upon Ezekiel xxi. 25, 26, 27. and preached from 1 Cor. v. 13. he discoursed a little concerning the nature of excommunication, and declaring that he was not acted from any spirit of revenge, but merely from the constraint of conscience; he then pronounced the following sentence:

I being a minister of Jesus Christ, and having authority and power from him, do, in his Name, and by his Spirit, excommunicate, cast out of the true church, and deliver up to Satan, Charles II. king, &c. and that upon the account of these grounds following: 1. For his high mocking of God, in that, after he had acknowledged his own sins, his father's sins, his mother's idolatry, he hath, notwithstanding, gone on more avowedly in those sins than all that went before him. 2. For his perjury, in that after he had, twice at least, solemnly subscribed that

*Torwood
excommu-
nication,
Hind let
loose, p.
143.*

*Sentence
of excom-
municati-
on against
the king,
Cloud of
Witness-
es, p.
367.*

1680.

Covenant, he did so presumptuously renounce, disown, and command it to be burned by the hands of the hangman. 3. Because he hath rescinded all laws for establishing of that religion and reformation engaged to in that Covenant, and enacted laws for establishing its contrary, and is still working for the introducing Popery into thir lands. 4. For commanding of armies to destroy the Lord's people, who were standing in their own just defence, and for their privileges and rights, against the tyrannies, oppressions and injuries of men, and for the blood he hath shed in fields, on scaffolds, and on seas, of the people of God, on account of religion and righteousness, (they being most willing in all other things to render him obedience, if he had reigned and ruled them according to his covenant and oath) more than all the kings that have been before him in Scotland. 5. That he hath been still an enemy to, a persecutor of the true Protestants, a favourer and helper of the Papists, both at home and abroad; and hath hindered, to the utmost of his power, the due execution of just laws against them. 6. For his relaxing of his kingdom, by his frequent grant of remissions and pardons for murderers, (which is in the power of no king to do, being expressly contrary to the law of God) which was the ready way to embolden men in committing of murders, to the defiling the land with blood. Lastly, To pass by all other things, his great and dreadful uncleanness of adultery and incest, his drunkenness, his dissembling with God and man, and performing his promises where his engagements were sinful, &c. Next,

*The Duke
of York.*

By the same authority, and in the same name, I excommunicate, &c. James Duke of York, &c. and that for his idolatries, (for I shall not speak of any other sins but what have been perpetrate in Scotland) and for setting up idolatry in Scotland, to defile the Lord's land, and his enticing and encouraging others so to do, &c.

*Duke of
Mon-
mouth.*

Next, in the same name, &c. I excommunicate, &c. James Duke of Monmouth, &c. for coming into Scotland, upon his father's unjust command, and leading armies against the Lord's people, who were constrained to rise, being killed in and for the right worshiping of the true God, and for his refusing, that morning at Bothwell-bridge, a cessation of arms, for hearing and redressing their injuries, wrongs and oppressions, &c.

*Duke of
Lauder-
dale.*

Next, I do, by the same authority, &c. excommu-
nicate, &c. John Duke of Lauderdale, &c. for his dread-
ful

ful blasphemy, especially that word to the Prelate of St. Andrews, *Sit thou at my right hand, until I make thine enemies thy footstool*; his atheistical drolling on the scriptures of God, scoffing at religion and religious persons; his apostacy from the Covenant and Reformation, and his persecuting thereof, after he had been a professor, pleader, and presser thereof; for his perjury in the business of Mr. James Mitchel—for his adulteries and uncleanness; for his counselling and assisting the king in all his tyrannies, overturning and plotting against the true religion; for his gaming on the Lord's day, and for his usual and ordinary cursing.

In the same manner he pronounced sentence against the Duke of Rothes, Sir George MacKenzie the king's advocate, and Thomas Dalziel of Binns.

After he had pronounced sentence as above, he went on as follows: 'I think none that acknowledge the word of God, the power deputed to the church, and the reason and nature of that power, can judge this sentence to be unjust. The pretence of its being unformal, without warnings, admonitions, &c. is fully answered, in that those men have placed themselves above the admonitions of ministers, have repelled all due warnings, and wickedly put to cruel deaths the servants and ministers of Christ, who have, with freedom and boldness, adventured to give them warnings and admonitions, and shut up all access from us that remain to do the like; and as for proof of the fact I have here charged upon them, it needeth none, the deeds being notour and known, and the most of them such as themselves do avow, and, to their shame, boast of. And, as the causes are just, and such as for which the ministers of Christ have in all ages proceeded to the like sentence, so, it being now done by a minister of the gospel, and in such a manner as the present circumstances of the church of Christ, with respect to the present cruel persecution, will admit, the sentence likewise is undoubtedly just also: and there are no powers on earth, either of kings, princes, magistrates, or ministers of the gospel, can, without the repentance of the persons openly and legally appearing, reverse these sentences upon any such account. And as God, who is the author of that power, is the more engaged to the ratifying of these sentences; so all that acknowledge the word of God, and believe themselves subject to his government, ought also to acknowledge them.'

*Memoirs
of the
Church of
Scotland,
p. 282.*

1680.

‘ If any shall object, as we do hear they do, that these proceedings, though not unjust, are foolish and rigorous; we answer with that word of scripture, which we have much more reason to use than those of whom it is recorded, Gen. xxxiv. 31. *Should he deal with our sister as with an harlot? Should they deal with our God as with an idol? Should they deal with his people as with murderers; and malefactors? And shall we not draw out God’s sword against God’s enemies?*’

Remarks.

It is not my province either to condemn or vindicate this action, which not only exposed the sufferers to the greater fury of their persecutors, but also to the censures of their friends, nay, and exposed the whole body of the Presbyterians to the ridicule and scorn of their enemies; though nothing is more certain, than that they were neither consulted in it, nor approved of it. However, the following queries are submitted to the reader. Had not the persons against whom the sentence was pronounced been guilty of all that was laid to their charge? Was not Mr. Cargill an approved minister of the gospel? Can it be said that king’s and princes are not subject to the censures of the church? It is plain the church of England approves of the excommunication of royal persons if they deserve it, as may be seen from their homilies, which are recommended by the 35 article. Thus, in that homily of the right use of the church, part 2d, it is said, ‘ And, according to this example of our Saviour Christ, in the primitive church, which was most holy and godly, and in the which due discipline, with severity, was used against the wicked, open offenders were not suffered once to enter into the house of the Lord, nor admitted to common prayer and the use of the holy sacraments, with other true Christians, until they had done open penance before the whole church. And this was practised not only upon mean persons, but also upon the rich, noble and mighty persons, yea, upon Theodosius that puissant and mighty emperor, whom, for committing a grievous and wilful murder, St. Ambrose Bishop of Milan reproved sharply, and did also excommunicate the said emperor, and brought him to open penance. And they that were so justly exempted and banished (as it were) from the house of the Lord, were taken (as they be indeed) for men divided and separated from Christ’s church, and in most dangerous estate. Yea, as St. Paul saith, *Even given unto Satan, the devil, for a time;* and their company was shunned and avoided

*Edition
printed at
London,
1687.
p. 172.*

by

1680.

by all godly men and women, until such time as they, by repentance and public penance, were reconciled.' Here then is the excommunication of a puissant and mighty emperor, and his being brought to open penance, approved of by the church of England.

From this the reader must judge for himself, how ill it becomes the high-flyers to make the Torwood excommunication a matter of reproach to all Presbyterians, even upon the supposition that they had approved of it, and whether that action was so unprecedented as some would represent it. As for the formality and seasonableness, of it at that time, I must refer him to what Mr. Cargill says himself, and to his own reflection.

Next Lord's day Mr. Cargill preached at the Fallow-hill in the parish of Livingstone, and, in the preface said, 'I know I am and will be condemned by many for what I have done, in excommunicating those wicked men; but condemn me who will, I know I am approved of God, and am persuaded that what I have done on earth is ratified in heaven; for, if ever I knew the mind of God, and was clear in my call to any piece of my generation-work, it is in that; and I shall give you two signs whereby you may know I am in no delusion. 1. If some of these men do not find that sentence binding upon them ere they go off the stage, and be not obliged to confess it from their terror, and to the affrightment of others. 2. If these men die the ordinary death of men, then God hath not spoken by me.' The first of these was verified in the Duke of Rothes; and the second in the remarkable exit of the most of those who were excommunicated.

His sermon next Sabbath.

In the month of September, Mr. Archibald Riddel, brother to the Laird of Riddel, together with Turnbull of Know and the Laird of Down, were apprehended by the Laird of Graden, and sent in prisoners to the jail of Jedburgh. The council ordered Meldrum to bring them into Edinburgh, and recommended Graden to the lords of the treasury for the reward offered by the council's proclamation for taking Mr. Riddel.

Mr. Riddel apprehended.

On the first of October he was examined before a committee of the council, and owned, that, though he had not preached in the fields since the indemnity, yet he had preached in private houses, where there were people without doors, which, by the laws then in being, was constructed to be a field-conventicle. He declined giving

His examination.

his

1680.

his oath upon this, since oaths were tender things; neither would he engage not to preach in the fields for the future, though he had refrained from that practice for some time past; for, said he, 'I have not since the indemnity, judged myself under a necessity to preach out of a house; but I know not but he that has called me to preach this while bygone in houses, may, before I go out of the world, call me to preach upon the tops of mountains, yea, upon the seas; and I dare not come under any engagements to disobey any of his call.' And when farther urged upon this point, he said, 'Both conformed and indulged have preached in the fields without offence; as, when their churches, have been ruinous, or otherways, they could not conveniently preach in the church, they have done it in the church-yard.' To this the advocate said, 'In such cases as these it is not constructed to be against law, Mr. Riddel replied, 'but then, my lord, what shall I do with my engagement never to preach in the fields, to know whether it shall be constructed against law or not? Your lordship will not allow me to explain or put a construction upon my engagement myself.' Not being able to answer this, the advocate said, That, if he was of Mr. Riddel's principles, he would judge it his duty rather to go out of the nation, than disturb the peace of the land by acting contrary to its laws

Remarks.

I shall not trouble the reader any farther on this, than to observe, that Mr. Riddel was none of the followers of Mr. Cargill; nay, he expressly owned the king's authority, and disapproved of those who were otherways minded; he had never been in what they called *rebellion*; so that all they could lay to his charge was his preaching in houses when people were without doors, and his refusing to engage not to preach in the fields for the future; and yet, after this examination, he was sent back to prison. We shall meet with him afterwards.

Mr. Veitch denounced.

Mean while, on the fifth of October, Mr. J. Veitch, minister at Westruther, was summoned to appear for preaching without a licence, and, not appearing, was ordered to be denounced and put to the horn. The same day Francis Grier, who had been five months in prison for lodging two of his friends who had been at Bothwell for one night, was ordered to be released upon signing the bond. One William Punton, who had been in prison for harbouring Mr. Cargill, was released upon giving a bond of 1000 l. to answer when called.

The

1680.

*The Duke
of York
sent to
Scotland,
Rapin.*

The time of the English parliament's sitting now drew near, when another attempt was to be made against the Duke of York. In order to prepare the way for this, the Earl of Shaftsbury, attended by 12 lords and gentlemen of note, went publicly to Westminster-hall, and, at the king's bench bar, by a bill in form, presented the Duke of York as a Popish recusant. This action so surpris'd the three principal ministers, that, to ingratiate the king with the parliament, they advis'd him to send his royal highness into Scotland, believing it would not be in his power to support him if he continued in England during the session. The king, approving of their reasons, oblig'd the duke to return to Scotland, after repeated assurances that he would never forsake him.

The king, however, says my author, gave another turn to this in his letter to the council at Edinburgh, dated October 23. acquainting them that he was to send down his brother for the better dispatch of affairs among them; and the chancellor letting them know that he was to land at Kirkaldy, and be at the house of Lesly till the Abbay should be fitted up for his reception, they order'd all the counsellors on the south of Aberdeen to wait on his highness at his arrival, that there may be all manner of demonstrations of joy.

Accordingly, on the 25th of October, the duke and duchess arriv'd in Kirkaldy road, and repair'd to Lesly house, where they continu'd till the 29th, when they came to the Abbay of Holy-rood-house. On Saturday the Bishop of Edinburgh, with the clergy in town, wait'd upon him, and express'd the general satisfaction of the orthodox clergy at his arrival. But where the orthodoxy was, in caressing a Popish prince retiring from the resentments of an English Protestant parliament, must be left with the Protestant reader. But it is well known that the prelati-cal clergy in Scotland, for all their orthodoxy, were not only at this time, but have ever since been the abettors of Popery. Who complimented this Popish prince upon the birth of his spurious impostor the Pretender? The orthodox clergy. Who were the great enemies of the revolution in Scotland? The orthodox clergy. Who were the great opposers of the Protestant succession? The orthodox clergy. Who the great encouragers of rebellions since the Protestant line happily took place? The irregular successors of the same orthodox clergy, who almost, to a man, are attached to a Popish Pre-

*Lands,
and is ca-
ressed by
the ortho-
dox cler-
gy.*

1680.

tender to this very day. It is not worth while to take notice of the council's fulsom letter to the king on this occasion, dated November the 2d, and signed by 27 counsellors and three or four Protestant bishops. Only the receiving and careſſing of the Duke of York in Scotland, when a set of brave patriots in England were exerting themselves to the utmost to get him excluded from succeeding to the English throne, was justly condemned by the poor persecuted sufferers, who bore their testimony against it, as we shall have frequent opportunity to relate.

*Earl of
Moray
made se-
cretary,
p. 102.*

On this 2d of November, the Earl of Moray's commission to be sole secretary of state was read in council, Lauderdale having resigned that office into his majesty's hands, after he had possessed it 20 years. Bishop Burnet, in describing his character, says, 'That his great experience in affairs, his ready compliance with every thing that he thought would please the king, and his bold offering at the most desperate counsels, gained him such an interest in the king, that no attempt against him, nor complaint of him could ever shake it, till a decay of strength and understanding forced him to let go his hold.'

*Oppress-
ions.*

From a process between Meldrum and Philiphaugh, it appeared that many oppressions and wrong imprisonments had been committed by the former, insomuch that, by a moderate computation, he had levied from the shire of Teviotdale 100,000 l.

*Prohibit-
ed books.*

On the 11th of November the council proceeded against the encouragers of prohibited books, such as Naphtali, Jus regni apud Scotos in English, Jus Populi Vindicatum, Reformed Bishop, Calderwood's History. John Calderwood stationer was imprisoned for having some of these books in his shop. All stationers and booksellers were ordered to produce the lists of what books they imported from abroad, in order to have the approbation of one of the officers of state, or of the Bishop of Edinburgh.

*Mr.
Skene,
&c. ap-
prehend-
ed.*

About this time Mr. James Skene, brother to the Laird of Skene in Aberdeen-shire, was apprehended as a hearer of Mr. Cargill. This gentleman had not been concerned either at Bothwell, Airmos, or the Torwood excommunication, and nothing but his hearing Mr. Cargill could be laid to his charge. The council met on the 13th of November, upon receiving notice that the general had sent in some prisoners. Mr. Skene, Archibald Stuart, and John Spreul apothecary in Glasgow were examined before them.

Mr. Spruel's trouble began soon after Pentland. In the year 1667, he was seized by a party at Paisley, because he would not discover where his father was; but, after many terrible threatenings of being shot to death, roasted at a fire, and some short confinement, he was dismissed at that time. In the 1677 he and others were summoned before a court at Glasgow, and, because he absconded, was intercommuned. Then he went abroad, and was in Ireland 1679, from whence he came to Scotland after the skirmish at Drumclog; and though he had occasion to be in company with some of the west-country army, yet he did not join them. After Bothwell his wife and family were turned out of their house and shop, while he, after concealing himself for some time, went over to Holland. He came back this year, with a design to carry his family to Rotterdam; but on the 12th of November was taken out of his bed at Edinburgh by Major Johnston, and was carried to the guard at the Abbay, where Mr. Skene and Archibald Stuart were prisoners. Next day he was examined before the council concerning his opinion of the death of the archbishop, and his accession to Drumclog and Bothwell. As to the former, he said, He was in Ireland at that time, and knew nothing of it but by hearsay, and could not judge of other mens actions upon hearsay; that for himself, he would not have done it, and did not approve of it, and desired to be excused from going any farther; because he scrupled to condemn what he could not approve, since there might be a righteous judgment of God where there was a sinful hand of man, and he might admire and adore the one, while he trembled at the other. As to Drumclog, he declared he was then in Ireland, where he first received the account of it; but did not think it rebellion, since he owned the freedom of preaching the gospel, and heard that what they did was only in self-defence. He farther owned, That upon his return from Ireland, he had occasion to go through part of the west-country army, but did not join them; and said, That he would not call that rising *rebellion*, since he thought it was a providential necessity put upon them for their own safety after Drumclog. He refused to subscribe his confession.

The council pretending that there was a plot carrying on by Mr. Cargill, Mr. MacWard, and others, for murdering the king, subverting the government, and that Mr. Spruel and Robert Hamilton were accessory to it, made

1680.

Mr.
Spruel's
suffer-
ings.

His exa-
mination.

Is put to
the tor-
ture.

1680.

an act on the 13th of November, ordering them to be examined by torture as to these things, and impowered the Earls of Argyll, Linlithgow, &c. as a committee to examine them. But the reader may be assured that there was nothing in this plot unless in their own imaginations: however, it was proper that they should have something to say. The Duke of York was pleased to gratify his eyes with this delightful scene, and so he honoured Mr. Spruel with his royal presence. The poor gentleman told them he could say no more than he had said before the council, &c. but there was no help for him. The hangman put his foot into the instrument called *The boot*, and, at every question, gave about five strokes on the wedges. The queries were, Whether he knew any thing of a plot to blow up the Abbay and the Duke of York? Who was in the plot? Where was Mr. Cargill? To all which he declared his absolute ignorance. When nothing could be discovered, they ordered the old boot to be brought, and made him undergo the torture a second time. He still adhered to what he formerly said. Dalziel complained that the hangman did not strike hard enough, and was therefore offered the maul by the executioner to do it himself. When the torture was over, he was carried to prison on a soldiers back; but was refused the benefit of a surgeon, and the pleasure of seeing his wife. However, he recovered, and I shall have occasion to speak more of him afterwards.

*Mr.
Skene be-
fore the
council.*

What passed at the examination of Mr. Skene is related in a letter from himself to his brother, recorded in the Cloud of Witnesses. He declared he was not at Bothwell; but that he owned the Sanquhar declaration, and the testimony of Rutherglen, and disowned the king's authority so far as it was against the Covenants and interest of Christ. Archibald Stuart, John Spruel, of whom I have now spoke, and Marion Harvey a servant-maid in Borrowstounness, were likewise before them.

On the 15th the commissioners reported that they had examined Archibald Stuart by torture. They were ordered to be further examined, and advocates were, on the 18th, appointed to plead for Mr. Skene, who was brought before the justiciary on the 22d, and condemned to be hanged on the 24th, and his head to be afterwards severed from his body; but the last part of his sentence was dispensed with, and he was reprieved till the first of December.

Mean while John Potter farmer in Uphall in West-Lothian, and Archibald Stuart in Borrowstounness (the latter was at Airsmoss, but the former had not been in arms) were both before the justiciary, and condemned to be hanged on the first of December, along with Mr. Skene. Their testimonies are all in the Cloud of Witnesses.

1680.

John Potter, &c. condemned.

Mr. Skene, in his last testimony, after having laid his blood on his persecutors, declared against receiving the Duke of York, and against every thing that had been done against the Covenants and the Work of Reformation, and concluded his testimony much in the same strain with Mr. Hugh MacKail.

Mr. Skene.

Archibald Stuart was reported to have said, that he would kill the king or any of his council; but in his last testimony he says, 'However I and that suffering remnant be mistaken, in that they give out in their declaration, That I said I would kill the king or any of his council, it is an untruth and forged calumny, to reproach the ways of God, more like themselves and their own principles, who have killed so many of the people of God, both in the fields and upon scaffolds, and us among the rest, to please that bloody tyrant Charles Stuart's brother,—and to make men believe that we have been contriving a plot to murder them, &c.' On the scaffold, he sung Psal. ii. and read Mat. iii. but when in prayer he began to say, 'O Lord, what wilt thou do with this generation? What wilt thou do with bloody Charles Stuart?' immediately the drums were beat.

Arch. Stuart.

John Potter's testimony is large and particular; but, when speaking of the enemies of God, and the persecutors of his people, he said, among other things, 'I pray that the Lord would open your eyes, that you may see your sins, turn from them, and live. I forgive all men the wrongs they have done or can do to me. But for the wrongs done to Christ, in robbing him of his right over his church and people, I know vengeance belongs to God, and he will repay them; therefore I leave them under process ay and while they repent. And now I begin to enjoy him who is invisible, &c.'

John Potter.

While these acts of severity were carrying on in Scotland, the parliament of England met on the 21st of October, and on the 26th Lord Ruffel moved, that they might, in the first place, take into consideration how to suppress Popery and prevent a Popish successor. He was seconded by Sir Henry Capel brother to the Earl of Essex.

Exclusion bill, Rapin.

1680.

sex. And after several warm debates, it was resolved that a bill be brought in to disable the Duke of York to inherit the imperial crown of this realm, and, after a great deal of reasoning *pro* and *con*, the exclusion-bill passed the house by a great majority. William Lord Russell attended by the Lord Cavendish, Sir Henry Capel, and almost the whole house of commons, carried the bill to the house of lords, where it miscarried by a superiority of 63 against 30. Bishop Burnet says, all the bishops voted against it. Rapin says, That eleven of them voted against it, and three for it, who, according to my author, were the Bishops of Chester, Exeter and London. When the news of the rejecting of this bill came to Edinburgh, the chancellor proposed to make public rejoicings there, but the Duke of York declined this for the present. Thus a brave attempt for supporting the Protestant interest was at this time frustrated; but providence had another method for accomplishing this great design.

miscarried.

Mr. Carstairs.

On the 20th the Rev. Mr. John Carstairs, William Johnston and Joseph Brody merchants in Edinburgh, were brought before the committee on account of some papers found with Mr. Skene. Mr. Carstairs owned the king's authority, and disclaimed the principles of Mr. Cargill; but, at the same time, protested against Paterfon Bishop of Edinburgh sitting in civil judicatories, refused him his titles, and called him only Mr. Paterfon, which the Bishop resented, and promised to make a return if ever it lay in his power.

Proclamation against Mr. Cargill's followers.

On the 22d a very long and severe proclamation was published against Mr. Cargill and his followers, wherein the king's great care for preserving the Protestant religion was mightily cried up, [witness his supporting his brother's succession, &c.] the followers of Mr. Cargill were accused of the heinous crimes of rebellion, treason, murder, assassination, and carrying on a plot for killing the king, the Duke of York, the counsellors, bishops, &c. and the testimonies emitted by the sufferers; together with the Torwood excommunication, were all aggravated to the last degree; and therefore all the subjects were required to treat the plotters, &c. as rebels, &c. to apprehend them &c. and for their encouragement a reward of 5000 merks was promised for apprehending Mr. Cargill, 3000 merks for Mr. Douglas, and 1000 merks for each of the rest of the conspirators, &c. The council sent up a copy of this proclamation to court, and gave his majesty an account

account of these things. That some had renounced their allegiance to King Charles is certain; but that any of their declarations encourage or assert the lawfulness of murders, assassinations, and the like, is false; and it was equally false that any plot was carried on among them for killing the king, his brother, &c. When Mr. Skene was examined before a committee of the council, and was asked if he thought it duty to kill the king, he answered, That he had stated himself an enemy to God's interest, and there was war declared against him. This no doubt would be improved by the managers. We shall find that Mr. Skene was not alone in this matter. How far, all things considered, he is to be vindicated, I must leave with the reader. But though, in some things, these martyrs for Christ may not have expressed themselves in such happy expressions as could be wished, yet the injustice, cruelty and tyranny of their persecutors cannot fail to leave a blot on their memory while the world lasts. Besides, it is certain, that all they intended by its being lawful to kill the king, &c. was in their own defence.

On the 8th of December Mr. Riddel was examined a second time before the committee, and acknowledged the king's authority, and condemned those who did not, but refused to engage not to preach in the fields, as before. And when the justice-clerk said, Will you say that you resolve not to preach in the fields as long as matters continue as they are? His answer was, Really, my lord, I am afraid to say or do any thing that has the appearance of a straiter hedge about the exercise of my ministry than Jesus Christ has drawn before me. And when asked his opinion about the bishop's death, he said, If private persons were allowed to go out of their station, to kill men at their pleasure, no man could be sure of his life. He was again sent to prison.

Mr. Riddel's second examination.

Next day the advocate was ordered to prosecute Geo. Johnston, James Stuart, Geo. White and Will. Dick prisoners, for being at the Torwood meeting; but, because Christian Spence, Sarah Spence and Janet Smith were only poor and ignorant, they were set at liberty, and threatened with being scourged if ever they were found at conventicles. About this time Geo. Piper of Aberdeen, having been a prisoner for supposed correspondence with Mr. Skene and Mr. Cargill, was set at liberty, since no such thing could be made appear.

Orders to prosecute.

1680.

Garrisons.

On the 16th garrisons were appointed to be kept in the houses of Kenmuir and Freugh, and in the castle of Dumfries; and on the 23d the council wrote to the secretary Murray to procure a pardon for Will. Gordon of Culvennan who had been in the rebellion.

The Pope burnt in effigy.

On the 25th of December some of the students in the college of Edinburgh brought to the head of the Cowgate the effigy of the Pope in his robes, with his keys, mitre and triple crown; and, when they had excommunicated him, they carried him about in a chair, like that wherein he is elected at Rome, to the foot of the Black-friars wynd. The students, knowing the thing had taken air, gave out that they were to carry his holiness in procession to the Grass-market, the place of the execution of criminals; whereupon the guards marched thither. Mean while the boys marched in procession by the Black-friars wynd to the High-street, three of them going before with lighted torches. Being come thither they condemned his holiness to be burnt: accordingly the torchmen blew up the effigy with gun-powder, notwithstanding their being attacked by some soldiers commanded by Linlithgow and his son; whom they warned to beware whom he struck, since he had relations among them.

Mr. Geo. Ridpath banished.

Mr. G. Ridpath, having been very active in projecting this affair, was taken up the day before it was to be put in execution; and great search was made for the effigy, but in vain. Next day several gentlemens sons were called before the council, and particularly examined whether any Presbyterian gentlemen or ministers did contrive, assist, or direct them; who all declared there was none. The chancellor treated them civilly; but the bishops endeavoured to ensnare them with questions about their conformity. However, being unable to obtain any advantage, they were dismissed for that day. Only Mr. Ridpath, then entering on the study of philosophy, was very ill used by Sir William Paterson and the council's servants, some of whom beat him and tore his hair. And for this, and no other reason, he was banished his native country.

Students of Glasgow.

About this time the same spirit was working at Glasgow, though in a different manner; for the students there wore coloured ribbons to distinguish themselves from Papists, for which several of their leaders, and particularly the Marquis of Annandale, then a student, were called before the masters and the archbishop. Annandale defended

fended himself and his fellow-students with spirit and resolution; and calling the archbishop only *Sir*, Mr. Nicholson his regent reproved him, saying, William, do you not understand whom you speak to, he is a greater person than yourself. Annandale replied, I know the king has been pleased to make him a spiritual lord, but I know likewise that the piper of Arbroth's son and my father's son are not to be compared. This spirit that shewed itself in the students could not but chagrin his royal highness; and what the consequences of it was shall be related in

1680.

C H A P. V.

Of the executions of Isobel Alison, Marion Harvey, Mr. Cargill, and others; of the followers of John Gib; the sufferings of heritors, &c. and other things to the session of parliament.

1681.

Reasons for dis-owning the king's authority.

p. 275.

THE Duke of York's being now in Scotland sharpened the edge of the persecution; so that no less than 20 were executed in the course of this year 1681. The sufferers had, it is true, declared against the king's authority, for which many of them were hanged, and otherways persecuted by their enemies, and censured by their friends. They branded them as madmen, enemies to government and civil society; but it is very plain that they never opposed government or monarchy as such, but only wicked, perjured and persecuting governors. These they did oppose, and that for the very same reasons that brought about the revolution and the Protestant succession. I cannot express this better than in the words of the author of the *Memoirs of the Church of Scotland*, when speaking of the *Torwood* excommunication. Says he, 'I desire the impartial reader to compare it with the memorials above mentioned, [*to wit*, the memorial to the Prince of Orange from the people of Great Britain, to invite him to come to their assistance] and see if it be possible for any British Protestant, who owns the justice of the revolution, to reflect upon the zeal of these people, without blushing for himself and the whole nation, that they did not see and abhor the tyranny of those reigns sooner; then they had joined with those people instead of censuring their zeal; the revolution had then been brought about witho^{ut} sovereign help at all; the Prince of Orange had then been called over, as peaceably as King George, to take possession of the crown; and the blood of near

1681.

20,000 people, who were one way or other murdered and destroyed by that now abdicated race of tyrants, had been saved. What a shame is it, says he, to us, and how much to the honour of these persecuted people, that they could thus see the treachery and tyranny of those reigns, when we saw it not; or rather, that they had so much honesty of principle, and obeyed so strictly the dictates of conscience, as to bear their testimony early, nobly, and gloriously to the truth of God and the rights of their country, both civil and religious, while we all, though seeing the same things, yet betrayed the cause of liberty and religion, by a sinful silence and a dreadful cowardice.

But suppose, through the treatment, the unaccountable treatment they met with, they had gone a little beyond due bounds, and though sometimes their expressions were not so well chosen, can that either condemn the principles of religion and liberty upon which they acted, nay, or their actual disowning those tyrants, who, for nothing but the matters of their God and Saviour, had declared them outlaws, rebels and traitors? Besides, the blood of many was shed, against whom they could prove nothing, but what they extorted from them by their ensnaring questions. Nay, even some of the weaker sex were hanged or drowned on this score. But I shall relate the matters of fact as they happened in the order of time.

The provost's house burnt.

It was a dreadful affront to the Duke of York to find his Holiness treated in such a manner, on that grand festival the 25th of December; and therefore the sycophant managers must not overlook such an indignity. Accordingly, on the 4th of January, the masters of the college declared their abhorrence of what their scholars had done; and, on the 6th, the council commanded the magistrates to order the college gates to be shut, and the classes to be dissolved. About this time several of the students were imprisoned, besides Mr. Ridpath, which so exasperated the rest, that, it is said, they threatened to burn the provost's house at Priestfield, because the magistrates, who were patrons of the college, instead of protecting them, had acted violently against them; and in a few days the house of Priestfield was burnt. Whereupon the council, on the 17th, issued a proclamation, offering 2000 merks, and a remission, to any who should discover the actors: but it does not appear that any discovery was made; nay, my author says, that some wanted not their jealousies that this house was burnt by others, with a view

to bring an odium on people who were no ways concerned. The author of a pamphlet now before me, intituled, *A brief and true account of the sufferings of the Church of Scotland, &c. printed at London 1690*, says, 'That they, viz. the managers, first alledged that the students threatened to burn the provost's house, because he, like a blockhead, had suffered the king's soldiers to enter the city, contrary to his own oath and the town's privileges, to prevent the burning of the pope; and, when they had buzzed about this supposed threatening, they burnt it themselves, and charged the students with it, to make them odious, and find occasion of dissolving the university, which they did for some time; and though the said students offered to come to any legal trial for their vindication, it was never accepted, because the council knew it could be proved that some of the duke's livery were seen come from the house just as it took fire, and that a barrel of powder having the castle mark upon it, which it was not possible for any to come at but from the king's ammunition, was found in the park near the said house.' Neither does it appear that ever any was brought to a trial for this.

p. 23.

p. 24.

The order of time leads me to the case of Isobel Alison and Marion Harvey, two young women, who were executed this month, to the perpetual disgrace of the bloody managers, who could have no acts of what they called *rebellion*, in the least, to lay to their charge. When they were taken, I know not. Isobel Alison was apprehended at Perth, where she lived, only for speaking against the severity used to sundry good people there; for they could accuse her of nothing else. Marion Harvey was seized while going one day from Edinburgh to hear sermon in the fields, and was last year before the council. But though they had nothing against these two young women, they were resolved to shed their blood; and therefore upon what they owned at their examination they founded their indictment, and took away their lives. That the reader may have a specimen of the injustice of this period, that afterwards became common, I shall here insert the substance of their examination, first before the council, and next before the lords of justiciary.

Isobel Alison and Marion Harvey.

Isobel Alison's examination before the council, Cloud of Witnesses, p. 91, &c.

When Isobel Alison was before the council, she was interrogated as follows: *Question*. Where did you live? At St. Johnstoun? *Answer*. Yes. *Q*. What was your occupation? No answer. *Q*. by the Bishop of Edinburgh.

1681.

Have you conversed with Mr. Donald Cargill? *A.* Sir, you seem to be a man whom I have no clearness to speak to. She said to another, who asked the same question, I have seen him, and wish I had seen him sooner. *Q.* Do you own what he has done against the civil magistrate? *A.* I do own it. *Q.* Can you read the Bible? *A.* Yes. *Q.* Do you know the duty we owe to the civil magistrate? *A.* When the magistrate carrieth the sword for God, according to what the scriptures calls for, we owe him all due reverence; but when they overturn the work of God, and let themselves in opposition to him, it is the duty of his servants to execute his laws and ordinances on them. *Q.* Do you own the Sañquhar declaration? *A.* I do own it. *Q.* Do you own the papers taken at the Queensferry on Henry Hall? *A.* you need not question that. *Q.* Have you conversed with rebels? *A.* I never conversed with rebels. *Q.* Did you know Mr. Shene? *A.* I never saw him. *Q.* Did you converse with David Hackstoun? *A.* I did converse with him, and I bless the Lord that ever I saw him; for I never saw ought in him but a godly pious youth. *Q.* Was the killing of the Bishop of St. Andrew a pious act? *A.* I never heard him say that he killed him; but, if God moved any to execute his righteous judgments upon him, I have nothing to say to that. After some other questions, they asked, Did you know the two Henderfons that murdered the Lord St. Andrews? *A.* I never knew any Lord St. Andrews. *Q.* Mr. James Sharp, if you call him so? *A.* I never thought it murder; but, if God moved and stirred them up to execute his righteous judgment upon him, I have nothing to say to that. *Q.* Will you own all you have said; for you will be put to own it in the Gra's market? We bemoan you in putting your life in hazard in such a quarrel. *A.* I think my life little enough in the quarrel of owning my Lord and Master's sweet truths; for he hath freed me from everlasting wrath, and redeemed my soul; and as for my body, it is at his disposal. There were some other questions, but, as they were much to the same purpose as those above, I omit them.

p. 93.

*Marion
Harvey's
examina-
tion,
Ibid. p.
103.*

Marion Harvey's examination before the council was upon the same points with that of her fellow-sufferer, and therefore I must refer the reader for the particulars to the Cloud of Witnesses. Only, among other things, they said, Will you cast away yourself so? To which she replied, I love my life as well as any of you, but would not redeem it

it upon sinful terms. They said, the rock, the cod and bobbins were as fit for her to meddle with as these things. They offered her the assistance of ministers, but she would have none of their providing.

1681.

On the 17th of January they were brought before the lords of justiciary; for it was the constant practice at this time, the one day to bring such as fell into their hands before the council, and there, by ensnaring questions, to bring them into a confession of such things as they accounted treason, and next day to prosecute them before the criminal court. These two women were accused for hearing at field-conventicles, harbouring of Messrs. Cargill, Cameron, &c. owning the Rutherglen and Sanquhar declarations, &c.

*before the
justiciary.*

When Isobel Alison was before them, she was examined as follows: Q. Do you abide by what you said the last day? A. I am not to deny any thing of it. She owned she had conversed with David Hackstoun, and disowned their authority. Q. Do you disown us and the king's authority in us? A. I disown you all because you carry the sword against God, and not for him, and have, these nineteen or 20 years, made it your work to dethrone him, by swearing, year after year, against him and his work, and assuming that power to a human creature which is due to him alone, and have rent the members from their Head Christ.—Q. When saw ye the two Henderfons and John Balfour? Seeing you love ingenuity, will you be ingenuous and tell us, did you see them since the death of the bishop? A. They appeared publicly within the land since. Q. Did you converse with them within these twelve months? She was silent; but upon being urged to say either yes or no, she answered, Yes. Then they said, Your blood be on your own head, we shall be free of it. She answered, So said Pilate, but it is a question if it was so; and ye have nothing to say against me, but for owning of Christ's truths and his persecuted members. They made no reply, but desired her to subscribe what she had owned, and, upon her refusing, did it for her.

*Isobel
Alison,
Ibid. p.
94, 95.*

Marion Harvey, before the justiciary, owned the Sanquhar declaration, &c. and then protested that they had nothing to say against her as to matter of fact; but only that she owned Christ and his truth, his persecuted gospel and members; of which she said, Ye have hanged some, others you have beheaded and quartered quick. To this they said nothing; but called those who were to sit on the ju-

*Marion
Harvey,
Ibid. p.
104, 105.*

1681.

ry, who appeared with reluctance. One of them said, He did not desire to be engaged in this matter; but he was obliged: then he desired that the confessions of the two prisoners might be read, because he knew not what they had to say against them. When he was ordered to hold up his hand and swear, he fell a trembling. The jury being fixed, the confessions were read, and the advocate, in a speech, aggravated every particular, in order to prove them guilty of treason. Some of the jury urged that there was no fact proved against them. The advocate said, But treason is fact; and taking himself again, he said, It is true, it is only treason in their judgment, but go on according to your law; and if you will not do it, I will proceed. The jury brought them in guilty on their own confession; however, the passing of the sentence was deferred till the 21st, when they were both condemned to be hanged at the Grafs-market on the 26th.

*Orders
to coffee-
houses.*

Mean while, on the 20th, the council enlarged the powers of the Laird of Meldrum for apprehending those who were in the rebellion. The many searches which were made in consequence of this were most oppressive. The same day the magistrates of Edinburgh were ordered to call all the masters of coffee-houses before them, and oblige them to come under a bond of 5000 merks, to suffer no news paper be read in their houses, but such as are approved of by the officers of state.

*Hard-
ships on
the stu-
dents.*

Next day all the students in the college of Edinburgh were ordered to retire 15 miles from that place, within 24 hours, and not to come within these bounds without leave from the council, under the pain of being treated as seditious persons. A fine Protestant government, to make such a splutter about burning the Pope! But it was decent to compliment his royal highness the duke!

*Marion
Harvey
and Isobel
Alison
executed.*

On the 26th Isobel Alison and Marion Harvey were executed according to their sentence. The reader will find what passed between them and Mr. Riddel in the Cloud of Witnesses, together with their respective testimonies. When they were brought from the prison to the council-house, in order to be carried from thence to the place of execution, Marion Harvey said, with a surprising cheerfulness and heavenly transport, *Behold I hear my beloved saying unto me, Arise, my love, my fair one, and come away.* When in the council-house, Paterson Bishop of Edinburgh (such was the spirit of the man!) said, Marion, you said you never would hear a curate,

now you shall be forced to hear one; and immediately ordered one of his suffragans, whom he had prepared for the purpose, to pray. When he began, she said to her fellow-prisoner, Come, Isobel, let us sing the 23d Psalm; which they did, and thereby drowned the curate's voice, and confounded their persecutors.

1681.

Their behaviour on the scaffold is not to be omitted. *Their behaviour on the scaffold.* Isobel having sung the 84th Psalm, and read Mark xvi. cried over the scaffold, and said, *Rejoice in the Lord ye righteous; and again, I say, rejoice.* She was not suffered to pray till she came to the foot of the ladder. As she went up, she cried out, 'O be zealous, sirs, be zealous, be zealous! O love the Lord, all ye his servants! O love him; for in his favour is life!' And added, 'O ye his enemies, what will ye do? Whether will you fly in that day? for now there is a dreadful day coming on all the enemies of Jesus Christ. Come out from among them, all ye that are the Lord's people.' Then she concluded, 'Farewel all created comforts; farewel sweet Bible in which I delighted most, and which has been sweet to me since I came to prison; farewel Christian acquaintances. Now into thy hands I commit my spirit, Father, Son, and Holy Ghost.' Then the executioner threw her over.

Marion Harvey likewise sung Psal. lxxxiv. and having read Mal. iii. she said, 'I am come here to-day for avowing Christ to be Head of his church and King in Zion. O seek him, sirs, seek him, and ye shall find him: I sought him, and I found him; I held him, and would not let him go.' Then she rehearsed briefly the heads of her written testimony. Going up the ladder she said, *O my fair one, my lovely one, come away.* And, sitting down on the ladder, she said, 'I am not come here for murder; for they have no matter of fact to charge me with; but only my judgment. I am about 20 of years age: at 14 or 15 I was a hearer of the curates and indulged; and while I was a hearer of these I was a blasphemer and sabbath-breaker, and a chapter of the Bible was a burden to me; but since I heard this persecuted gospel, I durst not blaspheme nor break the Sabbath, and the Bible became my delight.' Upon this the commanding officer called to the executioner to throw her over, which he did accordingly.

On the 31st of January, Thomas Turnbull of Standhill, and Walter Turnbull of Bewly, were forfeited in absence by the justice-court, for being in arms at Bothwell. Next day the council made an act ordering all the students to take

1681.

take the oath of allegiance, and prohibiting the masters to receive any except on these terms. But the Duke of York having moved in council, a few days thereafter, that, considering the youth of many of the students, the tendering of the oath might be delayed till they came to the fourth class, this was complied with. His royal highness, to render himself the more popular, made a progress, this month, to Linlithgow and Stirling.

On the 16th the process of forfeiture against Alexander Hamilton of Kinkell was dropt, for his estate was so reduced that it was not worth seeking after.

J. Spreul.

On the 2d of March John Spreul apothecary in Glasgow was indicted before the justiciary for treason and rebellion; but the matter was put off till June. The same day John Murray in Borrowstounness, and Christopher Miller weaver in Gargunnoch, were indicted in common form. Their confessions, which they made at their examination, were much the same with those of others. Both were brought in guilty, and ordered to be hanged in the Grass-market on the 11th instant.

Christopher Miller, &c. condemned.

J. Murray pardoned.

The rest executed.

On the 8th of March, William Gowgar in Borrowstounness, and Robert Sangster a Stirling-shire man, received the same sentence upon the like confession. John Murray was, by the council, recommended to the king's clemency, as being rather misled than malicious. The other three were executed time and place foresaid. Their joint testimony, which is in the Cloud of Witnesses, is directed, by way of address, to the shire of Stirling. The compilers of that collection have omitted their particular testimonies, because they supposed them vitiated by John Gib, or some who were tainted with his errors, of which we shall give some account. Nay, they tell us, that Christopher Miller and Robert Sangster were suspected to be in some danger from these errors. It is remarkable, that William Gowgar having had a little paper in his Bible, which he designed to through over the scaffold; but, when taken to the council-house with his fellow-sufferers, it some way or another fell into the hands of the persecutors, who, having read it, commanded the executioner to tie him harder than ordinary, so that he could scarce go up the ladder; and afterwards they would not permit him to pray. When he began to speak on the ladder, and say, I am come here for owning Christ to be Head and King in Zion, the drums were immediately beat. Then they pretended that they would offer him his life on condition

1681.

dition he would own the king; but he replied, I will own none but Christ to be King in Zion. Then they said, Will you not retract any thing, Sir? He answered, no, no; I own all, I adhere to all. Upon which they immediately called to the executioner to throw him over, which he presently did, not suffering him to recommend his spirit to God.

On the 19th of March Thomas Kennoway, an officer in the guards, came with a party to the parish of Livingstone in West-Lothian, with pretended orders to apprehend all who had been at Bothwell. After he had got all the informations he could, he sent two parties, with lists of those whom they were to apprehend, late on Saturday night. He spent the Lord's day in drinking and carousing, and threatened to oblige the prisoners he had taken to defray the charges. On Monday he held a court, and forced the country people to come and swear as to their receiving or conversing with those whom they called *rebels*; which shews the hardships the country people were made to suffer.

Kennoway's severities.

The southren shires were at this time dreadfully oppressed with these military courts. Soldiers were sent through parishes to act as they pleased, and their officers appointed courts in such places as they had a mind. Thus Cornet Graham held a court in Dalry, about the beginning of this year, to which all men and women above 16 years of age were summoned, to declare upon oath, and sometimes under very odd and strange imprecations, whether they had ever been at field-meetings, or countenanced any who frequented them, &c. They obliged them likewise to swear, with the same dreadful imprecations, what they knew of their neighbours or others in the parish. Courts of the same nature were held, by that wretch Grierson of Lagg, at Dumfries and Kirkcudbright. It is easy for the reader to make proper observations on these proceedings so inconsistent with legal government.

Military courts.

Many heritors at this time suffered much. For, on the 18th and 21st of March, great numbers were before the justiciary, particularly John Williamson son to Joseph Williamson in Holl, J. Spruel younger writer in Glasgow, James Walker younger of Hacketburn, William Tweeddale late bailie of Lanerk, and Hugh Weir merchant there, were, in order to have the benefit of the indemnity, obliged to resign all lands and heritages to which they had a right before the said act of grace, and then were

Process of forfeiture.

1681.

dismissed: but the far greater number, who were charged as guilty of the rebellion at Bothwell, were prosecuted in absence, forfeited in common form, and ordered to be executed whenever apprehended. Their names are these: Dav. White, Gideon Weir, David Gibson, John Wilson, Mr. Thomas Pillans, James Lawrie, Archibald Simpson, Tho. Lauchlan, William Ferguson, John Semple, Tho. Inglis, Alex. Anderson, John Pumphray, Robert Goodwine, Ja. Cuningham, Isaac Blackwell, son to Tho. Blackwell, all in Glasgow; John Jack in Neruplair, William Padzean in Lanerk, Robert Lockhart of Birkhill, James Weir of Johnshilp, John Steil in Over-water-head, John Haddow and James White in Douglas, William Falconer, and A. Tacket in Hamilton, Gavin Wotherspeon of Heathric-know, John Eastoun of Quarryneen, William Riddel in Rutherglen, Robert Fleming in Auchinfin, John Hamilton in Rogertoun, Thomas Craig in Jacktoun, John Millar in Longcalderwood, John Wilson of Highfleet, Robert Steven of Newland, John Steil, of Windhill, John Cochran of Craigie, James Dykes of Halburn, John Carduff in Jacktoun, Thomas Paton at Cambusnethan, John Whytlaw and John Paterfon at Bothwellshiel, John White of Newk, Thomas Lin of Blairachin, John Waddel of Chisdale, John Clyde in Kilbride, all in the shire of Lanerk. The most that was proved against these persons was converse with some who had been concerned in the rising, which was not possible for them to avoid.

*James
Gray of
Chryf-
toun.*

In this month of March James Gray of Chryfloun was brought before the justiciary for alledged accession to Bothwell, and acquitted. This gentleman had sustained prodigious losses, and endured many hardships during some preceding years. And though he was now acquitted, yet his troubles were not at an end; for his known aversion to Prelacy laid him open to the insatiable resentments of the orthodox clergy, at whose instigation his house was pillaged by the soldiers. Their rudeness was such, that his family was forced to quit the house, except his wife who stayed in one of the rooms with a young girl that attended her. Mean while Captain Strachan's men continued three months about the house, consuming his substance, and in the beginning of next year he was seized, as we shall relate in its proper place.

A paper.

On the 3d of April a paper was affixed to the church of Kettle disowning the king's authority; but as it contained

tained several things disagreeable to the sentiments of the followers of Mr. Cargill, I shall say no more of it.

1681.

On the 5th there was a process against such of the heritors of Ayrshire who were alledged to have been concerned at Bothwell, and these following were forfeited in life and fortune, viz. Gilbert MacIlwraith of Dummorchie, Thomas Macjarrow, of Bar, John Macjarrow of Penjarrow, Henry Macjarrow of Anthalbanie, George MacLur, of Benham, Hugh MacIlwraith of Auchinflour, John Alexander of Drummochrian, — MacMichan of Killentrian, Allan Bowy of Drumbog. The same day the court dropt the process against Robert Fullerton, of Benpels, Robert Nisbet of Greenholm, — Kennedy younger of Glenour, and James Aird younger of Miltoun, who appeared at the bar, and offered to stand trial: for, it is to be observed, that, in both these processes, sentence was pronounced only against absents, for few of the heritors that appeared to stand trial were found guilty; and it was easy to find those guilty who were not present to answer for themselves, which was generally the case.

Process of forfeiture.

Mr. Aird, whose sufferings before this time were not small, notwithstanding his being set at liberty, was not exempted from farther hardships, for he was obliged to agree with the Laird of Broich, who got a gift of his moveable effects, and to give him 1000 merks. His charges before the justiciary amounted to 300 merks. A few weeks after this parties were sent in quest of him, so that he was obliged to ly for the space of 42 nights in the open fields, and for several years to keep out of the way. Many times his house was rifled by the soldiers. However, he survived his troubles, and enjoyed his religious liberty and property for many years after the revolution.

Mr. Aird's sufferings.

On the 6th the council suffered Mr. Riddel to go and see his dying mother, upon condition of returning to his confinement by the 25th; but, being afterwards charged with breaking his confinement, keeping conventicles, and baptizing children, he was ordered to the Bass, where he continued for three years.

Mr. Riddel sent to the Bass.

The same day the Rev. Mr. J. Blackadder was apprehended by Major Johnston, and was brought in prisoner before a committee of the council, consisting of the chancellor, the general, the advocate, and Bishop Paterson, where he owned he was a Presbyterian minister, and had been ordained to Traquair 1653. He was examined

Mr. J. Blackadder apprehended.

1681.

upon several things; some of which were these: *Chan.* Did you excommunicate the king, or was you at Torwood? *A.* I was not at Torwood these four years. *Ch.* But do you approve of what was done there? *A.* I am not free to declare my inward sentiments and opinions of things and persons, and therefore I humbly beg to be excused; you may form a libel against me, and I shall endeavour to answer it as I can. When he continued to decline giving an answer, the chancellor said, But do you approve of shedding the king's blood, and damning him in soul and body? *A.* I do not, and no good man will. *Ch.* You have done yourself a favour in saying so; but we hear you keep conventicles since the indemnity. *A.* My lord, I am a minister of the gospel, though unworthy, and under the strictest obligations to exercise my ministry, as I shall be answerable at the great day. I did, and do still count it my duty to exercise my ministry, as I am called thereunto. *Ch.* But you have preached in the fields, that is to say, on muirs and hill-sides. I shall not ask if you have preached in houses, though there is no liberty even for that. *A.* I place no case of conscience nor make any difference between preaching in houses and the fields, but as it may best serve the conveniency of the hearers; nor know I any restriction as to either in the word. My commission reaches to houses and fields, within and without doors. *Ch.* No doubt you know and have seen the laws discharging such preaching. *A.* My lord, I have, and am sorry that ever any laws were made against preaching the gospel. *Ch.* Not against the gospel, but sedition and rebellion. *A.* I preach no sedition and rebellion. The advocate came to him, and said, He was sorry he was on the reserve as to the excommunication. He answered, He was noways straitened as to that, but he thought he was only obliged to speak of facts relating to himself. The council sat in the afternoon, and ordered him to be sent to the Bass, where he continued till the day of his death, which was about five years thereafter, when he entered into the joy of his Lord. I shall only observe concerning this eminent person, that the last time he preached in public, he lectured upon Micah iv. from ver. 9. where, among many other things, he said, 'That the nearer the deliverance, our pains and showers would come thicker and sorer upon us; and that we had been in the fields, but, ere we were delivered, we should go down to Babylon; that either Popery would overspread this land, or would

would be at the breaking in upon us, like an inundation of waters.

1681.

On the 8th of April a new and severe proclamation was issued against conventicles, though the faithful Mr. Cargill was the only person who now ventured to preach in the fields; and in a very little that light was put out, as we shall relate.

About this time the blasphemies of John Gib, a sailor at Borrowstounness, made a great noise: for what can be expected from bearing down the gospel but the breaking in of a flood of errors? And I cannot but agree with my author, that it is surprising more were not led aside into gross delusions in such a period as this; for it is plain that it was but a remnant that stood firm, when the most part, through weakness, made too great compliances. However, Gib had but few that were drawn aside by him, viz. David Jamie, Walter Ker, and John Young, together with 26 women. These disowned communion with all who were not of their way, belched out curses and execrations upon them, and kept themselves in desert places from all company. They were called the *sweet singers*, from their being much engaged in singing the mournful Psalms, as Psalm lxxiv, lxxix, lxxx, lxxxiii, cxxxvii. In the beginning of this month they unanimously left their houses, and retired to desert places, to be safe from the land's utter ruin and desolation. It would be to little purpose to give an account of all their extravagancies. They renounced the Psalms in metre, the translation of the Old and New Testaments, because of its dedication to King James. They rejected all authority throughout the world, from the tyrant Charles Stuart (I use their own words) to the smallest tyrant. They condemned the names of the months and of the days of the week. But, about the latter end of April, the Gibbites were all taken by a troop of dragoons, at the Wollhill crags, between Lothian and Tweeddale, and brought to Edinburgh. The four men were put into the Canongate prison, and the women in the correction-house; and, it is said, some of them were scourged. It appears, from the paper they gave in to the council on the first of May this year, that they burnt the Psalms in metre, &c. Before they were imprisoned Mr. Cargill was at no small pains to reclaim them. In short, Mr. Cargill's followers threw them out of their society, and none of the other Presbyterians ever owned them. However, the Duke of

*Followers
of Gib, or,
the sweet
singers.*

*Appre-
hended.*

York

1681.

York and his party were secretly pleased with these extravagancies. They were soon released. Some time after the four men, with Isobel Bonn and another woman, went to a place called the *Frost Moss*, where they burnt the Bible, every one of them using expressions, at the committing of that horrid act, which I shall not insert. These mad delusions were prevented from spreading, and several of themselves were afterwards reclaimed. James Gray of Chrystoun, James Slofs and James Baird, were very useful in putting a stop to these delusions.

*Chapmen
and
schoolma-
sters.*

On the 4th of May all chapmen were forbid to travel without a pass from the sheriff; and all school-masters in the parishes of indulged ministers were ordered to be removed, unless they had a licence from the bishop, lest the minds of the youth should be corrupted. The same day one Mr. Alexander Symers, having seen the errors of Prelacy and forsaken it, was ordered to be prosecuted; but there is no more concerning him.

J. Pettigrew, &c.

About this time James Pettigrew, Alexander Smith, and Robert Ruffel, all in the parish of Cambusnethan, were seized and carried in to Edinburgh. James Pettigrew continued three months a prisoner, and paid 300 merks. He suffered considerable losses during the following years. Alexander Smith escaped in womens clothes, but was afterwards taken and rescued. He made his escape a third time from Dunnoter, but was retaken 1687, and continued prisoner till the revolution. Though these two were alledged to be concerned in Bothwell, yet nothing could be laid to the charge of the third, who was met on the road by a party of soldiers, and, refusing to answer their questions, or pray for the king at their desire, was first threatened with immediate death; but that practice not being as yet common, they sent him in prisoner to Edinburgh, where he lay near two years in irons.

On the 2d of June Mr. J. Wardlaw was denounced, and Lauderdale was continued in the command of the castle of Edinburgh. On the 8th a proclamation was issued for the parliament to sit on the 28th of next month. It was now nine years since there were any parliaments in Scotland; and, though the king had no reason to be displeased with Scots parliaments, yet, Duke Hamilton and others appearing in the last for the redress of grievances, it was soon dissolved. But his majesty's beloved brother was in Scotland, and, being appointed commissioner, all things were expected to go on smoothly.

The day after this proclamation new orders were given for garrisons in several houses in the west country, particularly in the houses of Sorn, the castle of Strathaven, and the house of Dean. Duke Hamilton and the Earls of Loudon and Kilmarnock were ordered to get these houses ready.

1681.

Garrisons.

On the said 10th of June R. Ferguson of Letter-pin was indicted for Bothwell; but it seems the matter was dropt.

The same day Mr. Spreul was brought before the justiciary, and was indicted for treason and rebellion, in corresponding and being present with the rebels at Bothwell, especially with Mr. John Welsh and Mr. Samuel Arnot, who are called *The bloody and sacrilegious murderers of the late Archbishop of St. Andrews*, though these two ministers had no hand in that act. Sir George Lockhart, Mr. Walter Pringle, Mr. James Daes, Mr. Alexander Swinton, and Mr. David Thoirs, were advocates for the prisoner.

Mr. Spreul before the justiciary.

At the beginning of the trial the advocate declared that he used the prisoner's confession, when put to torture before the council, only as a mean of probation to adminiculate the other probation to be led, but doth not insist upon that confession at this time, either as a crime of itself, or a sufficient mean of probation, without being adminiculate, as said is. Mr. Pringle for the prisoner alledged, that he could not come under a new trial, having been examined by the council for the same crime, and been tortured two several times, and having still denied it; and consequently, by the law of this and all other nations, he ought not to be arraigned and condemned for that crime upon any new evidence. This occasioned a long debate, which I shall not trouble the reader with. He may see what was said *pro* and *con* in my author, Vol. II. p. 166, &c.

After this debate was over, the lords, by their interlocutor, found the indictment relevant, or that the things specified in it were treasonable, and referred the proof to the jury; and rejected the defence founded on the torture, because the council's commission did not warrant the prisoner to be questioned on the crimes specified in the indictment, and continued the action to the 13th, when Mr. Pringle, for the prisoner, alledged, that, notwithstanding the interlocutor, the defence ought to be sustained, and took instruments upon producing the commission; and

Mr.

1681.

Mr. Thoirs added, that the committee were sole judges of the pertinency of the interrogatories, and that the prisoner, having in torture denied the crimes laid to his charge, ought to be acquitted; and the jury acquitted Mr. Spreul, for they found no crime proved against him. Nevertheless the council remanded him to prison, alleging they had several other things against him, fined him in 500 l. sterling for being at field-meetings, and sent him to the Bass, where he continued for six years. William Lia writer in Edinburgh was fined in the like sum, and sent to the Bass along with him. One reason of this severity was, because, when the Duke of York asked at Mr. Spreul in March last, Sir, will you kill the king? he directed himself to the chancellor, and said, My lord, I bless God I am no Papist; I lothe and abhor all those Jesuitical and murdering principles; neither my parents, nor the ministers I heard, ever taught me such principles.

On the 15th Francis Borthwick, second son to James Borthwick of Harelaw, was declared to be an outlaw and fugitive, because he had apostatized from Christianity, embraced Judaism, and had been circumcised, and blasphemed the Lord Jesus Christ. This my author thinks was the only instance of the kind since the reformation.

A fast appointed.

Next day Mr. Alexander Hastie and John Row were denounced for keeping conventicles. The same day a proclamation was issued for a fast to be observed in the south parts on the 29th, and in the more remote parts on the 6th of July. The causes of this fast were the blasphemous and sanguinary opinions of many who had left the communion of the established church, the threatened famine, and the approaching session of parliament. I shall only here observe, that they had not acted like themselves, if some virulent reproaches had not been thrown upon the suffering people. The blood of many of God's people was upon them, and, had not their eyes been shut, that should have been mentioned as one of the chief grounds of humiliation; but they had no knowledge of this.

Orders against conventicles, &c.

On the 21st the Earl of Queensberry, sheriff-principal of Dumfries, or his deputies, were ordered to call several before them for conventicles, which brought not a few to trouble; and new orders were issued against those who had been at Bothwell; the sheriffs and other magistrates were appointed to seize and bring them to justice, and secure their rents and lands for his majesty's use, and the country from field-conventicles.

1681.

Adam Philip, Laurence Hay a weaver, and Andrew Pittilloch land-labourer in the parish of Largo in Fife, having joined in a society for prayer and conference, signed a paper last month, intituled, *A testimony against the evils of the times.* That paper, some way or other, having come into the hands of the managers, they were apprehended, and on the 11th of July, brought before the justiciary. They owned the said paper, in which they disclaimed the king's authority, and were condemned to be hanged at the Grass-market on the 13th, which was done accordingly. My author says that this paper seemed, by the quotations from it in their process, to be wild, and to smell of Gib's delusions. As to that I can say nothing; only the testimonies of the two last, mentioned in the Cloud of Witnesses, breathe a spirit of true piety; and Laurence Hay, in particular, leaves his testimony to the scriptures of the Old and New Testament, to the version of the Psalms in metre, and to the Work of Reformation, Covenants National and Solemn League, &c. Andrew Pittilloch declared against the four men in the Canongate tolbooth, and all that joined with them, for wronging the scripture. Adam Philip is omitted in the Cloud of Witnesses.

Adam Philip, &c. executed.

On the 12th William Thomson servant in Frosk, who had been seized on the last Sabbath of June, as he was coming from hearing Mr. Cargill, was examined before the committee for public affairs. He owned his being at Bothwell, and that he had not taken the bond, &c. He refused to answer whether the rising at Bothwell was rebellion, and concerning the king's authority and the archbishop's death. Being asked if it was lawful to kill the officers of the army, he asked at the committee if it was lawful for them to kill the people of God, adding, that, if they pleased, they might lay the one to the other. Being farther asked, if, to save his life, he would say, God save the king? he answered, That he would not buy his life at so dear a rate as to commit any sin.

At this time the pious, faithful, and zealous Mr. Daniel commonly called *Donald Cargill* was in his enemies hand. The last time he preached was in Dunsyre-common, between Clydesdale and Lothian, when he expounded Jer. i. and preached from Isa. xxvi. 20, 21. Some time that night (for he durst not leave the desert place where he preached till it was dark) he went, by the persuasion of Mr. Smith and Mr. Boig, with the lady of St.

Mr. Cargill apprehended.

1681.

John's Kirk, as far as Covingtoun-mill, to the house of one Andrew Fisher a mile from that lady's house. James Irvine of Bonshaw, having obtained a general commission, marched with a party of dragoons from Kilbride, and next morning, by sun-rising, came to St. John's-Kirk, and, having narrowly searched that house and the house of one James Thomson, came next to Covingtoun-mill, and there apprehended him, together with Mr. Smith and Mr. Boig. Bonshaw cried out. Oh blessed Bonshaw, and blessed day that ever I was born, that have found such a prize this morning! for a reward of 5000 merks was promised to the apprehender of Mr. Cargill.

They marched hard to Lanerk, and put the prisoners in jail till the soldiers had some refreshment. When they got horses they brought them out in haste and set them on their bare backs. Bonshaw with his own hands tied Mr. Cargill's feet below the horses belly very hard. The good man looked down to him, and said, 'Why do you ty me so hard? your wickedneis is great, you will not long escape the just judgment of God, and, if I be not mistaken, it will seize upon you in this place.' And this was verified; for, soon after he got the price of his blood, he was killed in a duel near Lanerk. His last words were, God damn my soul eternally, for I am gone.

*Brought
to Glas-
gow.*

Fearing a rescue, they made all the dispatch they could to Glasgow. When near the city they turned him on the horse and led him in backward, which drew tears from many to see their old minister in such a posture, for he had been some years minister of the Barony-church. When they came to the tolbooth they halted till the magistrates came to receive them. Then that wretch John Nisbet, the archbishop's factor, said, by way of redicule, Mr. Cargill, (three times over) will you not give us one word more? alluding to an expression Mr. Cargill sometimes used in his serious pathetic way of preaching. The good man, looking on him with regret and concern, said, Wicked poor man, why do you mock? ere you die you shall desire one word, and shall not have it; and soon after he was struck dumb, his tongue swelling in his mouth. Robert Goodwin and John Hodge, two Glasgow men who were witnesses of this, went to visit him. Goodwin desired him to write what kept him from speaking. He wrote, That it was a just judgment from the Lord, and the sayings of the minister verified upon him for his mocking of him; and, if he had the whole world, he would give

give it for the use of his tongue again. But he died in great torment and seeming terror.

1681.

From Glasgow Mr. Cargill and his fellow-prisoners were carried to Edinburgh, and on the 15th of July he was examined before the council. The chancellor Rothes (being one of the seven whom he had excommunicated at Torwood) raged against him, and threatened him with extraordinary torture and violent death. Mr. Cargill said, My Lord Rothes, forbear to threaten me, for, die what death I will, your eyes shall not see it; and it is well known his lordship died that morning that Mr. Cargill and his fellow-martyrs suffered in the afternoon. When he was asked if he owned the king's authority, and the king as his lawful prince, he answered, As the magistrate's authority is now established by the act of parliament anent supremacy, and the explanatory act, that he denied the same, but refused to give any answer to the other branch of the question. He likewise declined to answer as to the excommunication, that being an ecclesiastical matter, and the council being a civil judicatory. He owned the lawfulness of defensive arms, in case of necessity, denying that those who rose at Bothwell, &c. were rebels, or that he was concerned in drawing up the Sanquhar declaration. He declined giving his judgment as to the principles contained in it, unless he had more time to peruse the contents. He farther declared, that he could not give his sense of the killing of the archbishop, but that the scripture says, The Lord giving a call to a private man to kill, he might do it lawfully, and gave the instances of Jael and Phinehas. These were the most material things upon which he was examined.

*Examined
before the
council.*

On the said 15th Mr. James Boig, son to James Boig merchant in Edinburgh, and Mr. Walter Smith, son to Walter Smith in the parish of St. Ninians, students of divinity, were examined before the council. The former owned the principles of the sufferers; that the rising at Bothwell was lawful, being in defence of the truth. As to the killing of the archbishop, he declared he was not obliged to answer for the actions of others. He owned the Sanquhar declaration; but refused to sign his confession, because he said that would be an owning of the king's authority, which he disowned. The latter declared he did not acknowledge the present authority the king is now invested with, and that the grounds of the excommunication were just. On the 19th Mr. Smith was again before

*Mr. Boig
and Mr.
Smith ex-
amined.*

1681.

the council, and, the Sanquhar declaration being read, declared that he owned it with this explication, that he did not look on those who composed it as the formal representatives of the Presbyterian church, and that he did not like the word denuded, in that expression, the king should have been denuded many years ago; but that what the king had done justified the people in revolting from him. As to declaring war, he did not know if they were called, or in a capacity to declare war: and therefore he was of opinion that thereby they only intended to justify the killing of any of the king's forces in their own defence, when assaulted, otherways it might have been esteemed murder. As to the king's being called an usurper and a tyrant, he said, That he knew the king was an usurper, and wished he was not a tyrant.

W. Cuthil.

One William Cuthil a sailor in Borrowstounness, having been taken by some of the Earl of Mar's men was likewise examined, when he denied the king's authority, and declared that he deserved to die; and that he thought the persons who killed the archbishop had the glory of God before their eyes.

Argyll's casting vote.

Mr. Cargill was again before the council on the 19th of July, but refused to answer their questions, except as to the excommunication, when he expressed himself as above. It seems there was a motion made to spare his life, and send him to the Bass as a prisoner for life. When the vote was put, the motion was rejected, occasioned by the casting vote of the Earl of Argyll, which afterwards lay heavy upon his lordship.

Mr. Cargill, &c. before the justiciary.

On the 26th Mr. Cargill, Mr. Smith, Mr. Boig, W. Thomson, and William Cuthil, were brought before the justiciary, and being indicted in common form, their confessions were produced as evidences against them, and they were all brought in guilty of high-treason, and condemned to be hanged at the cross of Edinburgh next day, their heads to severed from their bodies, and those of Messrs. Cargill, Boig and Smith, to be placed on the Nether-bow, and the heads of the other two on the West-port. When Mr. Cargill's confession was read before the justiciary, he declared before them, that the word act explanatory in his confession is thus to be understood, 'That the act explaining the king's supremacy gives him a right to the authority of Jesus Christ, and that supremacy, given him by act of parliament, is against right; and farther declared, that those who rose in arms at Bothwell were not rebels, but raised

Mr. Cargill's behaviour.

raised by oppression.' On the 27th Mr. Cargill and the other four were all executed according to their sentence.

Mr. Cargill's testimony is in the Cloud of Witnesses, and in my author's appendix, of which the following is an abstract: 'This is the most joyful day that ever I saw. — My joy is now begun, which I see shall never be interrupted. I see both my interest and his truth, the sureness of the one and the preciousness of the other. It is near thirty years since he made it sure, and since that time (though there has fallen out much sin,) yet I was never out of an assurance of mine interest, nor long out of sight of his presence.—It is long since I could have ventured on eternity through God's mercy and Christ's merit; but death remained somewhat terrible; but that is taken away, and now death is no more to me but to cast myself into my husband's arms, and to ly down with him.—I have been most in the main things, not that I thought the things concerning our times little, but that I thought none could do any thing to purpose in God's great and public matters, till they were right in their conditions. And O that all had taken this method, for then there had been fewer apostasies!—My soul trembles to think how little of regeneration there is among the ministers and professors of Scotland! O the ministers of Scotland, how have they betrayed Christ's interest and beguiled souls!— They have sold the things of Christ, and liberties of his church, for a short and cursed quiet to themselves, which is now near an end.—As to our professors, my counsel to them is, that they would see well to their own regeneration; for the most part of them has that yet to do.—As to the cause of my suffering, the main is not acknowledging the present authority, as it is established in the supremacy and explanatory act. This is the magistracy that I have rejected, that was invested with Christ's power. And seeing that power taken from Christ, which is his glory, is made the essential of the crown, I thought this was as if I had seen one wearing my husband's garments after he had killed him.'—

After he got to the scaffold, he stood with his back to the ladder, and desired the attention of the numerous spectators; and after singing Psal. cxviii. from ver. 16. he began to speak to three sorts of persons; but, being interrupted by the drums, he said, with a smiling countenance, Ye see we have not liberty to speak, or to speak what we would, but God knoweth our hearts. As he proceeded

His behaviour on the scaffold.

1681.

ceeded he was again interrupted as before. Then after a little silence, he began to exhort the people, and shew his own comfort in laying down his life, and in the assurance of a blessed eternity. Thus he spoke, 'Now I am as sure of my interest in Christ, and peace with God, as all within this Bible and the Spirit of God can make me, —and I am fully persuaded that this is his way for which I suffer, and that he will return gloriously to Scotland; but it will be terrifying to many; therefore I intreat you be not discouraged at the way of Christ, and the cause for which I am to lay down my life and step into eternity, where my soul shall be as full of him as it can desire to be. And now this is the sweetest and most glorious day that ever my eyes did see.—Enemies are now enraged against the way and people of God, but ere long they shall be enraged one against another to their own confusion.' At this the drums beat a third time. When he set his foot on the ladder, he said, 'The Lord knows I go up this ladder with less fear and perturbation of mind, than ever I entered the pulpit to preach.' And when he was up, he sat down and said, 'Now I am near to the getting of my crown, which shall be sure; for I bless the Lord, and desire all of you to bless him, that he hath brought me here, and makes me triumph over devils, men and sin, they shall wound me no more. I forgive all men the wrongs they have done to me, and pray the Lord may forgive all the wrongs that any of the elect have done against him. I pray that the sufferers may be kept from sin, and helped to know their duty.' Then having prayed a little within himself, he lifted up the napkin and said, 'Farewel all relations and friends in Christ; farewel acquaintances and all earthly enjoyments; farewel reading and preaching, praying and believing, wanderings, reproaches and sufferings. Welcome joy unspeakable and full of glory. Welcome Father, Son and Holy Ghost. Into thy hands I commit my spirit.' Then he prayed a little and the executioner turned him over praying. Thus the Rev. and faithful Mr. Donald Cargill finished his course, and the ministry he had received of the Lord.

Mr.

*Smith's
execution.*

Mr. Walter Smith suffered with him. His testimony is also in the Cloud of Witnesses, to which I must refer the reader. He adhered to the very same cause with Mr. Cargill; and declared against the same usurpation of Christ's crown and dignity, and died with assurance of his interest in Christ, declaring his abhorrence

of Popery, Prelacy, Erastianism, and all the other steps of detestation. He went up the ladder with all the signs of cheartfulness; and, when the executioner was to unty his cravat, he would not suffer him, but untyed it himself, and, calling for his brother, threw it down, saying, This is the last token you shall get from me. After the napkin was drawn over his face, he uncovered it again, and said, 'I have one word more to say, and that is to all who have any love to God and his righteous cause, that they would set time apart, and sing a song of praise to the Lord for what he has done to my soul; and my soul says, To him be praise.' Then, the napkin being let down, he was turned over praying. Mr. Smith studied under the famous Leusden, who had a singular value for him. He drew up a paper containing twenty two steps of defecti- on; and, if these be considered, it will appear that few or none of the sufferers exceeded him in their testimonies against the encroachments, made at that day, upon the royal prerogatives of Christ as the Head of his Church.

Mr. Boig was next dispatched, and adhered to the same testimony, and died in the full assurance of faith. He concludes his letter to his brother with these words, 'Let this suffice, that I am once fairly on the way and within the view of Immanuel's land, and in hopes to be received an inhabitant there within the space of 26 hours at most. Farewel all earthly comforts; farewel all worldly vanities; farewel all carnal desires. Welcome cross, welcome gallows, welcome Christ, welcome heaven and everlasting happiness, &c. I have no more spare time. Grace, mercy and peace be with you. Amen.'

Mr. Boig's execution.

I do not find any thing recorded of the other two, viz. William Thomson and William Cuthil, when at the place of execution; but it appears, from their testimonies which are in the Cloud of Witnesses, that they continued, to the last, zealous against the tyranny and defections of the times. They had not the education of their three fellow-sufferers, and therefore, though they did not express themselves so accurately, that is to be excused.

Executions are usually attended with a vast croud of spectators. Among others who beheld this execution was Mr. James Renwick, who was the last that fell a sacrifice, in this period, in Scotland, to Prelacy and the bloody house of Stuart. Mr. Renwick was an early covert; for, having finished his academical studies, he was so tender in conscience, that he refused to take the oath of al-

Mr. James Renwick at his execution, Renwick's life by Shields.

legiance

1681.

legiance and supremacy; and therefore, with two others, he took his degrees privately at Edinburgh, where he remained, prosecuting his studies, attending on the then private and persecuted meetings, and continuing in unity with the ministers there, until he discovered their defections from many degrees of the covenanted Reformation, in accepting of indulgences, especially the banded indulgence after Bothwell. This brought him into great perplexity, neither knowing how to countenance them or to withdraw from them. But Mr. Cargill's execution made such an impression upon him, that he was determined to embark with these faithful martyrs, to tread in their steps, and in his station to defend their cause. Among other things he was grounded in this resolution, 'When he observed, says the writer of his life, how the council and courts of inquisition, by putting the question of owning the authority of Charles II. so generally and peremptorily to all prisoners, were pursuing a strange and singular piece of policy, to involve all whom they were persecuting in the guilt of their persecution, by owning that authority which promoted it:' therefore he and others examined the point, and soon found that Charles had forfeited all authority, by his perfidious breach of trust, and overturning all the fundamental constitution of the government, both in church and state, &c. And as the persecuted people kept societies for prayer and conference, Mr. Renwick joined one of these for a time, but found it necessary to withdraw, because they complied with the cess, and sought for a society that was free of all these compliances. We shall hear more of him afterwards. I go on now to

C H A P. VI.

Of the Duke of York's parliament; the test; the trial, condemnation and escape of the Earl of Argyll; the execution at the Gallow-lee, and other things to the end of the year.

THE execution of Mr. Cargill and his fellow sufferers, the day before the sitting of the parliament, gave but a melancholy prospect. Neither could any good be expected, when the Duke of York, a professed Papist, was commissioner.

The parliament sat down on the 28th of July, when, after reading of the king's letter, the commissioner delivered

The parliament sat down.

1681.

vered a speech, from which it appears that the chief designs of this parliament were to bear down separation, *i. e.* those who could not conform to the times, and secure the succession, that is Popery and Tyranny. The first was tacitly recommended in the king's letter, and the other in the commissioner's speech, though that, doubtless, might have come with a better grace from another.

Their first act was for securing the Protestant religion. This came of course; for most parliaments since the Reformation began with what they thought had a reference to the security of religion. Bishop Burnet says, The duke thought it would give a good grace to all that should be done afterwards, to begin with such a general and cold confirmation of all former laws.

By the second act, being Act asserting the right of succession to the imperial crown of Scotland, 'The estates of parliament, considering that the kings of this realm derive their royal power from God Almighty alone, do succeeded lineally thereto, according to the known degrees of proximity of blood, which cannot be interrupted, suspended, or diverted by any act or statute whatsoever; [this act then seems quite unnecessary] and that none can attempt to alter or divert it, without involving the subjects of this kingdom in perjury and rebellion, and without exposing them to all the fatal and dreadful consequences of a civil war, do therefore, &c.' I shall make no remarks here, farther than to observe, that, in about seven years hereafter, the whole island came to have no good-will to this lineal succession, and went into the measures attempted by some brave patriots in England, and put in practice the principles of liberty for which the sufferers in Scotland took joyfully the spoiling of their goods, and laid down their very lives.

Having thus settled their lineal successor, by their 3d act they offered a new supply to the king, because of the danger the kingdom was in by seditious and rebellious field-conventicles, and to support the army in bearing their own. I shall not trouble the reader with their act for securing the peace of the country; for, as it was Prelacy that ever disturbed the quiet of the kingdom, so it was impracticable to restore peace while that remained. Prelacy in Scotland, and the peace of the nation, have been always found inconsistent. By this act the fines for field-conventicles were doubled, and burgeses, besides their former fines, were to lose their burgeship or freedom,

1681.

dom, and be banished the town. But the act which made most noise was that which imposed the oath called the *test*, of which I shall speak a little more particularly, when I have mentioned some things that previously happened.

*Duke of
Rothés di-
ed.*

The day before this parliament sat down the Duke of Rothés died. When he felt the pangs of death he called for some of his lady's ministers; for it seems his own ministers were good to live with, but not to die with. Accordingly he had the assistance of the Rev. Mr. John Carstairs and Mr. George Johnstoun, who dealt with great freedom and faithfulness, rehearsing many wicked acts of his life. He said to Mr. Carstairs, We all thought little of what that man did in excommunicating us, but I find that sentence binding upon me now, and will bind to eternity. When Mr. Johnstoun was praying, several noblemen and bishops overhearing him in the next room, some of the former said to the bishops, He is a Presbyterian minister that is praying; the de'il are of you can pray as they do, though your prayers would keep a soul out of hell. In short, the noblemen were much affected, and Duke Hamilton said, We banish these men from us, and yet when dying we call for them; this is melancholy work!

*Alterati-
ons upon
this.*

Lauderdale's being out of the secretary's office, and the Duke of Rothés's death making great changes among the managers, the Duke of York's party came in, many of whom complimented him with their religion, and turned Papists. And no doubt the hopes of succeeding Rothés excited several to court the duke's favour; and by this means his royal highness got every thing carried in the parliament to his mind.

*Process of
error.*

On the 3d of August a process of error was commenced against several of the jury who had acquitted some of the heritors in the shire of Lanerk last March. All the jury got off except Alex. Gray and Ja. Bailie merchant in Edinburgh, and Ja. Gray of Waristoun, who were sentenced to have forfeited all their chattles and other moveables to his majesty's use, and to ly in prison for year.

*L. Halton
accused of
perjury;
Burnet;
P. 514.*

While public business was going on in the parliament, one stood up and accused Lord Halton, Duke of Lauderdale's brother, of perjury, on account of Mr. Mitchel's affair. He had in his hands the two letters which that lord had written to the Earl of Kincairdin, mentioning the promise of life that was made him; and as was told formerly, Lord Halton swore, at his trial, that no such promise was made.

made. The Lord Kincairdin was dead a year before this, but his lady had delivered up these letters to be made use of against Lord Halton. Upon reading them the matter appeared plain. The duke was not ill pleased to have Lauderdale and his brother thus at mercy, yet he would not suffer the matter to be determined in a parliamentary way; so he moved that the whole affair might be referred to the king; which was immediately agreed to. Thus, says the historian, that infamous business was made public, and yet stifled at the same time; and no censure was ever put on that base action.

Another vile discovery was made. Lord Bargeny, nephew to Duke Hamilton, had been imprisoned on account of the rising at Bothwell; the whole affair was laid before the parliament, and his lordship had full proof of every thing ready to produce; but the duke prevailed to have this likewise referred to the king, and it was never more heard of. This, says Burnet, shewed what Lauderdale's party were capable of. It likewise gave an ill character of the duke's zeal for justice and false swearing, though that had been the chief topic of discourse with him for above three years. He was angry at a supposed practice with witnesses when it fell on his own party; but now, that there were evident proofs of perjury and subordination, he stopt proceedings under pretence of referring it to the king, who was never made acquainted with it, or at least, never inquired after the proof of these allegations, nor ordered any proceedings against them.

The main business of this parliament was the act concerning the new test. The bill was brought in and voted in one day, viz. on the 31st of August, though the matters contained in it were of such importance as required the most mature deliberation. It had been promised, at the beginning of the session, that, upon passing an act for maintaining the succession, all the security they could desire for the Protestant religion should be given. Accordingly, when the first act relating to religion was read and passed, it appeared so general, that many thought it an insufficient security, and therefore a test was proposed for all that should be capable of any office in church or state, or of electing or being elected members of parliament, that they should adhere firmly to the Protestant religion; but then the court thought proper to burden this with a declaration against all resistance, a renouncing the Covenants, and an obligation to defend the king's rights and prerogatives,

1681.

L. Bargeny's affair dropt.

p. 515.

The test act.

1681.

and never to meet or treat of any matters, civil or ecclesiastical, but by permission from the throne, and never to attempt any alteration of the government either in church or state. This became matter of great debate, and with difficulty a clause was got in ratifying the Confession of Faith established by the first parliament of James VI. 1567. But then the king's lawful sons and brothers were expressly excepted from this test. In short the act passed by a majority only of seven votes.

*Argyll's
opposition
to the test
act.*

The Earl of Argyll, in reasoning upon the oath enjoined by the act, said, 'He was of opinion, that as few public oaths should be required as might be, and these as short and clear as possible; he thought a very small addition to the oaths in force these 20 years might suffice, since it is evident the oath of allegiance and declaration had effectually debarred all fanatics from places of trust all this time. It is true some Papists have swallowed them, but a word or two of addition might likewise hold out.' He likewise opposed the concluding clause excepting the lawful sons and brothers, and said, 'It is our happiness that the king and people were of one religion by law; he hoped the parliament would do nothing to loose what was fast, or open a gap for the royal family to differ in religion; and therefore wished, if any exception was made, it might be made particular for his royal highness.' But the commissioner rising up opposed this openly; whereupon the earl concluded with his tears, 'That, if this exception did pass, it would do more prejudice to the Protestant religion than all the rest of the act, yea, many acts would do good.'

p. 519.

I cannot here omit one thing taken notice of by Bishop Burnet, who says, that 'some proposed that there should be two tests; one for Papists with higher incapacities, and another for Presbyterians with milder censures. But that was rejected with much scorn, some making their court, by saying they were more in danger from the Presbyterians than from the Papists; and it was reported that Paterson, then Bishop of Edinburgh, said to the duke, that he thought the two religions, Popish and Protestant, were so equally stated in his mind, that a few grains of loyalty, in which the Protestants had the better of the Papists, turned the balance with him.' Well, the act passed, by which all in places of trust in church and state (the king's lawful brother and sons only excepted) were obliged to take the following oath by the first of January next, viz.

I N. N. solemnly swear in presence of the eternal God,
 whom I invoke as judge and witness of my sincere in-
 tention in this my sincere oath, that I own and sincerely
 profess the true Protestant religion contained in the Con-
 fession of Faith recorded in the first parliament of King
 James VI. and that I believe the same to be founded on
 and agreeable to the written word of God: and I pro-
 mise and swear, that I shall adhere therunto during all
 the days of my lifetime, and shall endeavour to educate
 my children therein, and shall never consent to any
 change or alteration contrary therunto; and that I dis-
 own and renounce all such principles, doctrines or prac-
 tices, whether Popish or fanatical, which are contrary
 unto and inconsistent with the said Protestant religion
 and Confession of Faith. And, for testification of my
 obedience to my most gracious sovereign Charles II. I
 do affirm and swear, by this my solemn oath, that the
 king's majesty is the only supreme governor of this
 realm, over all persons, and in all causes, as well eccle-
 siastical as civil; and that no foreign prince, person,
 pope, prelate, state, or potentate, hath, or ought to have,
 any jurisdiction, power, superiority, pre-eminency or au-
 thority, ecclesiastical or civil, within this realm; and
 therefore I do utterly renounce and forsake all foreign
 jurisdictions, power, superiorities and authorities; and
 do promise, that from henceforth I shall bear faith and
 true allegiance to the king's majesty, his heirs and law-
 ful successors; and to my power, shall assist and defend
 all rights, jurisdictions, prerogatives, privileges, pre-emi-
 nencies and authorities belonging to the king's majesty,
 his heirs and lawful successors. And I farther affirm
 and swear, by this my solemn oath, that I judge it un-
 lawful for subjects, upon pretence of reformation, or
 any pretence whatsoever, to enter into covenants or
 leagues, or to convocate, convene, or assemble in any
 councils, conventions or assemblies, to treat, consult or
 determine in any matter of state, civil or ecclesiastic,
 without his majesty's special command or express licence
 had thereunto, or to take up arms against the king, or
 those commisionate by him; and that I shall never so
 rise in arms, or enter into such covenants or assemblies:
 and that there lyes no obligation upon me, from the Na-
 tional Covenant, or the solemn League and Covenant,
 (so commonly called) or any other manner of way what-
 soever, to endeavour any change or alteration in the
 government,

1681.

The test.

1681.

government, either in church or state, as it is now established by the laws of this kingdom. And I promise and swear, that I shall, with my utmost power, defend, assist and maintain his majesty's jurisdiction foresaid against all deadly; and I shall never decline his majesty's power and jurisdiction, as I shall answer to God. And, finally, I affirm and swear, that this my solemn oath is given in the plain genuine sense and meaning of the words, without any equivocation, mental reservation, or any manner of evasion whatsoever; and that I shall not accept or use any dispensation from any creature whatsoever. *So help me God.*

Remarks.

If nothing could have been said against this abominable oath, but that the one part of it contradicted the other, that was sufficient to have deterred all from taking it. Thus the Confession of Faith, which here sworn to, asserts Christ to be the Head of the church; and says, 'in which honours and offices, if men or angels presume to intrude themselves we utterly detest and abhor them;' and yet it is sworn, that the king is the only supreme in all causes, as well ecclesiastical as civil. In the said Confession it is reckoned among good works, 'to honour princes, and rulers, to obey their charges, not repugnant to the commandment of God, to save the lives of innocents, to repress tyranny, to defend the oppressed, &c.' But here they not only swear to unlimited subjection, but declare it unlawful to take up arms against the king, or those having his commission, upon any pretence whatsoever. Mr. Wodrow justly observes, that this oath is a medley of Popery, Prelacy, Erastianism and self-contradiction; the National Covenant, the great bulwark against Popery, is thereby renounced, and Prelacy, and the utmost extent of the supremacy sworn to. Nay, they swear to maintain the Protestant religion, and yet to bring in a Popish successor. Though this oath was at first only designed for those in places of trust, yet it afterwards became an universal test of loyalty, and the foundation of great persecution, as shall be related. And though it may be thought surprising that so many fell in with this self-contradictory and wicked imposition, yet the multitude of wicked oaths, bonds and obligations imposed since the unhappy restoration, took off the impression on mens minds as to the solemnity of an oath: and since the wicked generation hath trampled upon the sacred Covenants of the nation, it is not

Art. xi.

Art. xi.

at all surprising though God gave them up to strong delusions, and the belief of lies.

1681.

It will not be improper to insert here what Bishop Burnet says on this subject, when relating the sense of the best of the Episcopal clergy: 'They were, says he, highly offended at the great extent of the prerogative in the point of supremacy, by which the king turned out bishops at pleasure by a letter. It was hard enough to bear this; but it seemed intolerable to oblige men by oath to maintain it. The king might by a proclamation put down even Episcopacy itself, as the law then stood, and by this oath they would be bound to maintain even that. All meetings in synods, or for ordinations, were hereafter to be held only by permission, so that all the visible ways of preserving religion depended now wholly on the king's good pleasure; and they saw that this would be a very feeble tenure under a Popish king. The king tied to all this by oath seemed very hard; and, when a church was yet in so imperfect a state, without liturgy or discipline, [the former argued no great imperfection, though the latter did] it was a strange imposition to make people swear never to endeavour any alteration either in church or state.'

p. 518.

When the test was thus imposed, and all were to swear it by the first of January, under the penalties of being forever declared incapable of any public trust, and of the loss of their moveable and liferent escheats, there were not many in public offices made any scruple, except the Earl of Argyll, of whom we shall hear in its proper place. The Earl of Queensberry, being a friend, was permitted to take the test with an explication. The Laird of Hopetoun, scrupling the oath, was divested of his office of sheriff of Linlithgow. The Duchess of Rothes was urged to take it, but she refused. The Duke of Monmouth also refused it. The Duke of Hamilton had his scruples concerning it, and was willing the council should name deputies in any jurisdictions belonging to him. There were likewise a few others whom I shall not here mention. The privy-counsellors took it on the 22d of September, repeating the words of the oath on their knees.

Several refused it.

But the opposition made by some of the conformable clergy made great noise. Bishop Burnet says, 'Some, or all of these exceptions, mentioned by him above, did run so generally through the whole body of the clergy, that they were all shaking in their resolutions. To prevent this

The clergy's conduct,

p. 518.

1681.

this an explanation was drawn by Bishop Paterfon, (one, says my author, of the most violent defenders of it) and passed in council. It was by it declared, that it was not meant that those who took the test should be bound to every article in the Confession of Faith, but only in so far as it contained the doctrine upon which the Protestant churches had settled the Reformation; and that the test did not cut off those rights which were acknowledged to have been in the primitive church for the first 300 years after Christ; and an assurance was given that the king never intended to change the government of the church. By this it was pretended that the greatest difficulties were now removed. But to this it was answered, that they were to swear they took the oath in the literal sense of the words; so that, if this explanation was not conform to the literal sense, they would be perjured who took it upon this explanation. The imposers of an oath could only declare the sense of it; but that could not be done by any other, much less by a lower authority, such as the privy-council was confessed to be: yet, when men are to be undone, if they do not submit to a hard law, they willingly catch at any thing that seems to resolve their doubts. About 80, continues the bishop, of the most learned and pious of the clergy left all, rather than comply with the terms of this law; and these were noted to be the best preachers, and the most zealous enemies to Popery, that belonged to that church. The bishops, who thought the refusing the test was a reproach to those who took it, treated them with much contempt, and put them to many hardships.

p. 519.

*Queries
of the mi-
nisters of
Aberdeen.*

It is certain, though the bulk of the prelatical clergy swallowed this oath, which shews what sort of men they were, yet several made the best stand they ever made before; particularly, the ministers of Aberdeen drew up some queries against the test, as, 1. How can I swear that the Confession of Faith is the true standard of the Protestant religion, &c. which forbids the resisting of the magistrate only conditionally, while they pass not over the bounds of their office, and says it is a good work to bear down tyranny? 2. How can I swear, that the king is the only supreme governor over all persons, and in all causes, when the said Confession obliges me to believe Jesus Christ to be the only Head of the Church, &c? 3. If I believe the present established church to be of divine and apostolic authority, how can I swear that it is in the
king's

1681.

king's power to alter or change the same? and, if it be in its own nature indifferent, how can I swear to that which the king can alter at his pleasure? 4. How can I swear to defend the king's privileges and prerogatives, till I know and consider whether they be consistent with the principles of religion, &c.? 5. How can I swear that I judge it unlawful, upon any pretence whatsoever, to enter into leagues and covenants without the king's consent, when it was lawful, in the first days of Christianity, to enter into a covenant with Christ; and a league with one another, though not to cast off the yoke of secular princes, yet to cast off the yoke of Judaism, Paganism, and Idolatry, even contrary to the express command of earthly sovereigns? And, should Popery prevail, would it be unlawful for subjects to enter into covenant for shaking off the Roman yoke? Does not that clause in the test, condemn our Reformation in Scotland? 6. Can I swear sincerely that I judge it unlawful for subjects to meet in order to consult or determine in any matter of state, civil or ecclesiastical, when I have no security, from the test or laws of the land, but that clause may comprehend the assemblies and meetings for the worship of God, and the ordinary exercise of discipline, especially when all the ecclesiastical meetings are put in the king's hand by the act November 16. 1669, &c.? And, should our meetings for worship and discipline be, in process of time, forbid, would it be unlawful to meet with one another for these purposes? 7. Can I swear that I am under no obligations to endeavour any alteration of the government in church or state, as now established? It must be a perfect constitution that needs no change in any circumstances, and yet an alteration in circumstances is a change; yea, the Confession prescribed in the test says; that no policy or order of ceremonies in the church can be appointed for all ages, places and times, because what is now convenient may prove burdensom at another time, or in other circumstances. May I not pray to God Almighty to put into the hearts of men to reform what is amiss? and yet to pray is some sort of endeavour. What if the king's power in national synods, by act of parliament, be destructive of the true church-power? What if there be something in the act of restitution of bishops to be amended? Is there no more in this test than in the acts of parliament, or former oaths upon which it is founded? In the acts against assembling the king's lieges this clause is add-

1681.

ed. (except in ordinary judgments) but there is no such clause in the test, by which I swear, that I judge it unlawful to convene or assemble upon any pretence whatsoever, even though to worship God with others. In the declaration it is said, there lyeth no obligation upon me from the Covenants to endeavour reformation; but the test adds, or upon any other manner of way. May I not be under some obligations, though from neither of the Covenants? And, though I be under no obligation for the present, may I not be under some afterwards? If there be no more in this test than in former oaths, why is it imposed on those who took the declaration, &c.? To all this might be added the evil of imposing and multiplying oaths.

There were several other things published at this time, by some of the conform clergy, against the test. The Bishop and synod of Aberdeen, the Bishop of Dunkeld and synod of Perth, published their respective explications of this oath, declaring the sense in which they took it. This unexpected stir among the clergy made the managers look about them, so that, as we have heard, Bishop Paterson and the council made a sort of explication of it, which was approved of by the king: however, the generality went into it; so that those who refused it were exposed to persecution, and several quitted their charges; for the council made an act requiring the patrons to provide fit and qualified persons in the room of those who should undutifully refuse to take the test betwixt and the first of January, certifying, that, if the patrons did not comply with this, they should be esteemed persons disaffected to his majesty's person and government. I shall only remark, that, if some of the conformable clergy, who for once became rescuants, began to feel a little of the wholesome severities of the managers, the reader cannot be surpris'd at the sufferings of the Presbyterians.

Mr. Gabriel Semple.

During these proceedings about the test several occurrences happened, which it will not be improper to relate. Accordingly, on the first of October, Mr. Gabriel Semple, who had been prisoner for sometime, was, in consequence of a petition he presented, ordered to be released upon bond to appear when called under the penalty of 10,000 merks. This worthy minister was son of Sir Bryce Semple of Cathcart, and was ordained minister of Kirkpatrick-Durham, from which he was ejected by the Glasgow act. He then repaired to the house of Corrack, where

he

1681.

he preached to all that came to hear him; but the numbers were so great, that he was obliged to take to the fields and preach there; and these were the first field-meetings in Scotland. When he found himself obliged to leave that house, Mr. John Welsh continued and kept up those meetings in the open fields from mere necessity. Soon after Mr. Semple returned to Galloway, joined Mr. Welsh, and continued preaching along with him till Pentland. About a year after that, being intercommunicated, he went to Ireland, and from thence to the borders of England. After absconding some time he preached at Haselridge and dispensed the Lord's supper, having Dr. Rule and another minister from Berwick assisting him. As the incumbent of Foord was a poor melancholy person, Mr. Semple, through the good nature of several gentlemen in the neighbourhood, had possession of that church for some years, and dispensed the word and sacraments with great success among the rude borderers. He continued there till the death of his consort, the daughter of Sir Walter Riddel of Riddel, so that a little before Bothwell he returned to Scotland, but the divisions in the west-country army prevented his joining in that enterprise. He was apprehended by a party of the guards, being then ill of an ague. Nevertheless he was carried to the Canon-gate prison, where he continued till the parliament this year was up. Soon after he was released he was called before a committee of the council, on pretence that his petition was forged. The clerk, in reading it, added some words of his own. Mr. Semple, being asked if he owned that petition, desired to see it; and, observing that it was the same he had given in, but that the clerk had read it otherways than it was, declared that that was the paper he had given in, thanked them for his liberty, and prayed for the spirit of grace and government to his majesty; then he was dismissed, without being obliged to renew his bond for his appearance. But now unjustly people were ensnared at this time must be left with the reader. In a few weeks he was again summoned before them; but by the advice of his friends, he went to England, and continued there till the king's death. After the Revolution he was settled at Jedburgh, where he finished his course with joy 1706. But to return,

On the 7th of October Robert Garnock hammerman in Sirling, Patrick Forman in the parish of Alloa, David Fairie, James Stuart, George Lapley and Alexander Rus-

*Five con-
demned
and exe-
cuted.*

1681.

fel were before the justiciary. They had all disclaimed the king's authority, and now adhered to their confessions, and were sentenced to be hanged at the Gallow-lee, between Leith and Edinburgh on the tenth. George Lapsley got off, by means of some, who, being imprisoned for debt, and could not endure the godly exercises of the sufferers, broke prison for them, whereby severals made their escape. Robert Garnock had been two years in prison. James Stuart was but a youth; he happened to come from the west to see a relation who was in prison at Edinburgh; his friend got out, and he, being found in the room, was brought before a committee of the council, and soon ensnared by their questions. When he was silent as to some things, Sir George MacKenzie threatened to pull his tongue out with a pair of pinchers. How hard it was to take up persons against whom no matter of fact could be proved, and to condemn them to death upon the answers they gave to their ensnaring questions, must be left with the reader. Before the jury withdrew, the prisoners gave them a signed protestation, advising them to consider what they were doing, and declaring that they were no rebels, nor disowned any authority which was according to the word of God, and Covenants which the land was bound by. They charged them to consider how deep a guilt Covenant-breaking was, and put them in mind that they were to answer before the Great Judge of all for what they did in this matter. And, after mentioning several acts of their injustice and cruelty, they assured them that their blood would one day ly heavy upon them. However, the jury brought them in guilty, and, except George Lapsley, they were all executed at the Gallow-lee, according to their sentence. Their testimonies are in the Cloud of Witnesses. The reason why the place of execution was changed, was because the multitude of executions at the cross and Grass-market drew such a number of spectators, who were so much moved at the conduct of the sufferers, that it was thought expedient to put them to death where the most notorious malefactors used to be executed. Their bodies were buried under the gallows, and their heads and hands set up on the Pleasants port.

*Their
heads af-
terwards
buried*

1726.

Mr. James Renwick was a spectator of this execution, and, being now much esteemed by the suffering wanderers, to whom he had joined himself, he assembled some friends, and removed the bodies of these five martyrs.

1681.

in the night-time, and interred them in the West-church-yard of Edinburgh. They likewise took down their heads and hands, but, not being able to bury them with their bodies, they interred them in the garden of one A. Tweedie, who was with them, where they lay till the 7th of October 1726, when they were taken up and buried on the 19th. P. Walker, who was present, gives a particular account of this interment, which I do not think material to insert here.

On the 8th of October, the council, being informed that many heritors, who had been forfeited in absence for Bothwell, resided at or near their own dwelling-houses, issued a proclamation for apprehending and bringing to justice all mentioned p. 90, 91, together with Gilbert MacIlwraith of Dumchory, Thomas MacJarrow of Bar, John MacJarrow of Penjarrow, Henry MacJarrow of Athalbany, Geo. MacChir of Benham, Henry MacIlwraith of Auchinflour, John Alexander of Dumachry, MacUnken in Kilkertoun, Allan Bowy of Drumley, James Wood in Ayr, Pat. MacDougal of Freugh, Messrs. William and Alex. Gordons of Earlstoun, Mr. Will. Ferguson of Kaitloch, Dumbar younger of Machriemoir, John Bell of Whiteside, John Gibson of Auchinehero, Gibson younger of Ingliftoun, Gordon of Dundeach, Grier of Dalgonar, Smith of Kilroch, MacClelland of Balmagachan, Gordon of Craigie, Lenox of Irelantoun, Gordon of Barbaran, John Fowbertoun of Auchinrie, David MacCulloch son to Ardwell, Will. Whitehead of Milnhouse, John Welsh of Cornley, Neilson of Corrack, Rob. MacClelland of Barcob, his brother Samuel, Fullertoun of Nethermill, Geo. MacCartney of Blasket, Gordon of Garrery, Gordon of Knockgray, Herron of Littlepark, Gordon of Holm, Gordon of Overbar, John MacNaught of Culgnad, Murdoch, alias Laird Murdoch, Andrew Sword in Galloway, and John Malcolm in Dalry in Galloway.

On the 11th of October, John Drysdale, James Pollock, James Wharrey, and John Anderson, were banished for conventicles. Nothing could be proved against them, only they would not swear against themselves.

The encouragement given to informers procured great trouble to the non-conformists. There was particularly an idle wicked fellow, one Greenshiels a weaver, who offered his service to some of the counsellors; accordingly orders were given to the commanding officers at Glasgow to furnish this new tool with what men he pleased. Having

Proclamation against forfeited heritors.

Some banished.

Greenshiels.

1681.

ing got a party of about 20 soldiers he came about midnight to the house of Douchal in the parish of Kilmacolm. The gentleman asking the reason of their disturbing him at that time of night, Greenshiels told him he had orders to search his house for field-preachers, &c. The doors were opened, but none could be found: however the gentleman was obliged to suffer them to quarter upon him for several days, till they had consumed most of the family provisions. At last they rifled the house, took away the silver spoons and knives, and then retired. It is true Greenshiels was taken, and, the spoons being found about him, was ordered to be whipt. This was one piece of justice. The reader may judge what the encouragers and employers of such a villain must deserve.

*Duke of
York's se-
cond pro-
gress.*

Some time in this month of October the Duke of York made another progress to the west, and declared himself much pleased with the respect that was paid him, and the entertainment he met with; but it seems he soon forgot all this, when he afterwards declared that it would never be well till all the south-side of Forth were made a hunting-field. His mirth was interrupted by a protest that was put into his hands by one of the societies, as he was going along the street in Glasgow. In this paper, They protested against the king in all his tyranny, heading, hanging, &c. the people of God; against the test, and welcoming a Papiſt to Scotland with a draught of the blood of the saints at two different times, &c. whereas they say they ought to be punished with such loading punishments as the word of God allows to be inflicted on profest idolaters, &c. The duke, upon reading the paper, did not think it proper to take much notice of it for the present. However, it made him fullen and pensive; so that he hasted from Glasgow as soon as he could; and it is remarkable, that none concerned in it were ever discovered.

*Sir Pat.
Hepburn.*

*Mr.
Veitch,
&c.*

On the 3d of November Sir Pat. Hepburn of Blackcastle was fined in 200 l. sterling for harbouring and conversing with Mr. Semple. The same day Mr. John Hutchison, indulged at Dundonald, Mr. James Veitch at Mauchlin, and Mr. Robert Miller at Ochiltree, were charged for breaking their instructions, and excommunicating, or debarring from the Lord's table, those who had taken the declaration and bond of peace, and renounced the Covenants, and, not appearing, were ordered to be denounced and put to the horn. On the 24th Mr. Veitch appeared

1681.

peared before the council, and petitioned against the said sentence; but the advocate brought a new charge against him, for taking parents engaged, when he baptized their children, to bring them up according to the Covenants and for breaking his confinement. Mr. Veitch pleaded Not guilty; and, no proof being ready, was acquitted. Mr. Hutchison got not so well off; for when he appeared, some months after, and refusing to answer upon oath to his charge, was deprived of his indulgence. The same day Tho. Crawford was released from a long imprisonment; but Mr. Tho. Archer was still kept in hold until they should get witnesses against him. We shall hear more of him afterwards.

Matters were now come to a very low pass: for, on the one hand, the generality of the Presbyterian ministers had so far complied with the indulgence, that they who strictly adhered to the principles maintained by Mr. Cameron and Mr. Cargill had no freedom to submit to them; and having none now to officiate among them as ministers, since the martyrdom of Mr. Cargill, they judged it expedient, in their present distressed circumstances, to form themselves into societies; and the better to maintain the common cause of religion and liberty, they united in a general correspondence, to be kept up through the shires severally, and all the shires conjunctly, where such as owned their testimony against Popery, Prelacy, Erastianism and Tyranny, resided. By this means, though they were still the more open to the resentment of their persecutors, yet they attained to a better understanding of one another, and were in a capacity to contribute more to their mutual advantage. They had their first general meeting, on the 15th of December this year, at the Logan-house in the parish of Lesmahago in the shire of Lanerk, where they agreed upon their testimony against the last parliament, the Duke of York, a Papist, as being commissioner, and appointed it to be published at the market-cross of Lanerk, on the 12th of January next year. They held their general meetings once a quarter, or oftner, as they could most conveniently.

But the most remarkable thing about this time was the prosecution of Archibald Earl of Argyll for his explication of the test, which he had before opposed in parliament. This noble peer was the representative of one of the most ancient and powerful families in Scotland; and, by reason of the offices he held, was comprehended under the test act.

*General
correspon-
dence.*

*Prosecu-
tion of the
Earl of
Argyll.*

1681.

*The earl's
explicati-
on of the
test.*

act. When the earl was at Edinburgh he was ordered by one of the clerks of the council to attend next council-day, being the 3d of November, and take the test. The earl upon this, went to the Duke of York, and complained of this treatment, since the time appointed by the parliament was not yet expired; but all was to no purpose. The Duke wanted to get rid of this noble peer, who stood in the way of his designs. However, matters were so managed, that the earl, with the approbation both of the duke and council, was permitted to take the oath with an explanation, which indeed was no more than the council themselves had done, as has been related, which makes their treatment of him the more base and unaccountable. Accordingly, on the third of November, his lordship came to the council, and, with a loud voice, made the following explanatory declaration, 'I have considered the test, and am desirous to give obedience as far as I can. I am confident the parliament never intended to impose contradictory oaths, therefore I think no man can explain it but for himself. Accordingly I take it in as far as it is consistent with itself and the Protestant religion; and I do declare I mean not to bind up myself, in my station, and in a lawful way, to wish and endeavour any alteration I think to the advantage of the church or state, not repugnant to the Protestant religion and my loyalty; and this I understand as a part of my oath.' Then the oath was administered to him, and immediately he took his place as a privy-counsellor. Next day he waited on his royal highness, by whom he was told that his explanation did not please him; that he thought it was to be a short one, like Queensberry's, and added, Well, it passed with you, but it shall pass so with no other. The earl understood this as an acceptance, and that, if he had committed any fault, the duke had passed it over, and would push the matter no farther. But his lordship was mistaken; for a design was formed to prosecute him for high-treason on account of his explanation; and the same day Argyll was called before the council, as a commissioner of the treasury, again to take the test. Whether this was not requiring a vain repetition of the oath must be left to the reader. The earl offered to take the test as before; whereupon a member of the council desired the words might be repeated. His lordship, observing a design upon him, declined repeating, till being urged by the duke, he told that he had committed to writing what he had delivered, to

*was dis-
pleasing.*

*A copy of
it produ-
ced.*

prevent

1681.

prevent mistakes, which was produced and read. Argyll would have signed it, but, perceiving their intentions, he waved that; upon which he was removed; and, after they had concerted their measures among themselves, was called in again, and told, that he had not given the satisfaction required by the act of parliament, and so could not sit in council, nor act as a commissioner of the treasury. His lordship made a proper reply, and removed. Next morning he waited on the duke, and expressed his surprize, that what he had said in his explication should be thought a crime. The duke said, That the words were unnecessary and groundless; and that he was not tied up by the oath as he imagined; and, after a pause, added, As I have already told you, you have cheated yourself, you have taken the test. Then the earl answered, That he hoped his highness was satisfied. The duke then complained that the earl had not voted the council's explication. Argyll answered, That he was not present at the debates. The duke insisted, that he could not but understand the affair, and added, with a frown, You, with some others, have designed to bring trouble upon a handful of poor Catholics, that would live peaceably however they were used; but it should light upon others. This was plain dealing, and shewed what was to be expected when he should have the whole management in his own hands. They parted, after the duke had laid his commands on him not to go out of town till he saw him again, which his lordship complied with.

A conference between the duke and the earl.

The design against the earl being now formed, he was ordered that same night to continue at Edinburgh till next council-day, which was November 8th, when the council sent one of their clerks to command him to enter himself prisoner in the castle of Edinburgh before 12 o'clock next day, which he also complied with, and ordered the advocate to pursue him for treason, or such other crimes as shall be thought convenient, as the act of council more fully bears; and at the same time they wrote an account of their proceedings to the king; but it is remarkable, that they ordered this noble peer to be prosecuted, as above, before they had any permission from the king. On the 22d of November the king's letter, dated November 15th, was read in council, in which he signified his approbation of their proceedings against the earl; only required them to acquaint him before they came to any sentence. But, before the council had this return, Argyll was summoned

He was imprisoned and ordered to be prosecuted.

Strange proceedings.

1681.

to answer a charge of leasing-making, and depraving the king's laws. And such was the baseness of his lordship's persecutors, that they pretended, nay, one of them told him, that nothing was intended against him but to take his heritable offices from him. And when the Duke of York was told that it was hard measure; upon such grounds, to threaten such a person with the forfeiture of life and fortune, he answered, Life and fortune! God forbid; and, if he was privy to the designs then formed, he acted only suitable to his religion. When the king's letter was received, the advocate was appointed to form an indictment for treason and perjury, as leasing-making and depraving the king's laws, to which he was to answer, before the lords of justiciary, on the 12th of December next.

His indictment read, &c.

On the 12th of December his lordship was brought before the justiciary, consisting of the Earl of Queensberry justice-general, Lords Nairn, Collingtoun, Forret, Newtoun and Kirkhouse. The indictment was read, in which he was charged with declaring against and defaming the act enjoining the test, by insinuating that the parliament had imposed a contradictory oath, and that the said oath was inconsistent with itself, and with the Protestant religion, and consequently that the king and parliament had acted inconsistent with the Protestant religion; and for treasonably invading the royal legislative power, &c. as the indictment itself more fully bears. An unbiassed reader, by comparing this nobleman's explication with his indictment, will see that the crimes charged upon him were without any solid foundation. Sir George Lockhart and Sir John Dalrymple pleaded with great accuracy and judgment for the earl, so that the debates continued till nine o'clock at night. There were but four of the lords with the justice-general at the debates. The Lord Nairn, who was then old and infirm, could not continue all the time of the trial, and so went home to bed. The Lords Collingtoun and Kirkhouse insisted that the earl was not guilty of leasing-making and treason, and the other two *viz.* Newtoun and Forret, insisted that he was. Queensberry notwithstanding to give the casting vote against the Earl. Nairn was brought from his bed to the court, that numbers might supply the want of law and reason, and gave his vote against the earl. It was two in the morning before these things were over, and then they adjourned till next day, when the lords pronounced their interlocutor, where

Interlocutor pronounced.

they declared the earl's defences, with respect to perjury, to be sufficient, but not with respect to treason and leasing-making.

1681.

The paper delivered by the earl, containing his explanation of the test, was then produced as evidence against him; whereupon the jury withdrew, and in a little brought in their verdict that the earl was guilty of treason, leasing-making and leasing-telling, but not guilty of perjury. The council, upon this met, and wrote an account of what had passed to the king; from all which it is evident that a design was formed against the earl's life. Bishop Burnet says, 'No sentence, in our age, was more univervally cried out on than this. All people spoke of it, and of the duke who drove it on, with horror. All that was said to lessen that was, that Duke Lauderdale had restored the family with such an extended jurisdiction, that he was really the master of all the Highlands; so that it was fit to attain him, that, by a new restoring them, these grants might be better limited.'

Brought in guilty.

p. 521.

However, all his friends were of opinion that he ought to provide for his safety. A gentleman was dispatched to court by the earl, who, as soon as the king's mind, in answer to the council's letter, was known, came off, and outrode the bearer of it. By him Argyll found that the sentence of death was to be passed upon him, and that the king would be prevailed with to yield to the execution; nay, before the gentleman's arrival, his lordship had notice, that on the 21st he was to be sent to the common jail, to which peers used to be removed a few days before their execution: and therefore, on Tuesday the 20th, about eight in the evening, he came out in disguise, and very narrowly escaped.

Made his escape.

When the earl got out, he rode, without stopping, to a country ale-house near the house of Mr. George Pringle of Torwoodlee, who, by concert, was to meet him there, and conduct him to Mr. William Veitch's house in Northumberland. The earl went by the name of Mr. Hope.

Mr. Hope and Mr. Pringle came safe to Mr. Veitch's, while he was at Berwick visiting his friends, and continued there till Saturday se'ennight when Mr. Veitch came home. The beginning of the following week Mr. Hope, Mr. Veitch and two servants set out for London; but they were obliged to part with the two servants on the road, to prevent suspicion, for the alarm of the earl's

Got safe to London,

1681.

escape was now general, and a reward of 500 l. was offered to any who should apprehend him. - However, he and Mr. Veitch got safe to Battersea near London, where they were conducted to the house of one Mr. Smith a sugar-baker, whose lady was a gentlewoman of great piety, prudence and generosity. He continued concealed in and about London till he got over to Holland. Bishop Burnet says, 'One that saw him knew him, and went and told the king of it; but he would have no search made for him, and retained still very good thoughts of him.' But to return to Edinburgh.

p. 522.

*Sentence
of death
passed up-
on him.*

The day after Argyll's escape the council issued a proclamation for apprehending him; a copy of which they sent to the king, and next day had a return to their former letter, wherein his majesty, as an evidence of the good thoughts he had of the earl, allowed sentence of death to be passed upon him. Accordingly, on the 23d, the lords of justiciary, by virtue of an order of council, whose tools they were, passed sentence accordingly, ordering the earl to be executed, when apprehended, in what manner the king should appoint. The parliament, after the revolution, was so sensible of the injustice of this sentence, that they not only repealed his attainder, but also allowed his son to bring action of damages for a considerable sum against the heirs of those judges who condemned his father. I shall only add here, that it was upon this sentence that Argyll was executed 1685, as shall be related in its proper place.

*Ministers
persecut-
ed.*

When the managers were disappointed by the earl's escape, they went on to persecute the Presbyterians, especially their ministers, many of whom had not accepted the indulgence; and though they did not chuse to preach in the fields, because of the severity of the times, yet they preached as frequently in houses as they could with conveniency. The Duke of York mightily cared for the bishops, and supported them in all their measures against their non-conform brethren; for it is the pleasure of Papists to see Protestants devouring one another, so that there was scarcely a Presbyterian came before the council that met with any favour. This appeared very evident in the case of the Rev. Mr. Fraser of Brae.

*Mr. Fra-
ser of
Brae.*

This minister had been informed against for a field-conventicle, whereupon he and his bail were summoned before the council in November last; but, some of the members being assured that it was only a house-conventicle,

the

the citation was dropt. Mean while, when Mr. Frazer went north, he was seized with an ague. His bail, Sir Hugh Campbell of Calder, proposed writing to the advocate, or Bishop Paterson. Mr. Frazer was against this, because, as he told Sir Hugh, did the prelates hear of his indisposition, they would push his citation the harder, that, in case of non-appearance, his bond of 5000 merks might be forfeited, &c. Nevertheless the gentleman wrote to the bishop, acquainting him that Mr. Frazer had not preached in the fields, and was now dangerously ill.

1681.

The bishop, upon receiving this letter, ordered matters so, that next day Mr. Frazer was summoned to appear before the council on the 22d of December. Sir Hugh was a gentleman of a good estate, and had been bail for Presbyterian ministers for upwards of 1700 l. sterling; and therefore they expected that Mr. Frazer would not be able to attend, and Sir Hugh's bond for 5000 merks would be forfeited; but Mr. Frazer, rather than his bail should suffer on his account, notwithstanding his own indisposition, the inclemency of the season, and the danger his life was in, considering what stretches had been made in the case of Argyll, undertook the journey, and came to Edinburgh the day before the time appointed for his appearance.

Summoned before the council.

The bishops and council were not a little surpris'd to see him at the bar. After some silence his indictment was read, wherein he was charged with preaching in the fields, and without authority and venting pernicious and rebellious principles, &c. and for proof, the matter was put to his oath. He desired a delay for a few days, but that was refused. However, he obtained liberty to speak, and in his speech told them that he had not preached in the fields since he came from the Bass, nor yet without authority; that he had never preached seditious principles, nor doctrines inconsistent with the Scripture and the Confession of Faith compos'd in James VI. time, which he conceived the last parliament had ratified; that he acknowledged magistracy as an ordinance of God, and owned the king's authority, even in ecclesiastical matters, as the nursing-father of the church; but that it remained undeniable that this power of the magistrate was not privative of an intrinsic power in the church, granted her by Christ, for preserving and edifying herself; that he could not comply with the government of the church by archbishops and bishops, &c. and that, as to his practice,

Made his appearance.

he

1681.

he endeavoured to keep a good conscience both before God and man, &c.

Fined.

Some of the counsellors were for releasing him; but the bishops were against it, and represented him as a dangerous man, that ought to be made an example of for the terror of others. They were intrusted with the drawing up of his sentence, by which he was ordered to pay 5000 merks for conventicles, and to be sent to Blackness till he paid it. While he was imprisoned at Edinburgh he preached to the prisoners on the Lord's day. All his petitions for liberty were for some time rejected; so that,

Imprisoned.

after he had been six weeks in prison at Edinburgh, he was sent to Blackness castle, where he continued about seven weeks more. When the Duke of York returned to England his friends embraced that opportunity to intercede for his release, upon giving bond that he should leave the kingdom. Accordingly he was released and went to London, where we shall meet with him again.

Released.

C H A P. VII.

Of the declaration at Lanerk; some farther proceedings about the test; the actings of the council against conventicles; the public executions; and other branches of persecution during the year 1682.

1682.

BY the act of parliament last year persons in public offices had till the first of January this year to take the test; and though some few Papists refused it, yet care was taken of them by the Duke of York and his creatures, so that they were no great losers, which was not the case with Protestant recusants.

Several forfeited.

On the 5th of January the Laird of Meldrum, being appointed sheriff-depute of East-Lothian, was empowered to use all methods possible for suppressing conventicles there. On the 7th the council sent a list to the king of those offices and jurisdictions which were become vacant by the refusal of the test, and of those whom they thought were fit to succeed in them, which his majesty approved of. On the 9th the sentence of forfeiture was pronounced by the justiciary against Geo. Arthur of Bunnahill, James Ure of Shargartoun, Donald Connel in Bucklyvie, heritors in Stirling-shire, Thomas Ruffel of Middleridge, Ed. Marshal of Kaemuir, John Taylor elder in Holehouse, John Shaw son to John Shaw of Easter-Greenhill, Geo. Mochrie feuar of Stonrig, and Tho. Ferguson of Finnarts,

in the shire of Ayr. These gentlemen were singled out among many others, who, in November last, were appointed to be prosecuted before the justices for being accessory to Bothwell.

1682.

The last of those gentlemen was not accessory to Bothwell; he had an estate, and was a Presbyterian. The only proof of any such thing was, that two men swore, that, a little before Bothwell, a boy came from a house in Ballantrae, where Mr. Ferguson was, and warned all the neighbourhood, who had a mind to join the party in arms, to repair to the said house to receive money and arms: but, had this been true, the reader is to judge for himself, whether it was a sufficient ground for a forfeiture of life and fortune. Many were the hardships he and his family were put to after this.

Mr. Ferguson of Finnarts.

The sufferings of the family of James Ure of Shargartoun were likewise very considerable during this period. His house was frequently pillaged by parties of soldiers. When he was forfeited after Bothwell, where he behaved with courage, his rents and moveables were all seized, and many times parties were in search for him, but he happily escaped. His mother, a gentlewoman about 70 years of age, was put in prison at Glasgow, where she died, notwithstanding all the interest that was made for her. Mean while 100 l. Scots was offered to any who should apprehend Shargartoun dead or alive; but he escaped to Ireland, where he continued half a year. Then he ventured home, but was obliged to conceal himself in the fields; so that, during the winter 1684, he lay in the wood of Balquhan for several weeks. His lady was apprehended for conversing with her own husband, and carried prisoner to Stirling, with a sucking child on her breast, and from thence to Edinburgh, and put into the Canon-gate jail. At last the managers, being ashamed of this piece of conduct, thought fit to release her. Shargartoun survived his troubles, and lived till after the unnatural rebellion 1715, when he saw vengeance overtake some of his persecutors.

Sufferings of the family of Shargartoun.

On the 12th the council ordered letters to be wrote to the patrons of 21 parishes, now vacant by the ministers refusing the test, to plant them with proper persons with all convenient speed; so that here were 21 of the prelati- cal clergy who scrupled the test. However, some of them got their scruples removed, particularly Mr. Alex. Wood minister of Cockpen, who, upon taking this oath,

Vacant parishes.

1682.

Declaration at Lanerk.

Informatory vindication, edition

1744.

p. 91, &c.

was ordered to get a new presentation to his parish. The same orders had been given to the magistrates of Aberdeen with respect to the ministers there. On the 12th of January the declaration appointed by the society of general correspondence was published at Lanerk according to their order; of which the following is a short abstract.

‘ Although we ought to take in good part whatever God in his infinite wisdom hath—carved out unto us,—and acknowledge government and governors as ordained by him, in so far as they rule and govern according to the rules set down by him in his word, and constitutive laws of the nation;—yet when all these laws—are casted and annulled by pretended laws, and the highest usurpation, and an explicable prerogative in matters ecclesiastic, and arbitrary government in matters civil, is arrogate, when a banner of impiety, &c. is displayed,—when the parliaments—are so prelimited by law, as that no true son of the state or church hath liberty to sit and vote there.

‘ —What shall the people do in such extremity? Should they give their reason as men, their consciences as Christians, and resign their liberties, fortunes, religion, and their all, to the inexorable obstinacy, incurable wilfulness and malice of those who, in spite of God and man,—are resolved to make their own will the absolute and sovereign rule of their actions? shall the end of government be lost through the weakness, wickedness and tyranny of governors? — Have not the people, in such an extremity, good ground to make use of that natural and radical power they have to shake of that yoke?—

‘ Which accordingly the Lord honoured us (in a general and unprelimited meeting of the estates and shires in Scotland) to do: a convention of unprelimited members; a convention of men who had only the glory of God and the good of the commonwealth before their eyes.

‘ At which convention he was most legally, and by general consent, cast off by the declaration at Sanquhar.

‘ But that we may not seem to have done that, or yet to do the like, upon no grounds, — we shall hint at some of the many thousands of misdemeanors of the new cast off tyrant.— And, 1. at his very entry, — at one blow, in his first parliament, he cut off the neck of that noble constitution of church and state which our noble and worthy ancestors had made. 2. Did he not take to himself a licentious privilege, the exalting himself into a sphere exceeding all measures divine and human, both

in matters civil and ecclesiastic, making us a laughing-stock to the nations,—who say, we have only the law of letters instead of the letter of the law? 3. Hath he not adjourned and dissolved parliaments at his pleasure? 4. Hath he not seated himself as supreme head over all persons civil and ecclesiastic,—and oppressed the godly for conscience sake?—5. Time will fail us to narrate what exorbitant taxes, cessings, &c. dilapidating the rights and revenues of the crown, for no other end but to employ them for keeping up a brothel rather than a court.—6. He hath, in a late parliament, secured the succession to such a one, if not worse than himself, formed the test, &c. In the conclusion, they offer to prove that they have done nothing contrary to the ancient laws of the kingdom; but only endeavoured to extricate themselves from a yoke of tyranny, and to reduce church and state to what they were in 1648, 1649.

In the Informatory Vindication some expressions are acknowledged to be very exceptionable, such as the attributing to the publishers of the Sanquhar declaration the title of a convention of estates; and, in other expressions, seeming to appropriate authority to its own author: and, as to the matter of the declaration relating to their renouncing the authority that then was, enough has been said already. There were several present at the publication of this in arms, when a copy of it was fixed to the market-cross. Mr. James Renwick was employed in proclaiming this, but had no hand in drawing it up; otherways, says the Rev. Mr. Shields, in some things it had been more considerately worded; for though he approved of the matter of it, and the reasons given for disowning the authority of the tyrant, yet he always confessed there were some expressions in it very unadvised. It was here they burnt the test and the act of succession.

When the news of this came to Edinburgh, the council, on the 14th of January, wrote to the king an account of the declaration that had been published, and made an order for burning the Solemn League and Covenant, the declarations published at Rutherglen and Sanquhar, and this at Lanerk. This was done with great pomp. A large theatre was erected at the cross, and some of the magistrates attended in their robes until these papers were burnt by the hangman; but it was taken particular notice that the Bailie of Edinburgh, who attended on this service, and who gave the Covenant into the hands of the

p. 43

*Renwick's
life, p.
17.*

*Solemn
League
and Co-
venant,
&c. burnt
at Edin-
burgh.*

1682.

executioner, had all his houses in the Parliament-cloister which were reckoned the most stately in Europe, soon after reduced to ashes. Though all pains was taken to suppress the flames, yet they baffled every attempt, until those houses were laid in ruins.

Major
White's
instructions.

The town of Lanerk was fined in 6000 merks for not hindering the declaration to be published there, though it was not in their power to prevent it, and the shire suffered exceedingly on this account; for Major White was ordered to march thither with some forces, and, by the instructions he received, was empowered to get a list of all forfeited persons, to inform himself of the haunts and lurking places of the *rebels*, as they were called, of those that received or harboured them, and particularly of those concerned in the above declaration; to seize and apprehend them, to dissipate conventicles, &c. Many other commissions of this kind were afterwards given.

Commission
to Claverhouse,
&c.

On the 27th Claverhouse was sent into Galloway to execute military orders there; and, on the 30th, received a commission, as sheriff of Wigtoun, to punish all disorders, disturbance of the peace, and church-irregularities in Kirkcudbright, Annandale, Wigtoun and Dumfries. There was likewise a proclamation issued for furnishing the soldiers with corn, hay and straw for ready money; but, as this was neither observed, nor the delinquents called to an account, the country was exposed to no small oppression. The same powers were in a few days granted to Major White and Meldrum in the shire of Lanerk, together with a justiciary power against all below heritors, who had been in what they called the *rebellion*. However, Duke Hamilton had so much interest as to get these a little softened. On the 31st the council wrote to the king, and moved that the jurisdictions of the late Earl of Argyll might be for ever annexed to the crown.

Parliament
adjourned.

The parliament, which was to sit in March, was adjourned to the 17th of April, and from that to November; and though in one of these proclamations the king was made to say, That he will not soon part with so loyal and dutiful a parliament, yet no parliament sat any more during this reign. The ministry could carry on their designs without them.

Gray of
Chrystoun.

In this month James Gray of Chrystoun, venturing home to see his family, was, on a Sabbath evening, seized by a party of dragoons, and carried in prisoner to Glasgow, and, after three or four weeks, to Edinburgh, where

1682.

where he lay a long time in jail, without being called before any court. After a year's imprisonment he was brought before the council, who attacked him with their ensnaring questions; but, because he owned that the matter of the Covenant was lawful, and its obligations binding, and adhered to the principle of self-defence upon just ground, and refused to subject himself to the present church establishment, he was sent back to prison, where he lay more than two years. In the year 1684, a sentence of banishment was pronounced against him; and in August 1685, he was, without the least previous notice, hurried from prison, with about 140 more, and put aboard Captain Love's ship, and was transported to Jamaica. They endured great hardships in their passage, by being crowded under the hatches, without having provisions sufficient for their support, nor any refreshment during the sickness where with not a few of them were seized. Many died of thirst. Some offered a crown for a draught of water, of which there was plenty, but were refused. After a three month's passage they were sold at Jamaica. Mr. Gray was old, being then near 60 years; and they who had the disposal of him refusing to part with him but for a large sum, he was imprisoned and fell sick. Being then apprehensive of his death, rather than lose all they thought proper to release him, upon his paying 15 l. sterling. He survived his troubles, and died in his native country.

On the 20th William Harvey, weaver in Lanerk, was before the justiciary, and indicted for being at the late rebellion, and at the publishing of the declaration. He was brought in guilty, and ordered to be hanged at Lanerk on the 3d of next month.

*William
Harvey
condemned.*

On the 22d the Rev. Mr. Patrick Warner (after the revolution minister of Irvine) was apprehended in Edinburgh at the house of his mother-in-law Mrs. Guthrie, by a party of the guards commanded by Captain Maitland, joined with some of the town-company commanded by Major Johnstoun. They violently broke open the doors, ransacked the house, pulled him out of his bed, and took with them upwards of 20 copies of Calderwood's history, lately printed, and mostly at his own charges, with some hundreds of the Second Book of Discipline, and several other valuable books and manuscripts; nay, they searched his pockets, and took what money they could find, together with his watch; but Captain Maitland was so kind as to oblige them to restore the watch to Mrs. War-

*Mr. Pat.
Warner
apprehended.*

1682.

ner. Johnston and his men carried off her wearing apparel and linen. The books and manuscripts were taken to the council-house, but were never returned. He was immediately carried to the Abby-guard, where he continued till next morning.

Mr. W. Livingston apprehended.

Farther account of Mr. Warner.

Examined.

His behaviour in prison.

Released.

Went to the north of England.

The same night Mr. William Livingston, son to the Rev. Mr. John Livingston at Ancrum, was apprehended with all his papers; but after a month's imprisonment, was released upon finding bail to appear when called. But

Mr. Warner met with severer treatment. He had been licensed 1669, and was ordained at London, with a view to be settled in the East-Indies. Accordingly he arrived there, and was about three years minister at Fort St. George upon the coast of Coromandel. He returned to Scotland about the year 1677, and preached in houses and in the fields, as he had opportunity till Bothwell. Then he retired to Holland, where he continued till last year, when he came and married a daughter of the Rev. Mr. William Guthrie. The day after he was apprehended he was carried up the street, to the Parliament-close, under a guard of a whole company of musqueteers, as if he had been some notable malefactor, and brought before a committee of the council, where he was examined as to his preaching in the fields, the primate's death, the papers found about him, the Second Book of Discipline. They had nothing to lay to his charge but non-conformity. He was several times before them, and though they were at great pains to find a sufficient accusation, yet they laboured in vain. He continued in prison, without receiving ament, not for want of inclination, but matter.

During his imprisonment he lectured and preached twice every Lord's day to the prisoners, and some others who, by the interest of friends or money could be admitted. After sundry applications of his friends it was proposed that he should give bond not to preach any more unless he conformed, or remain perpetually in prison, or leave the kingdom, and give bail not to return without permission, under the penalty of 5000 merks. He chose the last, and the council, on the 7th of June 1682, ordered him to be released and depart the kingdom in 15 days. When that time was expired he went to Berwick, and continued for a little on the English side of the Tweed, till he could get his family removed; then he hired a small house near the village called *Spittle*, where he preached sometimes in his own, and sometimes in a neighbouring house.

1682.

house. But his enemies in Scotland being vexed that he went no farther, procured an order from the king and English council for apprehending him, so that here began a new period of his sufferings. Mr. Warner being apprehensive of danger, found it necessary to retire farther into England, and at last took a house in Newcastle, whither he brought his family.

By this time Colonel Struthers had repeated orders to seize him; and accordingly he was apprehended at a friend's house and carried that night to a private house five or six miles distant, and kept prisoner there. Mean while some of them, pretending to inform his wife and bring him linen, &c. went and rifled his house, and took with them what papers they could find. Next day he and his papers were brought to Col. Struthers, who was a justice of peace. Mr. Warner shewed him the act by which he was released and banished from Scotland, and civilly ask him what he had to say to his charge since he came to England, and at the same time assured him he had never returned into Scotland since that time.

Taken up there.

The colonel being surpris'd, called for him next day, and asked him if he was willing to take the oath of allegiance. Mr. Warner desired time to consider of it. Upon this he was committed to Newcastle jail, his mittimus only bearing that he had refused to take the oath of allegiance. He continued here seven or eight weeks, till the sitting of the assizes. Being informed that the said oath would be put to him, he resolved to take it if he found that there was nothing of the supremacy in it.

Required to take the oath of allegiance.

When called before the court he humbly desired to be satisfied in a few things, which the judge permitting, he asked, 1. 'Whether this oath did bind him to allegiance to the king's successors *de facto*, as well as *de jure*?' The judge answered, It did not. 2. Whereas the oath binds him to be obedient to the king and laws, he desired to be satisfied, 'whether, in case any of the laws should be such as he could not in conscience give active obedience to, he was bound, by this oath, any farther than either to obey or suffer according to law?' The judge declared he was bound no farther. 3. Since he was a stranger in England, and perhaps might in a little time remove elsewhere, he desired to know, 'whether he was, by the oath offered just now, bound to give the obedience formerly mentioned any longer than he was in England, seeing, when he comes to live in another nation or king-

His questions concerning it.

'dom,

1682.

'dom, it may be supposed he must be obedient to the laws thereof, and yet those, in several things, may be different from those in England?' The judge told him his obedience was no longer due than while he continued in England. He took the oath upon these terms, and was released.

Remarks.

The reader cannot but observe, that though matters were very bad in England at this time, yet tyranny and oppression were not arrived at that height as they were by our prelatical managers in Scotland; for here Mr. Warner was allowed to propose his scruples in open court concerning the oath of allegiance; but in Scotland a noble peer was condemned to die only for offering an explanation of the self-contradictory test. Mr. Warner's charges by his jail-fees, the loss of his books and papers, &c. were upwards of 100 l. sterl. He retired soon after to Rotterdam, where he continued till 1687, when he returned to his native country, and was very useful in the Church of Scotland for many years after the revolution.

Other sufferers.

From what Mr. Warner suffered, one may form a judgment of the sufferings of many others in this period, of whom my author could give no account, such as professor George Campbell of Edinburgh, Mr. Thomas Hog at Kiltearn in the shire of Ross, Mr. James Veitch at Mauchlin, Mr. Alex. Pitcairn at Dron, Mr. James Kirk-toun, after the revolution minister at Edinburgh, Mr. A. Hasty at Glasgow, Mr. Rob. Langlands, first at the Barony-church in Glasgow, and then at Elgin in Moray, Mr. Will. Archibald, Mr. Jo. Harroway, Mr. Pat. Coupar, and others, who were refugees in Holland. This was also the case of several noblemen and gentlemen, as the Earl of Loudon, Lord Strathnaver, afterwards Earl of Sutherland, and Lord Stair.

Recusant clergy.

On the 23d of February, the council considering that several of the clergy in the diocese of Aberdeen had taken the test, passed an act allowing them to return to their charges, and enjoy the profits and emoluments of the same, as Mr. John Menzies professor of divinity in the Marishal-college, Mr. Pat. Simpson and Mr. Will. Blair ministers of the said burgh, Mr. Ja. Garden professor of divinity in Old Aberdeen, Mr. Geo. Anderson in Mortlich, Mr. Jo. Barclay at Cruden, Mr. Jo. Corkbrien at Old-Deer, and Mr. Pat. Innes at Banff, Mr. Rob. Irvine at Towie, and several other of the recusant clergy, getting the better of their scruples were admitted to take the test.

On the 3d of March William Harvey was executed at Lanerk. He had liberty to deliver his last words, though the drums were ready to beat. He declared himself a Presbyterian, and that, in his judgment, people should obey the king in his lawful authority. He likewise declared that he believed the Scripture, the Confession of Faith and Catechisms, adhered to the Covenants and all the faithful testimonies since 1660, and that he was for kingly government according to God's word. He died with much composure. And though he was made a sacrifice to the Lanerk declaration, yet it does not appear that he had any concern in that, but only in proclaiming the west-country declaration before Bothwell.

1682.

W. Harvey
executed.

A few days after this the council, being informed of some conventicles, gave proper orders for punishing the persons guilty with the utmost severity of the law.

Mean while the Duke of York, having signified his intention of going to England to meet the king at New-market, required Queensberry to follow him, in order to lay before his majesty the state of the treasury; and says Bishop Burnet, 'at parting he recommended to the council to preserve the public peace, to support the church, and oblige all men to live regularly in obedience to the laws.'

The duke
went to
England,
p. 523.
524.

The bishops made their court to him with so much zeal, that they wrote a letter to the Archbishop of Canterbury, to be communicated to the rest of the English bishops, setting forth, in a very high strain, his affection to the church and his care of it: and least this piece of merit had been stifled by Sancroft, they sent a copy of it to the press, which was a greater reproach to them than a service to the Duke, who could not but despise such abject and indecent flattery. My author, says Bishop Paterfon, went up with the Duke, and probably carried the letter, which was as follows.

March 9th 1682.

May it please your grace,

HIS royal highness having passed from hence on Monday last, being called by the king to attend his majesty at New-market, we should prove very defective in duty and gratitude, if, upon this occasion, we should forget to acknowledge to your grace, how much this poor church and our order do owe to his princely care and goodness, that his majesty and the worthy bishops of England may from you receive the just account thereof.

Bishops
letter.

1682.

thereof. Since his royal highness's coming to this kingdom, we find our case much changed to the better, and our church and order, which through the cunning and power of their adversaries, were exposed to extreme hazard and contempt, sensibly relieved and rescued; which, next to the watchful providence of God, that mercifully superintends his church, we can ascribe to nothing so much as to his royal highness's gracious owning and vigilant protection of us. Upon all occasions he gives fresh instances of his eminent zeal against the most unreasonable schism, which, by renting, threatens the subversion of our church and religion, and concerns himself, as a patron to us, in all our public and even personal interests; so that all men take notice of his signal kindness to us, and observe, that he looks on the enemies of the church, as adversaries to the monarchy itself; nor did we ever propose or offer to his royal highness any rational expedient, which might conduce for relief or security of the church, which he did not readily embrace and effectuate. The peace and tranquillity of this kingdom is the effect of his prudent and steady conduct of affairs, and the humours of our wicked fanatics are much restrained from dangerous eruptions, upon their apprehensions of his vigilance and justice; for they dread nothing so much as to see him upon the head of his majesty's councils and forces against them. We hope your grace will make our dutiful acknowledgments to his royal highness, for all his princely favours to us, and give him the most fervent assurance of our sincere endeavours to serve him, and of our most fervent prayers for his temporal and eternal happiness, as the bound duty of us. May it please your grace, your grace's most humble, &c. This famous letter was subscribed by the Archbishops of St. Andrews and Glasgow, the Bishops of Edinburgh, Dunkeld, Galloway, Brechin and Dumblain, and was published at London on the 28th of April. When the duke was gone, the counsellors were ordered to stay at Edinburgh till his return. On the 21st Lord Livingstone and the Marquis of Athol were impowered to act against conventicles, and had soldiers to assist them, as was likewise the Earl of Linlithgow on the 30th. On the 27th, Christian Fife, a poor illiterate woman, was prosecuted before the justiciary for high-treason, for beating one Mr. Ramsay in the Old-kirk of Edinburgh, and declaring that she thought the king no lawful

awful king, &c. She was sentenced to be hanged on the 12th of April, which was done accordingly.

1682.

Christian Fife executed.

T. Greg.

On the 4th of April Thomas Greg merchant in Carrick, travelling with his pack, was seized by Claverhouse, and, after his money and goods were taken from him, was carried first to Newtown in Galloway, and next to Dumfries, where he was imprisoned, and had been starved to death had it not been for the charitable supplies of good people. After eleven days imprisonment, without any trial or sentence, he and sundry others were put aboard a ship at Leith bound for Holland, and gifted as recruits there.

R. Fleming of Auchinfin, &c.

On the 7th Robert Fleming of Auchinfin, Hugh Macwraith of Auchinfloor, Major Joseph Learmont and Robert MacClelland of Barscob, who, with several others, had been forfeited in life and fortune, having been apprehended, were brought before the justiciary, and without any farther trial, ordered to be executed at the Grassmarket of Edinburgh on Wednesday the 12th; but it seems all of them got off through interest. Barscob made some compliances, and was of use to the managers afterwards.

Mr. Henry Erskine apprehended.

On the 23d the Rev. Mr. Henry Erskine was apprehended, when at family-worship, by Meldrum with a party of soldiers, and sent prisoner to Melrose. Next day his nephew James Erskine of Sheilfield became bail for his appearance, when called, in the sum of 5000 merks. He was ordained minister at Cornhill in the north of England about 1649, and was ejected by the act of uniformity. He afterwards returned to Scotland, where he preached, sometimes in the fields, and frequently in his own house, till September last year, when he was rendered incapable of preaching or praying by a violent indisposition of body. Meldrum, on the 8th of May, called for him and his bail, and having given up the bond, carried him prisoner to Jedburgh, where he was a second time released, upon bail to appear at Edinburgh on the 12th.

Change in the ministry.

Mean while the Duke of York arrived on the 8th, and immediately told the council, That it was his majesty's pleasure the lord president, afterwards Earl of Aberdeen, chancellor, Queensberry treasurer, and the Earl of Perth (vice-general. This last, who soon after turned Papist, being now at the head of the criminal court, the sufferers could expect no favour, and their reasons for continuing disown the then authority could not but be strengthened.

1682.
*The duke
 ship-
 wrecked.*
 p. 523.

The duke was shipwrecked on his return. He and several more were saved in the boat; but the Earl of Roxburgh, the Laird of Hopeton, Sir Joseph Douglas, the Lord Obrian, with the duke's brother-in-law Mr. Hyde, and several others, were lost. Bishop Burnet tells us, 'That, as he was going back to bring the duchess, the Gloucester frigate that carried him struck on a bank of sand. The duke got into a boat, and took care of his dogs, and some unknown persons, who were supposed, from that earnest care of his, to be priests. The long-boat went off with very few in her, though she might have carried considerably more than she did. 150 persons perished, some of them men of great quality. But the duke took no notice of this cruel neglect, which was chiefly laid to Leg's charge.

*Mr.
 Erskine.*

On the 12th Mr. Henry Erskine, notwithstanding of his being seized with an ague, came to Edinburgh, and was brought before a committee of the council, where, after some previous examination, the advocate asked him if he would bind himself to preach no more at conventicles. He answered, My lord, I have my commission from Christ, and, though I were within an hour of my death, I durst not lay it down at any mortal man's foot. His affair was delayed till the sixth of June.

*Duke re-
 turns to
 England.*

Mean while on the 15th of May, the Duke and Duchess of York set out for England, whither he could now repair with ease, when the patrons of liberty, were suppressed, and the vilest men were exalted.

*R. Gray
 executed.*

On the 17th one Robert Gray an Englishman, and consequently none of their subjects, having been apprehended about ten months before, upon what pretence is not known, was before the justiciary. They had nothing to lay to his charge when he was seized. But some time last month he wrote a letter from prison, in answer to one he had received from John Anderson, wherein he approved of what had been done in casting off the tyranny and called the oath, appointed by the last parliament, the *black test*. He owned the letter, and the expression in it to be his opinion, and for this was condemned to be hanged in the Grass market of Edinburgh on the 19th, which was executed accordingly. His testimony is in the Clove of Witnesses, wherein he justly observes, that they were unjustly taking away his life merely for adhering to his principles, and had no matter of fact to prove against him, &c.

When he was brought to the council-house, and desired to purge the city of blood, he told them that judgment would overtake the city for the innocent blood that had been shed there. At the place of execution he sung Psal. xxxiv. and read John xv. and, after he had prayed, went up the ladder, and, looking about to the multitude, said, Sirs, you are feeding your eyes upon me, but what see ye upon me? Surely you see not the wrath of God upon me: but, if you would look up to the heavens, you might see the wrath of an angry God against yourselves. —I am brought out of another nation to own that Covenant which ye have broken.—Glory, glory, glory be to his name, that ever he gave me a life to lay down for him, in witnessing against his enemies, and the wrongs done to my Lord and Master Jesus Christ.—As for you who are the remnant of the Lord's people,—keep your ground; and beware of turning aside to one hand or another; and I will assure you the Lord will prepare a Zor for you. Cleave to truth and to one another, and, as sure as God lives, ye shall see yet glorious days in Scotland; for I die in the faith of it, that he is on his way returning to the land; but wo! wo! wo! will be to those who are enemies and strangers to him. After he had prayed a little within himself, he was turned over.

1682.
His behaviour,
Cloud of Witnesses, p. 188.

The day after this execution the council, in consequence of what the Duke of York recommended to them at his departure, gave instructions to General Dalziel to march with some soldiers to the shires of Lanerk and Ayr, and to send the Laird of Meldrum, and what officers he should judge proper, to the shires of Roxburgh, Selkirk and Berwick.

General Dalziel.

The general's instructions were very extensive. He was, among other things, to hear and consider what proposals Duke Hamilton and the other commissioners of the shire would make for securing the peace of it for the future,—to call for a list of such rebels as had not yet submitted, to hear what submission any of them would make, to think upon proper methods for apprehending any of them, or of any vagrant preachers, and for making persons, both innocent and guilty, keep their parish churches, &c. The general and those commissioned by him obeyed these instructions.

His instructions.

On the 29th the council, having information of a riot in the parish of Dron upon Mr. Drummond, ordered a

A riot in Dron.

1682.

company of foot under Captain Maitland to quarter on the parish, and to receive orders from the Marquis of Athol, and apprehend those concerned in it, especially Mr. Alexander Pitcairn and his beadle, who were reputed to have promoted it. Some prisoners were upon this afterwards sent in to Edinburgh, and the Marquis of Athol had thanks for his diligence.

Messrs. Erskine and Linlithgow fined, &c.

On the 6th of June Mr. Henry Erskine was indicted before the council for preaching at conventicles, disorderly marriages and baptisms. He denied the whole and pleaded his indisposition since 1681. But, because he would not swear against himself, he was sentenced to pay 5000 merks fine, to go that night to the prison at Edinburgh, and next day to the Bass till the fine was paid. Mr. John Linlithgow of Redpath was prosecuted with him and received the same sentence. But what was the consequence with respect to him my author does not know. Mr. Erskine, through the interest of some friends, escaped going to the Bass, and was allowed to depart out of the kingdom. He retired to the north of England, where he lived somewhat at ease for two years and a half. There he was apprehended, and was for some time a prisoner. After he was released he continued preaching every Lord's day at Monnilaus till 1687, when he returned to Scotland and kept a meeting-house till the revolution, when he was called to be minister at Churnside, where he died 1696.

Commission to A. Atchison.

On the 8th of June the council gave a commission to Andrew Atchison writer in Edinburgh, under the direction of the Lord Montgomery, Sir Archibald Stuart of Blackhall, &c. to proceed against persons guilty of church disorders in the shire of Renfrew, and for apprehending rebels, vagrant preachers, or the harbourers of them, &c. The officers of the army were commanded to assist in prosecuting the ends of this commission.

Ministers outlawed.

Next day the following ministers were outlawed, viz. Messrs. James Rymier, Robert Gillespie, Thomas Arnot, John Harroway, John Ferguson, John Gillespie and John Moncrief.

Mr. T. Archer released.

The same day Mr. Thomas Archer, who had since July last year been in prison for non-conformity, was released. While in the Canongate jail he is said to have made himself master of the Hebrew, Chaldaic, Syriac, and some other oriental languages. He went over to Holland, and improved himself in all the valuable branches of literature, and was there ordained by Mr. Fleming and others.

Scots Presbyterian ministers then at Rotterdam. We shall hear more of him afterwards, when he came over with Argyll.

1682.

The council, on this 9th of June, authorised Duke Hamilton, and others, to grant safe conduct to such of the reputed rebels as petitioned for it under a becoming sense of their rebellion, and upon signifying their resolution to live regularly for the future. This commission was to continue only to the 3d of August. It was afterwards lengthened out to the 15th, and then to the 6th of September. Some petitions were presented, and the petitioners allowed to come in before the council. But few who were concerned in Bothwell took the benefit of this, because the test was imposed on all who came before the council.

Commission to D. Hamilton, &c.

On the 15th the societies united for correspondence had their general quarterly meeting at Tala-lin in the parish of Tweedsmuir in the shire of Peebles, and used their utmost endeavours against the errors of James Ruffel and others, who had run into the extravagancies of John Gib. The curate of the parish acquainted the council with this meeting, which gave rise to a most virulent proclamation. Some of them it seems were in arms, but their number was small, not near to what they were represented in the proclamation I shall just now give an abstract.

Societies meet at Tala-lin.

Mean while, on the 7th of July, one Robert Nairn, in the parish of Bonhill, was brought under series of troubles. The fine which was laid upon him some time last year was now exacted. He was forced to quit his employment, leave his house and family, and dismiss his servants. His house was frequently rifled.

Robert Nairn.

About this time John Bredin in the same parish, John Flockhart in the Hole of Kippen, and Thomas Thomson in Easter-Couchland, were, for mere non-conformity, harassed by the oppressions of fines, quarterings, and the like.

The council, on the 8th of July, published a most severe proclamation in the king's name, setting forth, That, of late, some traitors, runnagadoes and fugitives had assembled, about the number of 80, with forbidden weapons, and in an unlawful manner, near to Tala-lin in the shire of Peebles; and that the people of that country had been so deficient in their duty as not to give timely notice of such meetings either to the council or sheriff of the shire; and therefore they commanded all the subjects in town and

Proclamation for discovering, &c. called the Hue and cry.

1682.

and country throughout the kingdom, upon knowledge or information that any number of men meet unlawfully in arms, or appear in company in any place, or where any one or two of such as are declared traitors or fugitives shall repair, that they presently give intimation of it to the chancellor, or such of the council as shall be at Edinburgh for the time, or to any commander of the forces that shall be nearest, and to the sheriff of the shire, steward of the stewartry, &c. where the said meeting or persons appear, or are informed to be, and that within the space of one hour at most for every three miles distance they are at the time from Edinburgh, or from the nearest commander of the forces, sheriff or other magistrates. Upon this information all sheriffs, magistrates, &c. were required to assemble a sufficient number of the subjects, with whom they were to search for and apprehend such persons, and pursue them till they are apprehended or expelled out of their jurisdictions, and, upon their flight, to acquaint the magistrates of the next shire, who are required to do the same, and so from shire to shire till they were expelled the kingdom. And whoever were refractory, were required, to be treated as being art and part with them.

Remarks. The proclamation, of which this is but a short abstract, speaks for itself, and sufficiently shews the spirit of the managers. The society meetings were held with the utmost secrecy. The occasion and design of them we have already shewn; but now the proclamation for the *Hue and Cry*, as it was called, was published, which, could not but expose the poor wanderers to the greatest oppressions and calamities. When the administration was in such hands we need not wonder though things still grew worse and worse; for they next granted not only a council-power, but also a justiciary-power to some officers of the army, and others of desperate fortunes and ill morals.

Commission to Major White, &c. Accordingly, on the third of August, the council, considering how remiss magistrates were in punishing those that kept conventicles, withdrew from ordinances, &c. and in suffering those in the late rebellion to live in quiet, &c. ordered a commission to be given to Major White, and the Laird of Meldrum, to meet and confer with sheriffs, bailies of regalities, and other magistrates, and call before them, when and where they shall think proper, all persons, whether in town or country, whether heritor, tenants, or others, guilty or suspected to be guilty of with-
drawing

drawing from ordinances, &c. since the indemnity 1679, to hold courts, to pronounce sentence, and order the same to be executed upon the guilty. And, if the magistrates should refuse to concur, the said commissioners had power to act by themselves, and to call the magistrates in the shires under their jurisdictions to account for their diligence against the persons guilty of the said disorders. The commissioners were also impowered to inform themselves of those who were in the late rebellion, and yet lived in their bounds, and enjoyed their rents and moveables, that they might take an inventory of them, to sequester them for his majesty's use, and pursue and apprehend the rebels themselves, and the harbourers of them, in order to their being brought to justice. They likewise ordered a justiciary-power to the said Major White and the Laird of Meldrum, with authority to call before them any of the late rebels, not being heritors, to bring them to a trial, and pass sentence upon them, as they shall be brought in innocent or guilty.

By this act it is very plain, that the executive power was taken out of the hands of inferior magistrates, and put into those of their own creatures; and the officers of the army had now the power of life and death. In consequence of this act divers kinds of commissions were granted, which I shall not here insert. White and Meldrum received their commissions in the terms of the act. Commissions of the same nature were, about the end of the year, granted to Crawford of Ardmillan the Earl of Linlithgow, John Skene of Hallyards and Kenneth Mackenzie of Suddie, which last was for the northern shires of Ross and Cromarty.

Commissions.

The same day Thomas Lauchlan, who was one of those forfeited, and ordered for execution when apprehended, was before the justiciary; and on the 13th, was ordered to be hanged at the Grass market of Edinburgh on the 16th.

Thomas Lauchlan.

On the 29th of September the advocate was ordered to prosecute one Mr. Robert Kennedy for being in the rebellion, 1679, and for field-conventicles since the indemnity; but the issue is not known.

Mr. Kennedy.

On the 10th of October the Earl of Middleton was made conjunct secretary with the Earl of Moray; so that by the alterations which were made, many of the duke's creatures had the management of affairs put into their hands.

Some

1682.

*James
Robertson
appre-
hended.*

Some time this month James Robertson in Stonhouse in the shire of Lanerk, who usually travelled with a pack coming to Kilmarnock, went to see an acquaintance who was in prison there. While with him, without the least offence or provocation, his pack and goods were taken from him, and himself carried to the guard-house, where he was kept close prisoner for 10 or 12 days. During which time he was brought before Major White, and refusing to give his oath *super inquirendis*, was most barbarously treated. The Major pulled him by the nose, and wrung it till the blood gushed out. A fit person this to be velted with judiciary power! Then he was sent to prison; and, when he and his fellow-prisoner offered to worship God, the captain of the guard came with fury, pulled the Bible out of his hand, and swore he would burn it if they offered to be thus engaged. After a few weeks he was carried to Edinburgh. At Linlithgow he was pressed to drink the king's health, and, upon refusing, the soldiers treated him with the utmost rudeness, by tying his head and feet together, and leaving him all night in that posture. Next day he was carried to Edinburgh with his feet tyed under the horse's belly, and in December next was put to a violent death, as shall be related in its proper place.

*A. Hume
before the
judiciary.*

On the 15th of November Alexander Hume portioner of Hume was indicted before the lords of judiciary for rising in rebellion against the king, marching up and down in arms, rendezvousing with the rebels in Bewlyedge, &c. But, as there was no proof against him, the lords dropt the process. Nevertheless, because he could not take the test, he was kept in prison till the 20th of December, when he was again indicted by the advocate.

*Lady Ca-
vers fined
and im-
prisoned.*

Mean while, on the 16th, dame Katharine Rig Lady Cavers appeared before the council for being present at conventicles since 1679, and for having heard Messrs. Cargill, Arnot and Semple, declared traitors, and Thomas Douglas, Archibald Riddel and James Osburn. They had no proof; but, because she would not swear against herself, they fined her in 500 l. sterling, and sent her to prison till she paid it, and found bail to be present at no conventicles. She continued a prisoner in Stirling-castle till the end of the year 1684.

*J. Robert-
son, &c.
indicted.*

On the 11th of December James Robertson before mentioned, with William Cochran in Caraduff, and John Finlay in the parish of Kilmarnock were indicted before

the justiciary for high-treason. Their indictment was founded on the answers they gave at their previous examination, for no matters of fact were laid to their charge.

The examination of James Robertson before a committee of the council was as follows: Q. Is the king your lawful prince, yea, or not? A. Since ye make your questions matters of life and death, ye ought to give time to deliberate upon them; but, seeing I am put to it, I answer, *As he is a terror to evil doers, and a praise to them that do well*, he is, or he is not. Q. Were Pentland and Bothwell acts of traitory? A. They being in their own defence, and the defence of the gospel, they were not acts of traitory and rebellion, self-defence being always law-
J. Robertson examined.

ful, which I prove from the Confession of Faith, whereon you ground yourselves in that article, which is, That subjects may resist unjust violence and tyranny. Q. Wherein lyes his tyranny? A. If robbing the privileges of the church be not an act of tyranny, I refer to be judged. Q. Is the king a tyrant? A. I refer to his obligation in the coronation-oath, and his present actings and practices, in robbing the privileges of the gospel, with the usurpation of the church's liberties and the prerogatives royal of Jesus Christ the Anointed of the Father, in making himself supreme; and I refer it to persons at home and nations broad. Q. Was you at Bothwell-bridge? A. Ye count an act of traitory, and also rebellion; bear witness of it, and so make it evident. Q. Purge yourself by oath, so we offer to set you at liberty. A. I will say no more of it, for when I told the truth to some of you, it was not believed. One of them said, Q. Now, I will try if you are a man of parts: there was an act of parliament, when the Confession of Faith was made, declaring that the king was supreme, and it was owned by the Presbyterians at that time. A. How could that be owned, seeing the Confession itself was owned? Shew me the act. But it was not produced. Q. Was the bishop's death murder? A. When I am a judge, set on the bench, I shall pass sentence thereupon. Q. Own you the Lanerk and Sanquhar declarations? A. I cannot own any thing till I see and consider it. Q. Do you keep your parish-kirk? A. If the minister has ought to challenge me with, let him do so. Q. Now, as a test of your loyalty, will you say, God save the king? A. Prayer ought to be gone about with composure and deliberation, and I am not in a composure for it. Q. Would you not seek a blessing if at meet? A. If

1682. *A.* If you were present you would see. Then one of them said, These principles will condemn you. He answered, If I be absolved of God, it is the less matter though men condemn me. The examination of William Cochran and John Finlay, and their answers, were much to the same purpose. All the three owned their answers before the criminal-court: and, though no other proof was against them, they were condemned to be hanged at the Grass-market on Friday the 15th of December.

Beat by the major of the guard.

When James Robertson offered to speak on the scaffold, he was interrupted by the drums; and, complaining of this, Johnstoun the town major beat him with his cane. This unprecedented cruelty to a dying man, together with the patience and cheerfulness of the martyr, convinced some of the spectators of the vileness of Prelacy and persecution. And several told my author, that they dated their first serious impressions at the execution of these martyrs of Jesus. In his last testimony he speaks thus concerning his declining to say God save the king, 'Thy refusing to say God save the king, which we find was the order that was used in and among the children of Israel at the king's anointing to that office, and used in our own nation at the coronation. Now this, being only due to a lawful king, ought not to be given but to a lawful king, and so not to him being a degenerate tyrant; for, if I should, I thereby had said amen to all that he hath done against the church and liberties thereof, and to all his oppression, by unlawful exactions and raising of armies for no other effect but to deprive us of hearing the gospel, and troubling and molesting the subject both in their consciences and external liberties, and also so to the bloodshed and murders upon the people of God and free subjects of the kingdom, and to bid him God speed, contrary to 2d epistle of John, ver. 10. And seeing it cannot be given to any that have thus used their power to a wrong end, and so much less when they have set him up as an idol in the room of God incarnate. And shall I pray to bless that man, in his person and government, which God hath cursed; for it cannot be expected but that he shall be cursed that thence ventureth on the bosses of the buckler of God Almighty.'

William Cochran, in his last testimony upon the same point, has these words: 'Now, the main article of my indictment, upon which I have received my sentence of death'

1682,

death from men, was, that I would not say God save the king, which (as they have now stated him an idol in the Mediator's room) I could not do, without being guilty of saying amen to all that he hath done against the church and people of God, and true subjects of the kingdom, and the ancient and fundamental laws thereof; and have done contrary to 2d epist. John, ver. 10. — And also, ye know, that the taking the name of God in our mouths is a part of worship, and so a worshipping of their idol; for, before our faces, they say, That he was king over all persons, and over all causes, which is a putting him in God's room.'

Now, the Prelatical pamphleteers mightily extol the clemency of this period, in being willing to pardon criminals, if they would only say God save the king, and exclaim against the obstinacy of those who would not comply with such easy terms; but I have laid before the reader their own reasons, in their own words, and he is to judge, whether it was not conscience, rather than obstinacy, that kept them from yielding to this. If they complied, they must either be serious in speaking the words, or not. If they were not, they knew it was a taking God's name in vain; and if they were serious, then they judged that thereby they approved of all that was done. But, not to detain the reader farther on this point, these three godly men were executed according to their sentence.

Remarks.

On the 11th of December, — Hay of Arrioland, Al. Galloway Hunter of Colquhassen, And. Martin of Little-Ellies, gentlemen Jam. Welsh of Little-Clondon, MacCulloch of Barholm, prosecuted Gordon second son of the deceased Laird of Holm, Messrs. ed. Samuel Arnot and Thomas Warner ministers, Haliday of Mayfield, Will. Thomson younger of Moncraig, Kerne-ly younger of Knocknallonie, Alex. MacNaught younger of Overtoun, Thomas Chrington of Hole of Balwhaffie, John Brown Smith and heritor of Newton, were, in absence, declared rebels, and outlawed, and their goods and chattles forfeited. But this sentence was thought too mild, for the managers wanted to finger their estates; and therefore, on the 18th, all the above-mentioned gentlemen, except Moncraig and Knocknallonie, together with William Grierson of Kolchquher were ordered, upon their being apprehended, to be executed as traitors, when and where the lords should appoint. However, it does not appear that any of them were executed. Alex. MacKie

1682.

of Drumbay and Ant. MacKie of Glencard, being then prisoners, were sentenced to be executed at the cross of Edinburgh, the first Wednesday of July next, but it seems providence interposed in their behalf.

Mr. Hume indicted.

Mean time Alex. Hume of Hume became a sacrifice to prelatial rage; for though nothing worthy of death or bond was found against him, yet he was a second time indicted before the lords of justiciary on the 20th of December; but, though the witnesses did not agree, and the whole of the evidence was lame, yet he was brought in guilty of high-treason, and condemned to be hanged at the cross of Edinburgh on Friday the 29th. The day was hastened to prevent any application to be made to the king in his behalf. And though his friends, fearing what would come, made interest, so that a pardon came down some days before the execution, yet the Earl of Perth kept it up, Mrs. Hume begged the Lady Perth the morning of her husband's execution, to interceed for his life on account of her five small children; but her ladyship, throwing off all the tenderness of her sex, answered her in language which my author did not chuse to insert. I shall only observe, that the reader may here see that not only those who renounced the king's authority, but even those that had not as yet clearness to take that step became a prey to the persecutors, when they had a mind to vent their rage. Mr. Hume's last words on the scaffold expressed the spirit of Christianity as much as any of the martyrs; and, among other things, he said,—

Abstract of his last words,

' I am come here to lay down my life, and I bless the Lord I am not to lay it down as an evil-doer for thought I be a sinful man, as others are by nature, yet through his grace I hope I am planted in Christ Jesus.—The world represents me as seditious and disloyal, but God is my witness, and my own conscience, of my innocency in this matter. I am loyal, and did ever judge obedience unto lawful authority my duty, and the duty of all Christians.—But all a Christian doth must be with faith; for what clasheth with the command of God cannot be our duty; and I pray the Lord may help the king to do his duty to the people, and people to do their duty to the king.' He declared his adherence to the Covenants and Works of Reformation, his fears of judgment coming on the land, his own assurance of his future happiness, forgave all his enemies, and all who had a hand in his death took his farewell of all creature-enjoyments, committing his

wife

1682.

wife and children to the care and protection of heaven, and his own spirit into the hands of Jesus; and, just before he was turned off, concluded his life by singing Psalm xvii. last verse. His wife and children endured many hardships after this, but God supported them under and brought them out of their troubles at the revolution.

The various commissions, of which we have spoken, and other things, together with the malicious activity of the curates, were the occasion of the most unaccountable oppressions in almost all parts of the country; insomuch that, were all the particular instances to be mentioned, they would fill a volume by themselves. Soldiers were sent to the different shires where the commissioners were to act, and committed unheard of cruelties with impunity. Several had commissions, as the Laird of Lagg and others, besides those mentioned above, and all were executed with rigour. I cannot, however, but give the reader a few instances.

*Effects of
the com-
missions.*

In the parish of Twinam several country women, with sucking children at their breasts, were imprisoned by David Graham, because they would not oblige themselves to keep their parish-church and hear the incumbent. In the parish of Tunnergarth husbands were forced, either to oblige themselves to bring their wives to church, or not to harbour them; and such was the piety of the curate of that parish, that, if any presumed to meet together for prayer, he threatened to inform against them as a conventicle; and having notice of some of the persons concerned in this dreadful irregularity, he sent soldiers to their houses. In the parish of St. Mungo in Annandale, because a boy of 16 years of age did not appear at one of these military courts, Cornet Graham sent a party of soldiers to quarter on his father who kept the church regularly; for the curate said, in that infamous court, that it was but fit the father should be punished for the child, whom he ought to have made regular by a bridle. And many parents were thus served, while the Papists were wholly overlooked, though mass was openly said: but these were the good friends of the royal brother and his creatures!

*In parti-
cular in-
stances.*

The same course was taken in Galloway, where multitudes of non-conformists were attacked by Claverhouse, though none of them were ever concerned in any rising. In the parish of New-Glenluce he seized John Archbald, Ant. MacBridge, John MacCleanochan and John Wallace, for not hearing the incumbent. They were not

*Oppressi-
on in
Galloway.*

only

1682.

only kept above 12 weeks in prison, but also soldiers were sent to their houses to quarter in their families and eat up all their living. Then Claverhouse ordered them to be tyed two and two, and set on bare backed horses, and be carried to Edinburgh; but, when they were gone a day's journey, he sent a servant after them, and obliged them to purchase their liberty, by giving each a bond for 1000 merks. This same year James Harris of Ardmenoch and his son John were imprisoned at Dumfries, by Captain Strachan, for not hearing the incumbent, and kept there till they paid 186 l. Scots, besides 30 s. sterl. to the jailors.

*In the
shire of
Ayr.*

Major White and Ardmillan dreadfully harassed the shire of Ayr. John Boyd schoolmaster in Cowend, for not hearing the incumbent, was forced to pay 40 l. Scots to Ardmillan, had his house pillaged; and himself sent to prison at Edinburgh. The major went through almost all the parishes in this shire, held courts, fined the non-conformists, and imprisoned not a few. The incumbents were the principal informers. He generally forced all, where-ever he came, to oblige themselves, wives, children, and servants, to keep the church, to abandon conventicles, &c. under the penalty of 100 merks; so that great sums of money were, by this means, extorted from the poor country. In the parish of Dalmellington the following persons were fined at one of his courts, Roger Dun 100 merks, and 30 l. to Drumsfuy, because the fine was so small. John Edgar 50 merks, Robert Dun 100 merks, and to Drumsfuy as above, Pet. MacWhitter 100 merks, and afterwards 100 l. for his wife's irregularity, David MacGill and John Wright 50 merks each, John Dun 100 merks, Ronald Rob and John Bizzard 25 merks each, and four days imprisonment; John Cuninghame not appearing, his family was dispersed, Ant. Bizzard 100 l. And, if so much was exacted in such a small parish, for hearing one sermon out of it, what must have been levied in other places? In the parishes of Auchinleck and Cumnock the Earl of Dumfries charged all persons to appear before him, and fined all in 50 l. Scots who had not their children baptized by the incumbent. One Andrew Pathen was forced to pay the fine, because he kept his child six weeks, though afterwards he carried it to the incumbent; but I omit other instances of this kind.

In Renfrew shire matters were conducted much after the same manner, for, besides the hostilities committed by

Lord

1682.

Lord Rosse, and others, the estate of Caldwell being now given to Claverhouse, he kept a number of his bloody hounds there, who harassed the whole country round. One James Stevenson in Braikoch, though he was neither at Pentland nor Bothwell, yet because he was a tenant of Caldwell's, and would not countenance the Episcopal incumbent, and had his children baptized by the wandering ministers, was spoiled of his all; the dragoon horses were let loose upon his victual, his family forced to skulk from place to place, and an old ruinous castle in the neighbourhood, and other desert places, was his resort; but that was the fate of many.

The oppressions of the shire of Lanerk were inferior to none. The Provost of Rutherglen was exceeding severe. For instance, he sent his officers to a widow's in order to apprehend her son for not hearing the curate. The youth got out of their hands, and his sister was fined in 30 l. on pretence of being accessory to his escape, and imprisoned. The mother fell sick, but was not permitted to have her daughter to wait on her, though bail was offered. After a few days the provost came in the night-time, searched her house for her son, and, not finding him, obliged the poor woman to pay him 20 merks. I have often observed, that the clergy were the great instigators of these and such like cruelties. In their visiting families they generally took a note of those who kept not the church, and from the rolls of the incumbents were formed the rolls of delinquents at these courts. My author gives a well attested account of Mr. Blair the profligate incumbent at Rutherglen. This wretch, visiting his families, challenged a poor woman for not keeping the church. She began to give her reason; and, among others, mentioned the obligation of the Covenants. Upon which the ghostly father decently called her a *covenant-
ed whore*, though at that time he was himself living in whoredom with one of his own servants, as was afterwards discovered. In the parish of Kilbride Captain Inglis harassed many families, and particularly seized And. Mack John Carnduff and Tho. Miller, and, upon refusing to give their oath *super inquirendis*, ordered fiery matches to be put between their fingers, which put them to exquisite torment. The power of torture was now assumed by the commander of a party! That same captain went to a widow's house to apprehend her son, and not finding him he called the neighbours, and made them all swear
with

*In the
shire of
Lanerk.*

1682.

with the family in this form: 'By the Eternal God, and as I am content to lose my part in heaven, I know no where John Mack is.' Thus the soldiers took upon them the power of imposing oaths, as well as inflicting torture. John Skene Laird of Hallyards made terrible havoc in the parish of East-monkland, to the utter ruin of many families for mere non-conformity. Meldrum succeeded him, and Inglis came after Meldrum; and in one house his party found a boy not 15 years of age, and because he would not swear where his master was, they wounded him with their swords, dragged him by the hair to the fire, held his face before it till his eyes were ready to start out of his head; and, when they thought they had left him for dead, they went off. However, he recovered, though he was distracted for some time.

J. Archers sufferings.

It would be endless to account for all the particulars. John Archer in Strathmiglo in Fife, having been forced to leave his house, two of his children were seized with a fever, but were obliged to be removed to a retired house, where the other three fell sick, and where this worthy person endured farther persecution, as shall be observed in the next chapter. In the town of Inverkeithing, And. Adamson surgeon endured peculiar hardships through the instigation of Mr. Irwine the incumbent, as did likewise Tho. Thomson a ship-master and his son, Will. Brown baker, Rob. Stuart ship-master, who was long in jail at Edinburgh with Mr. Forrest of Threecres near Stirling. These, with many others, were obliged to remove, with their families, because of their non-conformity.

Though there were but few Presbyterians in the north, yet these did not escape. Mr. Pitcairn minister at Dron was forced to leave his charge, and retire to Holland; and one Laurence Gibson, in the neighbouring parish of Arngask, was put in prison at Perth, and from thence carried to Edinburgh, and then sent as a recruit to one of the Scots regiments in the service of the States, where he continued till his father-in-law bought his discharge. David Peter, James Proctor, and Tho. Clephan, were apprehended by the sheriff of Forfar, fined and imprisoned for their non-conformity; as was Mrs. Minniman a Presbyterian minister's widow, by the magistrates of Perth, while her only son was dangerously ill. The child died crying after his mother, and the mother died of grief for her child. Thus the reader may judge what a case the poor country

was in, and how pleased the Papists must have been to behold Protestants in this manner persecuting their brethren. I shall conclude this chapter by observing,

1682.

That some time last summer Duke Lauderdale died. Bishop Burnet says, 'His heart seemed quite spent. There was not left the bigness of a walnut of firm substance. The rest was spongy, liker the lungs than the heart.' And elsewhere he tells us, 'That he was very learned, not only in Latin, in which he was a master, but in Greek and Hebrew. He had read a great deal of divinity, and almost all the historians, ancient and modern; he had an extraordinary memory, a copious but unpolished expression: but I shall leave the reader to form the rest of his character from the former part of this history, and go on to

Lauderdale died.

C H A P. VIII.

Of the commissions; the prosecutions before the judiciary; the Rye-house plot; the circuit-courts; the public executions, and other branches of the persecution during the year 1683.

THIS, and the two following years, open a more dismal scene than any that has gone before; for, as the great design of the church of Rome has always been to root out the northern heresy, so our prelatical managers exerted themselves to the utmost to root out the presbyterians.

1683.

The commissions granted last year were now enlarged; or, on the 4th of January, John Skene of Hallyards was appointed to receive the rents of the forfeited heritors in the shires of Lanerk, Stirling, and Linlithgow, and empowered to call before him, and examine upon oath, whom he thought could inform him of those in or accessory to the rebellion 1679, and, upon finding any sufficient evidence, to secure their goods and chattles till a merchant could be found to purchase them; and if any whom he called before him did refuse to swear, he was to confine them in the next prison. Who could be safe when such powers as these were given to wicked men, who would pick at nothing?

Hallyards's commission.

The same day the Rev. Mr. M. Potter was before the council, and upon his owning to have kept house-conventicles, and refusing to engage not to preach the gospel, was committed to the Bass, where he continued two years.

Mr. Potter.

1683.

Then he was permitted to leave the country. However Argyll finding about that time, he kept himself concealed till 1687. Mr. Potter was privately licensed and ordained 1673. After which, by the instigation of the Bishop of Dunblain, he was hunted as a partridge on the mountains preaching where he could till 1677, when he went to Holland for some months. Upon his return he was forced to keep out of the way, but was apprehended about the end of the last year, and now was sent to the Bass.

J. Row.

The same day John Row, chamberlain to Sir William Primrose of Carring, being informed against for conventicles, was outlawed, and the general was ordered to send parties in quest of him, and if they could not find him, to secure his goods for the king's use.

*Witnesses
to be examined
before trial.*

The prosecutions before the judiciary were now very numerous; and, the better to answer the designs of the persecutors, a letter was procured from the king, and read before the lords on the 8th of January, ordering them to examine witnesses upon oath previous to the trial. But how well it became judges to take the oaths of witnesses before trial I must leave to be determined by others. As it requires one skilled in the laws of Scotland to make proper remarks on this, I shall therefore leave it.

*Tho. Cuning-
ham
of Mont-
grenan.*

The same day Tho. Cuningham of Montgrenan was indicted before them for treason and rebellion. His confession, that he and others joined the rebels at Bothwell, was the proof. However, he begged the lords might intercede for his pardon, and declared that he was willing to take the test. He was brought in guilty, but the sentence was not pronounced till the 15th, when he was sentenced to be hanged at the cross of Edinburgh on the first Wednesday of April; but it seems he was pardoned.

*W. Mar-
tin of
Dullurg.*

On the said 8th of January William Martin of Dullurg junior was indicted for treason and rebellion, but upon renouncing his heritage, the process was dropt, and he was made to oblige himself to appear when summoned. W. MacClelland of Auchinguil, H. Maxwell of Cail and W. MacCulloch of Gilchred, came off the same way. The last took the bond of peace and the test, and was released.

*Husbands
accountable
for
their
wives,
&c.*

There was scarce any thing, under this administration more unaccountable, though it was very common, than to prosecute husbands for the non-conformity of their wives and fathers for conversing with their own children. The magistrates of Edinburgh, having this case frequently before

1683.

them, proposed some queries concerning it to the council. A committee was appointed on the 11th of January, who gave it as their opinion. 1. That wives ought to be fined in the half of their husbands fines, and that the husbands were to have defalcations off the wife's jointure. 2. That regular husbands, on producing their wives to the magistrates, were no farther answerable. 3. That widows were to be fined in the half of their late husbands fines. 4. That unmarried women were to be fined according to the condition of their deceast parents, and their own condition as to their fortunes. 5. That parents were answerable for their childrens keeping the church when they were seven years of age, and fit to be catechised. In short, all that regular husbands had to do, was to produce their irregular wives to the judge ordinary, who, if they should prove contumacious, was to lay the matter before the council.

The same day the case of Andrew Herron of Kerochtree was before the council, for conversing with his own son and his son-in-law, who had been at Bothwell, and, being ashamed to take his life, they procured a letter from the king to empower them to fine him as they saw proper. Accordingly, though he was pardoned as to his life and estate, yet he was afterwards fined in 5000 merks, which he actually paid.

*A. Her-
ron.*

On the 27th Sir John Harper, sheriff depute of Lanerk, was imprisoned in the castle of Edinburgh on suspicion of treason, *that is*, corresponding with some of the persecuted party. This gentleman was abundantly *regular*, as they called it; but he was not so violent in prosecuting the sufferers as some would have had him; he lay some months in prison, and at last was released upon giving a bond of 10,000 l. sterling to appear when called.

*Sir John
Harper.*

On the 31st the sureties of Sir T. Stuart of Cultness, Hamilton of Monkland, of both afterwards, Mr. J. Osburn and Mr. Hugh Crawford, were summoned to present their persons according to their bond. Mr. Osburn, a few days after this, appeared before the council, and, owning he preached in houses, had it in his choice, either to depart the kingdom, or oblige himself not to keep conventicles, under the pain of 5000 merks. He chose the last.

*Cultness,
&c.*

About this time the Rev. Mr. John MacGilligen appeared before the council, and, being charged with conventicles, irregular marriages and baptisms, and refusing to

*Mr. John
MacGilli-
gen sent to
the Bass.*

1683.

swear against himself, was fined in 5000 merks, and sent to the Basils till he should pay it, or oblige himself to depart the kingdom, never to return without his majesty's licence. However severe this sentence was, yet some who were absent at that time thought it too mild, and attempted to have a sentence of another nature passed against him, but all their attempts proved fruitless. He continued in the Basils till the year 1686, and, as appears from his diary, had much of the divine presence with him, and a believing prospect of the nation's deliverance from the hands of its present oppressors. Though to scoffers it may appear ridiculous, yet to the pious reader, what he says on the 23d of September 1684, will, I am persuaded, be agreeable. ' This day I got my heart poured out before the Lord, for the distress, destruction and desolation of the land, and the ruin and overthrow of his interest. The Lord will have mercy and heal, recover his own glory, reform his church, restore his ordinances, purge his servants, and cause sacrifices to be offered in righteousness to himself.—He will strike with his right hand, and with it bring back the ark and the glory, and cause the days of joy and gladness to be according to the days of sorrow and sadness we have seen.'

His prospect of the nation's deliverance.

Remarks.

By the way I cannot but observe, that we, in this generation, may look upon all the privileges, both religious and civil, that have flowed from the revolution, to be, in a great measure, owing, under God, to the prayers of the distressed sufferers in this dismal period. Happy had it been for the nation had they been better improved, and happy would it be did we but mourn over our great defections, and labour after that reformation which our worthies contended for, and sealed with their blood!

While Mr. MacGilligen was thus employed, summons of adjudication was raised against the small estate he had in the shire of Ross. But the lords, by the interest of the Laird of Tarbet, afterwards Earl of Cromarty, put a stop to the fine. At last he was released, and ventured home, to the inexpressible joy of his old hearers. At the revolution, he, with the consent of his people, went to Inverness, where, after preaching a short while, he died in the Lord, June 8. 1689. My author says he was the only minister in the province of Ross who at the first assault opposed Prelacy. He was of great service to many ministers, as Mr. Hog of Kiltearn, Mr. Ross at Kincairdin, and Mr. Anderson at Cromarty. It was at his house

that

that the worthy Mr. Angus MacBean, formerly Episcopal minister at Inverness, preached his recantation-fermon, from Job xxxiv. 31, 32. A relation of his case and sufferings had been well worth the inserting, but I have not the particulars. He died in prison about the time King William landed in England. But to return.

On the said 31st of January a process was commenced before the justiciary against Mr. William Lawrie of Blackwood. This gentleman was apprehended last year, and indicted for treason; because, as they alledged, he had allowed several of his tenants, who had been at Bothwell, to return to their farms, and received rent from them; and therefore, say they, he hath incurred the pain of treason, at least was art and part with them in the said crimes. He was farther indicted for commissionating, giving order to, or conniving at James Cleland and James Wilson, known rebels, to come, in the month of May or June 1679, to the house of Douglas, and take away two cannons and several horses belonging to the Marquis of Douglas. It was pleaded in his behalf, that the persons named in the indictment were tenants included in the indemnity, and that therefore the lieges might receive them as tenants, though they had not taken the bond of peace, since they were not intercommuned. His lawyers urged farther, that he could not be prosecuted for converse with rebels, unless the persons he is said to have conversed with had been legally convicted of rebellion. It was likewise argued, that he was no ways accessory to the taking the cannons from Douglas castle, nor conversed with the said Cleland and Wilson till the October following, when they were openly at his father's funeral; that Wilson was a common and known drover, and therefore he dealt with him as all the country did. However, on the 7th of February the lords, notwithstanding all that could be said in his defence, and though nothing could be proved against him, condemned him to lose his head at the market-cross of Edinburgh on the last of February.

Black-wood prosecuted.

Condemned.

Bishop Burnet, who through mistake calls this gentleman by the name of Weir of Blackwood, after giving some general account of this affair, says, 'This was such a constructive treason, that went upon so many unreasonable suppositions, that it shewed the shamefulness of a sort of men who had been for forty years declaiming against a parliamentary attainder for a constructive treason, in the case of the Earl of Strafford, and did now, in a com-

Remarks.

p. 526

mon

1683.

Reprieved.

mon court of justice, condemn a man up a a train of many inferences, that it was not possible to make it look even like a constructive treason.' He adds, that, though the Marquis of Douglas wrote earnestly to the duke for his pardon, that was denied. However, he was reprieved from time to time, and so was not executed. This continues the historian, put all the gentry in a great fright. Many knew they were as obnoxious as Blackwood, and none could have the comfort to know that he was safe.

J. Menzies, &c.

There were several other gentlemen prosecuted before the justiciary, as John Menzies in Dalquharn, John Gibson of Auchinchain, Robert Ferguson of Letterpin, Will MacCulloch in Cleichred, and James Lawrie writer in Lanerk, but none of them were executed.

Several fined.

While the justiciary were thus engaged the council was not idle; for on the 8th of February, they fined John Hamilton of Gilckrescleugh in 2000 merks, because his lady had been at house-conventicles, and on the 12th deprived Sir John Dalrymple of Stair of his bailiary in Glenluce, fined him in 500 l. sterling, and ordered him to the castle of Edinburgh till he made payment. The reason of this are not to be found.

John Archer's farther sufferings.

The sufferings of John Archer in Strathmiglo were renewed this month. Before his children recovered, he was seized with a violent fit of the gravel. While in this case a party of Balcarras's troop came, apprehended and carried him, his wife and five small children, to Kirkaldy prison. Next day the provost released the mother and children, on finding bail to present herself to the sheriff when called. After John had continued in jail three weeks, he was carried to Edinburgh, and was first before a committee, and then before the council. And though nothing but non-conformity could be laid to his charge he was sent to the iron-house in the prison of Edinburgh where he continued in irons 17 days. It was thought this severe treatment was much owing to his not giving Bishop Burnet of St. Andrews his titles. He remained in jail above five months, when he was released by the interest of a south-country gentleman, who had a singular regard for his brother Mr. Thomas. After some respite he was again persecuted; so that, for a whole winter, he could not ly two nights in his own house, but was obliged to make the best shift he could. Sometimes in the night-time he would come home and work a little a

his trade, being a candle-maker, and retire out of the way in the day-time.

1683.

On the 1st of March Major White's commission was extended to the parishes of Eglisholm, Mearns, Carmonnock, and Kilbride, it being alledged that disorderly persons not only lived, but were likeways sheltered in these places; but, as the bounds of his commission were now very large, he was impowered to send a depute to the remote places where he could not conveniently attend. The major was abundantly severe, but his deputies exceeded him; and by this means the oppression became very general, their being but few parishes that had not either the major or his deputies.

Major White's commission extended.

At the same time Claverhouse, Meldrum, and Major White, had instructions to discover all in the late rebellion, who were not in the porteous or fugitive rolls, and send them prisoners to Edinburgh, in case they should have two witnesses to swear against them; to send the names of those heritors who had harboured or conversed with rebels, that the council might take a proper course with them; to fine to the utmost petty heritors, who were likeways tenants; to send an account to the chancellor of those indulged ministers who had transgressed their rules; to grant safe conduct for fourteen days to those in the late rebellion, who should throw themselves on the king's mercy; to send the names of unlicensed chaplains, and of those who entertained them, to the chancellor, the Archbishop of St. Andrews, or Bishop of Edinburgh, that the fines imposed by law might be exacted; and, lastly, to call for the books and records of sheriffs, bailies of regalities within their bounds, and examine what fines had been imposed in case of church-disorders, that they might regulate them as they should see cause. The like instructions were given to others; but the particular effects of them are not known.

Instructions to Claverhouse, &c.

On the 8th and 9th of March Major White held courts in the church of Carmonnock, where many were called before him. The country people were kept from one court-day to another, to their great detriment in this time of labour. Soldiers were sent to the houses of those who did not appear. They who appeared, and would not swear they were at church, at least every third Sabbath, were fined as the major thought proper. By the instigation of Mr. Boyd the curate, his predecessor, the Rev. Mr. Andrew Mortoun, was summoned for alledged baptizing and

Courts held by Major White.

1683.

and preaching in that parish, but not appearing, was fined in 30,000 merks; so that he was obliged to conceal himself till the liberty 1687. From 8 or 9 poor country people in the parish White exacted 277 l. for absence from the church, or rather because they would not swear that they kept it in terms of law. At another court-day 25 were fined for not hearing the curate, some in 500 and some in 25 l. and 12 women in 6 dollars each.

*Jasper
Touch
fined.*

White likewise executed his commission in other parts of his bounds, and particularly held courts at Kilmarnock and exercised more severities than are necessary to be related. Jasper Touch, a young surgeon in that place was fined in 19 l. sterling, because he would not swear he had been at church every third Sabbath; and, refusing to sign the bond of regularity, he and several others were sent to prison: at last he was released, upon paying 27 rix-dollars; but frequently after this he was harassed for his non-conformity, being forced to abscond, and leave his shop and business to the care of an apprentice. In his absence he was severely fined by Col. Buchan who held one of these courts at Kilmarnock, had his servant imprisoned, and an inventory taken of all his household furniture. The colonel being called to Glasgow, Mr. Touch returned; but, when the colonel came back, he was imprisoned, and with great difficulty was released, upon giving security, under the penalty of 1000 merks to appear before him or the council on six days notice. Meldrum was likewise very diligent in the execution of his commission. But enough has been said upon this.

*Extracts
from the
records
required.*

On the 12th of March a letter from the king came to the justiciary, and, much about the same time another to the council, requiring them to send extracts from the registers of the indictments, trials, proclamations, &c. together with copies of the several treasonable declarations, proclamations, bonds of combination in Sanquhar, Lanerk, Rutherglen, &c. in order to their being digested and methodized by C. Hanses of Gray's-Inn, Esq; London, and published for the satisfaction of the king's good subjects. But it does not appear that this was complied with. My author justly observes, that, had such a thing been done with any sincerity, it would have saved him a great deal of trouble; but that was not to be expected.

*Mr. John
Philip.*

On the 15th Mr. John Philip, late Episcopal minister of Queensferry, having been turned out for refusing the test, was before the council, and charged with saying, in
the

1683.

the parliament-house, that the Duke of Albany and York was a bloody man, a tyrant, and distasteful to the subjects; that the king's advocate and bishop of Edinburgh were bloody and cruel men; that the Earl of Argyll was unjustly forfeited, &c. After witnesses were brought to prove these things, the council fined him in 2000 l. sterling, and ordered him to be kept prisoner in the Bass during life; signifying, at the same time, that, if he did not pay his fine within 15 days, they would order the advocate to pursue him for his life before the justiciary. The cash-keeper was commanded next council-day to seize all his books and papers.

On the 22d the council, being informed that the Lady Caldwell and her daughter were imprisoned for convenicles, ordered them to be sent to the castle of Blackness. This excellent widow lady was Barbara daughter to Sir William Cuninghame of Cuninghamehead. She had a dowry out of the lands of Caldwell suitable to her rank; but, neglecting to take investiture before her husband's forfeiture, she and her four children were cruelly turned out of her right, and obliged to support herself by her own and the industry of her virtuous children.

Lady Caldwell's sufferings.

About the beginning of this year, while she lived peacefully in her apartment in Glasgow, one who lived over against her went to Provost Barns, a violent persecutor, and told him, that through the glass of her window he saw a minister preaching. Upon this false information he was imprisoned, and without any other proof, she was sent to Blackness castle, where she and her eldest daughter remained closely confined for almost a year. When, by this close confinement, Mrs. Jean's health was impaired, she was with difficulty released, and, as a mighty favour her mother was allowed now and then the benefit of the air. But they would not allow her to see her second daughter Mrs. Ann, though she was seized with a fever which proved her death. She continued prisoner several years unconvicted of any crime, and never accused but by one witness. And though it had been true that a minister preached at that time in her apartment, yet the laws then in being required proof that there were more than five present besides the family. The law had not prohibited family-worship; and though the lawyers openly connived at Popish masses in families, yet the Catholic fury vented itself, for the most part, only against Presbyterians.

1683. This lady was not released till King James's liberty of conscience.

Lady Kaitloch. At this time the Lady Kaitloch suffered considerably for a garrison, that was sent to take possession of her house most cruelly turned her and her small family to the fields and it was esteemed a favour that they allowed her to lodge for some time in a cold barn. At last she and her children were forced to leave the kingdom, and died a broad.

Cruelty of the garrison. Some of the soldiers of this garrison found a poor man at prayer in the fields, and brought him to the garrison who kept him three days in the guard-house, where his pious soul was vexed at the dreadful profanation of God's name. At last, because he refused the test, he was turned out of his house, and forced to wander up and down for several years.

John Nisbet examined. On the 22d of March John Nisbet younger, (so called to distinguish him from John Nisbet of Hardhill) who lived in the parish of Loudon, was tried by Major White assisted by W. Creighton sheriff-depute of Ayr, who with others, was vested with a judiciary-power. When upon his examination, he refused to inform against John Nisbet of Hardhill, the major impiously threatened to make him sit three hours in hell. It is not worth while to insert their jeering questions. As to the archbishop's death, he said he was not a judge; that Bothwell was self-defence; that he acknowledged none to be the Head of the church but Christ. Being asked if the king was king, or not? he told them he was once a covenanting king; and, as to his being king now, he referred it to his obligations in the coronation-oath to be considered. Being then asked if he was his king, he refused to answer. This was all they had to lay to his charge; and for this he was condemned to be hanged at Kilmarnock on the 14th of April, which was done accordingly. He had grave courage and stayedness when he came to the place of execution. After he had prayed, he sung Psalm. xvi from ver. 5. to the end, read Rom. viii. and prayed again. He was allowed to speak a considerable time to the spectators, wherein he recommended religion, and pressed them to godliness from his own experience. He told them that this was the first execution in that place, and was likely not to be the last; that death was before them all,—but as for himself, the sting of it was taken away, and he reckoned every step of that ladder to be a step nearer heaven.

1683.

heaven. He was interrupted when beginning to give an account of the cause of his sufferings, upon which he drew the napkin over his face, and was turned over, committing his soul into his Father's hands. His last speech and testimony the reader may find in the Cloud of Witnesses; in which he says, among other things, As for my not praying for the king in his person and authority, this I durst not do, it being a perfect owning of him in all he hath done, &c.

Process of forfeiture.

On the 2d of April a process of forfeiture was raised against John Balfour of Kinloch, John Ruffel portioner of Kettle, for killing the archbishop; Robert Hamilton brother to Sir William Hamilton of Prestoun, for commanding the west-country army at Bothwell; Mr. John Log minister at Rotterdam, Mr. Robert Fleming there, — Smith, Mr. Robert Langlands, Andrew and John Ruffel's factors, and James Stuart son to Sir James Stuart proposit of Edinburgh, for supplying the rebels with money and necessaries ever since, &c. Robert Hamilton and John Balfour were sentenced to be executed when apprehended. John Ruffel, Messrs. Hog, Langlands, Smith and Stuart were outlawed and forfeited. The diet was deserted as to Mr. Fleming and Andrew Ruffel, the council having sufficient testimonials of their loyalty.

Sir Will. Denholm, &c.

The same day Sir William Denholm of Westfields, Mr. G. Cuninghame indulged minister at Dunlop, for corresponding with Mr. John Cuninghame of Bedlane, were outlawed, as was likewise Archibald Menzies younger of Aldairs, for saying one day in prison, That fools made the test, and knaves take it.

Circuit-courts.

Though the commissions given to Major White, Claphouse, and others, and the extensive powers vested in the commissioners, might have been thought sufficient for oppressing all whom they called *fanatics*, yet there must be more circuit-courts clothed with all the power of the council and judiciary. Accordingly, on the 13th of April, a proclamation was published, in consequence of a royal letter which they received on the 10th, setting forth, among other things, that though his majesty had been so often induced to grant indemnities, indulgences and other favours, to that fanatic and disaffected party, which only emboldens them to abuse his royal goodness; yet it is, and is now more than ever, his firm resolution to blot out these seditious and rebellious principles, and to maintain the church-government as it is established by law;

Proclamation for them.

1683.

law; therefore he required the council, and all judges and magistrates, to execute the laws with rigour, against all who, since the late indemnity, had been, or afterwards should be found guilty of fanatical disorders, and to prosecute, before the justices, all who are, or shall be found guilty of receiving, harbouring, or conversing with persons forfeited, traitors, &c. but, lest any have inadvertently fallen into that mistake, he recommended to the council to command the advocate to order such as they suspect to be summoned before them, and to judge them, upon evidence or the oath of parties, as they shall see fit; or, in case they shall refuse to swear, or appear, to repute them as guilty, and to restrict the ordinary pains of treason to banishment, fining, or arbitrary punishment, but to be indemnified if they appear and satisfy the council. He likewise gave the council authority to commissionate whom they thought fit, in the respective shires, for judging those whom they had not time or conveniency to call before themselves, and that in the same way, and with the same powers that themselves were possessed of. And since several of the common people, who were in the late rebellion, have lost the benefit of the indemnity, by not taking the bond in due time, his majesty declares, that upon their taking the test they shall be completely indemnified; and, for punishing those that refuse to be reclaimed, he ordered circuit-courts to be holden in the western and southern shires, and other places needful, in the months of May, June, July, and August next, after exact porteous rolls of delinquents are taken and published. The circuit court was to sit at Stirling on the 5th of June, at Glasgow the 12th, at Ayr the 15th, at Dumfries the 26th, &c. Then the common people, in taking the test, were to do it on their knees, and to sign it, by themselves or a notary, in presence of the persons mentioned in the proclamation.

Remarks.

This is the substance of a long proclamation, in which the king was made to signify his repentance for his former lenity, the contrary of which we have had all along uncontested proofs of, through the former part of this history, and to declare his resolution to extirpate all fanatic principles. It would have been very acceptable to his beloved brother, had he undertook to extirpate the northern heresy; however this was a good preparative. The test was to be imposed upon all suspected persons, though by act of parliament, none but those in offices of power and trust were required to take it; but the Duke of York

had foretold that the test should fall upon others than Catholics.

1683.

To pave the way for these circuit-courts, the council, on the 18th of April, made an act, ordering the clerks of the criminal-court not to insert in the ordinary porteous rolls, any noblemen, or sheriff-principals or provosts of burghs where the circuit was to sit, &c. but that the clerk and his depute shall take all information they can have against all persons whatsoever; and, in case any noblemen, &c. be informed against, that they keep a particular and private roll for such persons, which the clerks must keep secret at their peril, and send in these private rolls to the council. Here seems to be deeds of darkness. Next day they agreed upon instructions to the commissioners of judicary at the circuit-courts, and their clerks, in taking up of dittays, or in procuring informations against persons to be fined at the said courts, which need not be inserted. But, that the reader may have some view of the share of the Prelatical clergy had in the informations given in at this time, a paper was dispersed among them, whether by the order of the bishops or the council is not known.

*Private
porteous
rolls.*

The title of it was, *List of things to be done by the minister in each parish, 1683*, 'They were to give in, upon oath, a list of their sessioners, their clerks, and bellmen, of withdrawers from the church and non-communicants — to give an account of all disorders and rebellions, and and who were guilty — and a compleat roll of all within the parish, and particular list of all the heritors. That all women, who were delinquents be given up as well as men. That they give account of all persons who have gone out of their parishes, and the reasons of it, — of fugitives, their wives, or widows, — and all refetters of them, and of chapemen and travellers. That they declare who are the people in their parishes who can give the best account of all these particulars, that such may be brought in and examined.'

*Things to
be done by
the mini-
sters,*

This was fine employment for ministers of the gospel! But it is too well confirmed that such work as this was more agreeable to these orthodox clergy, than what really belonged to their office. The reader will easily observe, that the *sessioners*, as they are called, were made use of only as informers against innocent people. A vile prostitution of the office of ruling elder! But the clergy were at the bottom of all the persecution of this period.

Remarks.

During

1683.

Claverhouse's severities.

During the months of March and April Claverhouse exercised his powers to the utmost in the south; and that country was grievously harassed by searching for Mr. Cameron's followers, for all who had been at Bothwell, all in the fugitive roll, and who had not appeared at courts; for multitudes were forced to wander in mountains and caves, and many, through other parts of the kingdom, had retired for shelter to the mountainous places in Galloway and Nithsdale. There were likewise spies and informers who were bribed by the soldiers; neither were the Papists unactive in informing against these wanderers; for these, being of the duke's religion, were not only overlooked, but also met with encouragement, while many innocent people were exposed to the greatest hardships.

Meldrum's injustice.

At this time Meldrum had sent in Walter Thomson, Walter Smith, and — Turnbull prisoners to Edinburgh, because they would not pay the same fines over again to him that they had paid to the sheriff of Roxburgh. The three prisoners represented this to the council, and were released; but no notice was taken of Meldrum.

On the 4th of May, David MacMillan, James Brown, John Paterson, William Miller, James Gemble, George Lapsly and Rober Lawson, were before the lords of justiciary at Edinburgh. The first was executed, the four next took the test and were released. The two last refused the test, and were continued to the 10th of June; but their indictment was found relevant.

David MacMillan executed.

David MacMillan, before a committee of the council, acknowledged that he was apprehended in a church for being at Bothwell; but then he said, that Bothwell was not rebellion, being in defence of the truth; that he acknowledged the present authority, as far as the king had kept his engagements according to the word of God. When this confession was read before the justiciary, he said that something was inserted which he had not spoken, particularly concerning the bishop's death. Upon which the president said, Well, what say you to that now? He answered, that he had no judgment to judge such heads. He refused the test, which was offered him as the condition of saving his life, and was therefore sentenced to be hanged at the Grass-market on the 16th of May. He suffered with John Wilson, of whom I am now to speak, and died with a great deal of peace and composure. In the paper he left behind him he blessed God who had inclined him to 'join with the persecuted party

1683.

‘ party at Bothwell, — and earnestly wished that love might continue among the godly, notwithstanding the differences in religion; and pressed all to mourn for broken vows and promises, slighted offers and opportunities, and a broken Covenant; and declared that he died in the faith of it, that God would return to Scotland; that he adhered to the Confession of Faith, Catechisms and Covenants; and left his testimony against hearing of the curates, paying of cess, and the indulgence. — My soul, concludes he, shall bless him through all the ages of eternity.’

The same 4th of May John Wilson writer in Lanerk was brought before the justiciary, and, having been formerly condemned to die, was now ordered for execution on the 9th. He had been at Bothwell, and owned that he had acted as captain there. When apprehended he resolved to use the utmost freedom, and, at the same time, as much caution and prudence as was consistent with truth.

*John
Wilson.*

On the 17th of April he was examined before a committee of the council, and, among other things, was asked what he thought of Bothwell. Was it not unlawful to rise in arms? He said he durst not say it was unlawful; for the confession in the test says, that it is a good work to defend the life of the harmless; and that however God had disposed of these people, yet he supposed the Lord would own those, who, hearing their neighbours had been worshipping God, and (for defending themselves against those that sought their life) were in jeopardy of their lives, thought it their duty to rise for their relief. Then they asked if Pentland was rebellion. He answered, that the oppression of that poor people was so great, that the then rulers condemned Sir James Turner for his cruelty. One of them said, that he knew Sir James went not the length of his commission. Then they asked if the bishop's death was murder? He desired to be excused; for he would not answer that question; and, being pressed again and again, he told them, it being nothing that concerned his salvation, he did not pry into it. Then they said, how did Bothwell concern your salvation? He said, there was none who engaged themselves in service to God, but they behoved to be at his call; and it being for saving the life of the harmless, he durst not sit God's bidding. He was also examined concerning authority, but got not time to answer; and, in the remarks he made on this examination, he regretted that he did not improve this opportunity in testifying

*Before
the com-
mittee.*

1683.
 Before the
 council.

testifying against the ecclesiastical headship. He was also examined the same day before the council, where he owned his being at Bothwell, and declared that he did not think it rebellion, vindicated the lawfulness of self-defence. And, when they asked if he owned authority, he said, 'Government might be taken several ways. 1. For the simple comand of the prince. 2. For the more public command of the prince and people. 3. For the power a prince may be clothed with by a people. 4. For a prince's right to govern a people. As many of the prince's edicts and acts of parliament were against Presbyterians and Presbyterian government, he could not own it in the two first senses, unless he denied himself to be a Presbyterian. He added, he could not own it in the third sense, since the people had clothed the king with the headship of the church. As to the last sense, his right to govern, he had not seen through the denial of it.' He also makes remarks on this examination, which the reader will find in the Cloud of Witnesses. In his papers he gave an account of what had passed between the advocate and him. The advocate told him there was room for mercy, if he did not obstinately persist in his opinion. He answered, that he had delivered no opinion but what he had justified from the Confession of Faith, which he had lately sworn, &c. He was asked if he would bond * before sentence, there being no room for mercy afterwards. He answered he would not, and, at another day all sentences would be canvassed before the great Judge of heaven and earth. His friends advised him to supplicate for a reprieve, till he should be better advised as to his answers to the council, or because of his confusions since he came to prison, or that he might have a longer time to prepare for eternity; but he refused to petition on any of these grounds. He said, had his petition gone on the first ground, it would be a declaring to the world that he called his principles in question. The second would be a slandering Christ's cross, wherein every step had been to him mercy and truth. And, as to the third, he could not do it in faith. However, on the 7th of May, he gave in a petition for a reprieve, on account of his wife's case, who was then big with child; and he afterwards declared, that he had solid peace in so doing. During these things he had a conference with Sir William Paterfon, Bishop Paterfon's brother, concerning the grounds upon which he stated his sufferings, in which he vindicated the lawfulness

* take the
 test.

His peti-
 tion,

1683.

fulness of defensive arms; but the conference had no influence to alter any of the sides. Mr. Wilson was re-
 grieved till the 16th, when he suffered with David Mac-
 Millan according to his sentence. His last testimony is
 in the Cloud of Witnesses, in which, among other things,
 he says, 'I am really of that opinion, that God shall root
 this race of kings, root and branch, away, and make
 them like Zeba and Zalmunna, for taking God's house
 in possession, and resolving to root out the seed of the
 godly under the name of *fanatics*.' He most cheerfully
 left his wife, children and sisters, upon God, and died
 in the Lord.

There were, at this time, but few in the northern parts
 of the kingdom that were firm to the principles of the re-
 formation. However there were some, as we have for-
 merly observed, and among others the family of Fowlis.
 My author observes, that, on the 8th of May, Sir John
 Munro of Fowlis elder was by the council confined to his
 own house in the shire of Ross, and a mile round it, for
 his alledged withdrawing from his parish-church. This
 gentleman, on account of his corpulent structure, was
 nicknamed the *mortar-piece of presbytery*. His eminent
 piety and zeal exposed him to no small sufferings at times;
 for, besides a long confinement, his estate, which before
 was considerable, was harassed by several fines and con-
 fiscations, from which it has not been fully recovered to
 his day. I am sorry I cannot give a more particular ac-
 count of the sufferings of this gentleman, whose family
 greatly supported the interest of the Reformation in the
 north of Scotland, and who had three grandsons who lost
 their lives in the last unnatural rebellion, standing up in
 defence of the religion and liberties of their country, in
 opposition to a pretended branch of a family that has been
 the constant plagues of Great Britain, *viz.* Sir Rob. Mun-
 ro of Fowlis, Captain George Munro of Culcairn, and Dr.
 Duncan Munro: but, as the Rev. Dr. Doddridge of North-
 ampton has favoured the world with some account of
 his family, in his appendix to his remarkable passages in
 the life of Colonel Gairdner, who was killed in the battle
 of Preston 1745, thither I refer the reader.

*Sir John
 Munro of
 Fowlis.*

On the 10th of May Mr. James Renwick was ordain-
 ed at Groningen. The societies for general correspon-
 dence, considering the dismal situation things were in at
 his time, and that they had no ministers they could join
 with, agreed to send Mr. Renwick to the university of

*Mr. Ren-
 wick or-
 dained.*

1683.

*Life of
Renwick,*
p. 21.

Groningen, in the United Provinces, to prosecute his studies; which he did with much approbation for the space of six months, and was ordained, indefinitely, to the work of the ministry, by the imposition of hands. The Reverend Mr. Shields says, 'Such was the case of that poor people that made application, that they could neither get faithful ministers free of defection, whom, with freedom of conscience, they might call,—nor would they answer their reiterated requests whom they did call; neither would any ministers, at that time, opposite to their testimony, ordain any of their way; nor could they see it without condemning their testimony, &c. therefore they sent Mr. Renwick to the Provinces.' In the Informatory Vindication it is said, 'Though the classes of Groningen, by whom he was ordained, differ from the reformation of Scotland, in her best times, in some things yet, considering, 1. That in these differences they were never reformed, and so cannot be charged therein with defection. 2. That they agree with the true Presbyterian church of Scotland in all principles against Popery, Prelacy, Erastianism, and all heretical and sectarian errors. 3. That they did then object nothing against our present testimony. 4. That they came under a general and far other consideration, being of a foreign church than ministers of the same original church, and under the same bond of covenant with ourselves.—5. That in the act of ordination they did obtrude none of these differences, but took him engaged to teach according to the word of God, the Confession of Faith of the church of Scotland, and the discipline thereof; upon all which considerations it was thought lawful to accept of ordination from the said classis.'—Accordingly Mr. Renwick, instead of the Belgic forms, was allowed to sign the Westminster Confession and Catechisms.

*Earlstoun
appre-
hended.*

On the last of May, or first of June, Mr. Alexander Gordon Laird of Earlstoun was taken at Newcastle, going to Holland. This worthy gentleman, having been much abroad since Bothwell, returned and joined the societies. He was pitched upon, at one of their general meetings, and, says Mr. Wodrow, joined in a commission with his brother-in-law Robert Hamilton, to repair to Holland, to represent the circumstances and principles of those people to the reformed churches there: but it would seem my author is mistaken in the circumstances of Earlstoun's commission from the societies; for Mr. Shields says, that

after

1683.

*Renwick's
life, p.
17, 18.*

after the publishing of the Lanerk declaration, the next general meeting, finding themselves much condemned, reproached and informed against in foreign churches, as if they had fallen from the principles of the church of Scotland, into wild errors, thought it expedient to send the Laird of Earlstoun to the United Provinces, to vindicate themselves from these reproaches. This was in the year 1682. And I find that Earlstoun's commission was dated at Edinburgh 2d April 1682, and subscribed by John Renwick, and sent to him at Newcastle; but the above Robert Hamilton is not so much as mentioned in it. Whether he got another commission last spring is more than I know. However, when Earlstoun and his servant Edward Atkins were apprehended, he was aboard a ship bound from Newcastle to Holland; and, lest his papers should fall into the hands of his enemies, he threw them into the sea, but they were observed and taken up, and both of them were sent to Newgate.

This affair made the more noise at this time, as it happened when a pretended plot was said to be discovered against the king's life; and the council and bishops were going with expectations of mighty discoveries from Earlstoun's papers; but, upon the strictest examination of them, nothing was found but a letter signed *I. N.* commissions and instructions from the societies, with letters to some Dutch ministers and Scotsmen in Holland, and papers on civil business.

His papers examined.

The conspiracy pretended now to be carried on was that commonly called *The Rye-house-plot*, because, as was alleged, the conspirators had formed a design to assassinate the king and duke at the house of the Rye, within two miles of Hodsdon in Hertfordshire, which was then inhabited by Richard Rumbold. An ingenious writer, speaking of this and other sham plots, says, 'The shattered remains of English liberty were then attacked on every side; and some of the noblest blood of the nation was offered up a sacrifice to the manes of Popish martyrs, and made to atone for the bill of exclusion. Swearing came once more into fashion, for which a new evidence-office was erected at Whitehall. But whereas the witnesses of the Popish plot were brow-beaten and discouraged; those of the Protestant plot were highly encouraged; and, instead of judges and juries that might perhaps wobble at half-evidence, as it fell out in prosecution of the former, care was taken in this to pick out such as

Rye-house plot.

Welwood's mem. edit. 6. p 118.

1683.

‘ would stick at nothing that would serve a turn. It was
 ‘ by such judges and juries that the Lord Russel and Mr.
 ‘ Sidney fell; and the cutting off those two noble lives
 ‘ may be reckoned among the first triumphs of the duke’s
 ‘ party in England.’

No assassi-
 nation de-
 signed.

This matter might have been entirely omitted, but that several valuable persons were persecuted and suffered in Scotland for his pretended conspiracy. It is certain that several patriots for religion and liberty in both nations had frequent meetings among themselves, in order to consult upon proper measures for securing these invaluable privileges which were then at the stake. But that ever Lord Russel, Col. Algernon Sidney, the Earl of Argyll, the Laird of Jerviswood, the Rev. Mr. William Carstairs, and others suspected, were concerned in any assassinating design, was never proved against them, nor could be. They were persons of quite different principles, as will afterwards appear. When this conspiracy was pretended to be discovered, a letter came from the king, requiring that none might be suffered to depart the kingdom without leave; and the council soon after issued a proclamation in the terms of the king’s letter, and another against the Duke of Buccleugh and Monmouth. In the English declaration for a thanksgiving it is said that a general insurrection was intended, and that a correspondence was established in Scotland; and that the Earl of Argyll, Lord Melvil, Sir John Cochran, Mr. William Carstairs and others, were concerned in it. It is not worth while to mention the Scots proclamation for a thanksgiving, only that it is intitled, *Proclamation indicting a thanksgiving for the deliverance from the fanatical conspiracy*; and that fanatical, the term of reproach given to Presbyterians, is in the body of the proclamation, joined with atheistical and republican principles, and named first, as if, in the sense of the compilers, it was the worst of the three. The executions in England on this account, as that of Lord Russel, Col. Algernon Sidney, &c. are out of my way. Only I cannot but observe, that all the violent measures then pursued were the effects of the malicious jealousy of the Duke of York, against his rival the Duke of Monmouth and his friends, so that for some time the latter was forced to keep out of the way. But passing these things, I return to what more immediately concerns this history.

Letter
 and pro-
 clamati-
 on.

Executi-
 ons in
 England.

On the 4th of June the council issued a proclamation forbidding all to exercise the offices of teachers, pedagogue, or chaplains, unless they take the test. If noblemen did encourage them, they were to be fined in 3000 merks, gentlemen in 1200 merks, burgeses and others in 600 merks. The same day they appointed the Laird of Claverhouse, Meldrum, &c. to attend the justices at the circuits, to answer what questions shall be asked, and give all the informations they can against the rebels, &c.

1683.

Proclamation.

Claverhouse, &c. attend the circuits.

Next day the circuit sat down at Stirling, when, among others, one William Johnstoun, a Stirlingshire man, appeared before them. The wounds he had received at Bothwell had for a long time deprived him of his reason, so that he had been overlooked till now. He and the rest swore the test on their knees, but he knew not what he did; for when he was told that he had renounced what he had owned at Bothwell, he relapsed into his former distemper, and died in a few days.

Circuit at Stirling.

About the beginning of this month, as a party of soldiers was carrying one Alexander Smith to Edinburgh, they were attacked by some of his friends near Inchbelly-bridge. The soldiers were beat, one of them was killed, and the prisoner released. The country-men retired in good order with their friend; but within a little the soldiers rallied, and searching the adjacent places, happened to seize John Wharry or MacWharry, and James Smith, while sitting together in a wood near the place, without arms but their staves. The poor men were immediately carried to Glasgow. Some say two of the soldiers were suborned to swear that they saw them kill the soldier; but it appears that no witnesses were examined, the court sustaining it as relevant that they were taken near the place; whereas, had they been any ways concerned, they doubtless would have retired with the rest. They were condemned to have their right hands cut off, then to be hanged, and their bodies to hang in chains at Inchbelly-bridge. And accordingly, on the 13th of June, they were both executed at Glasgow. The Cloud of Witnesses says they suffered on the 11th. They were most pious and religious persons; and the letters they wrote to their friends on this occasion breathe an uncommon spirit of piety. They rejoiced in their bonds, and joyed in their tribulations. When John Wharry's hand was cut off, instead of shrinking, he held up the

Inchbelly-bridge.

J. Wharry and J. Smith executed.

stump

1683.

*Circuit at
Glasgow.*

stump and said, This, and other bloodshed through Scotland, will yet raise the burnt Covenants.

The day they were executed the circuit sat down at Glasgow, and there appeared at the bar John Russel portioner in Eastfield, Gavin Paterson feuar in Bothwellshields, Robert Russel in Windyedge, Mr. Thomas Hamilton of Raith, and James Hamilton of Parkhead. The most that was proved against them was, that they were seen in company with the rebels; but there were not two witnesses that agreed in the same thing, except as to Raith and Parkhead, and both swore that they were without arms; and yet they were all condemned to be executed when the council and justiciary should think fit. We shall meet with several of them next year.

On the 15th the circuit proceeded against James Maxwell of Williamwood, and John Maxwell younger of Bogtoun, both in the parish of Cathcart in the shire of Renfrew. They were in absence both forfeited in life and fortune, though there was no proof of their being at Bothwell.

*Maxwell
of Willi-
amwood.*

Mr. Maxwell of Williamwood was an uncommon sufferer by the Highland host 1678. And, in the following summer, a party, commanded by one Scot of Bonnitoun, came and without producing any orders carried off 50 bolls of meal, 4 horses, with the whole household furniture left by the Highlanders, cut the beds with their swords, and damaged what they could not carry off. All this was occasioned by an information given by Mr. Finnick the curate of Cathcart. However, Williamwood, conscious of his integrity, and loyalty, furnished his house anew, and dwelt in it, till in May or June 1680, a false information was given against him as having been at Bothwell. Whereupon he was seized, and carried first to Glasgow, and then to Edinburgh, where he was several times before the council; and no proof appearing of his being at Bothwell, he was released upon bond to appear on the first of September. In short, he got up his bond, and obtained his liberty; but, notwithstanding this, about the end of 1681, he was again attacked, and had his house pillaged by soldiers; so that, finding, there was no safety for him from the malice of the said Finnick, he let out his land to tenants, and lived privately for some time, and at last retired to Ireland. While there, a summons was left at his house in Scotland, to appear before the justiciary. Montgomery the sheriff-depute, dealt with several

1683.

ral persons who were in the porteous-roll to swear that they saw Williamwood at Bothwell, promising that he would get them acquitted, and their names scratched out of the roll; but they would not purchase their liberty at such a price. However, one Hart a profligate wretch, and another like him, were prevailed with; and so Williamwood was sentenced, as above, before ever he knew there was an indictment against him, and his estate given to Provost Johnstoun of Glasgow, and his wife and six small children put to shift for bread till the happy revolution. In the year 1684, his wife was harassed from place to place, till, through toil and grief, she died in November. These well attested facts will doubtless furnish the reader with proper reflections.

Many other gentlemen received indictments before this court at Glasgow, particularly James Muirhead of Bradisholm. He was a great favourer of the Presbyterians; but though his house was within two miles of Bothwell, yet during that rising, he retired from home several weeks. In the year 1681, he was prosecuted before the circuits; but, no proof appearing, all prosecution was discharged. When he was, as he thought, secure, he was again put into the porteous-roll, and received a new indictment before this circuit-court at Glasgow; but, nothing appearing against him, he was referred to the justiciary at Edinburgh, and by their order was released. Notwithstanding this, he was, the very next year, put into the porteous-roll, and indicted before the circuit for the same pretended accession to Bothwell; and because he would not clear himself by taking the test, he was charged before the council for reset and converse, keeping conventicles, and was fined in 4000 merks, and kept 14 months in prison at Edinburgh.

*J. Muir-
head of
Bradish-
holm.*

In short, the country was put to great trouble and vast expences at these circuits. It cost John Ayton, Thomas Leiper, James Martinholm, Alexander Small, John Steil in Breckenridge, John Mack in Caldergreen, with several more who attended this court, above 200 merks each before they got home. Great sums were likewise extorted from honest people to get free from sitting on the juries. John Luke of Claythorn paid, at different times, near 50 l. sterling. This was likewise the case of Andrew Gibson, George Bogle and others. Many considerable merchants in Glasgow lost a great deal of money to be freed from sitting in these juries.

*People put
to great
expences.*

1683.
Circuit at
Ayr.

The circuit-court sat down at Ayr on the 22d of June. The curates in that shire, especially Mr. Abercrombie in Carrick, and Mr. Joseph Clelland in Dalsersf, signalized themselves in procuring informations. Vast numbers were summoned out of every parish in the shire to give informations. The persons informed against were charged to clear themselves by taking the test. The recusants were imprisoned, and they who did not appear were declared rebels, &c. The same day Mr. Matthew Campbell of Watershaugh, Robert Lockhart of Bankhead, James Brown son to James Brown in Newmills, John Pateron in Dandillan, Adam Reid in Mauchlin, John Wilson in Lindsayhill, John Crawford of Torshaw, Andrew Brown of Duncanzeamer, Mr. John Halbert, Col. John Burns, and Jam. MacNeilly of Auchnairn, were indicted for being in arms at Bothwell. They were all absent except Bankhead and Andrew Brown, who confessed their guilt, offered to take the test, and threw themselves on the king's mercy. Sentence was not pronounced against these two till the 2d of August, when they were condemned to be beheaded at the cross of Edinburgh on the 9th; but it seems before that they were pardoned. All the rest were, in absence, sentenced to be executed as traitors when apprehended.

Campbell
of Water-
shaugh,
&c.

John Co-
chran of
Water-
side.

John Cochran of Waterside was, in absence, forfeited for conversing with rebels. There were strong suspicions that the two witnesses who deposed against them were suborned.

William
Boswell.

William Boswell, a young gentleman in the parish of Auchinleck, was obliged to take the test, and pay 1000 merks fine to preserve his estate from forfeiture. All his crime was, that, when he happened to fall in with a company of men going to join the west-country army, he stopt his horse to see them draw up.

W. Tor-
bran.

William Torbran, late Provost of Stranrawer, was summoned before this circuit. This gentleman endured great hardships in the year 1679, so that he was obliged to retire to Ireland, where he was when summoned to appear. His lawyers, with difficulty, got 60 days allowed to cite him as one out of the kingdom. When these were expired sentence of death was past upon him, though no crime was proved against him but his absence and non-appearance; so that he was obliged to stay abroad till 1687, when he found his losses exceeding great.

1683.

Circuit at Dumfries.

At Jedburgh.

Other courts.

The circuit next sat down at Dumfries. In this district very few but Papists, persecutors, and their friends, escaped. They who had formerly signed the bond were here made use of as witnesses, and were grievously harassed if they did not turn informers too. The taking of the test, which was pressed with rigour, saved the lives of many. They who did not appear were declared traitors, and all who after that conversed with them, whether father, mother, brother, sister, husband or wife, became in law as guilty as they; and thus the very ties of nature were broken.

In consequence of what passed at the circuit at Jedburgh many were made prisoners. All who refused the test were bound over to appear at Edinburgh the 2d of August. Mr. Gladstones, one of the prisoners, says, in a letter to the Laird of Cavers, 'That Stevenson, Ormiston, Maudsley, Pollock, Maxwell, Greenock and Blackcastle, were sent to the castle of Edinburgh, Sir John Riddel and another to the prison of Haddington and Bonjedburgh, Well, William Ker uncle to Greenhead, Gideon Scot, and himself, to that of Edinburgh, where, with about 60 other gentlemen, they remained about ten days, till the prison—became dangerous for their health.' Some of these prisoners were released upon bail to appear when called, others continued in prison for a considerable time. Thus much for the circuits this year. After they were over, droves of prisoners were carried from prison to prison; and, if I may use the expression, the jail at Edinburgh was the common reservoir. The Papists, all this while, were not only overlooked, but encouraged.

It has been related, that others were impowered to hold courts and tender the test, and they generally exceeded their instructions. Hallyards, and one Duncan Grant, a soldier, with powers from him, held courts in the parish of Kilbride, and neighbouring parishes, in the shire of Lanerk. Grant was a terror to that part of the country. All suspected persons were fined as he thought fit. John Wilson in Highlet had his house rifled, and cost 673 l. 6 s. 8 d. Grant sent his soldiers upon free quarters in the parish, sometimes to one house, and sometimes to another. It was dreadful for the country to be oppressed, not only by the commissioners, but also by their wretched deputies, who acted without controul. The fines imposed by Hallyards in the parish of Kilbride came to a great sum, not to speak of the damages done by the soldiers.

1683.

diers. John Watt in that parish lost above 500 merks, and John Granger 1100. Chreighton and others of the orthodox clergy constantly attended at these courts. In the parish of Evandale, the Laird of Netherfield, Alexander Muir in Ploughland, Alex. Hamilton in Halls, and three or four more, were imprisoned for alledged reset and converse, and fined in 953 l. 13 s. 4 d. The sheriffs and their deputies took care to have their share of the fines.

*Cornet
Graham's
courts.*

Cornet Graham held his courts in Balmaghie, and the Laird of Lagg acted with the utmost virulence, as likewise did Thomas Lidderdale of St. Mary isle. The like courts were held at Kirkcudbright and Dumfries, where all whom they were pleased to suspect were required to take the test, and the recusants sent to jail. It would be endless to mention particulars. However, I cannot omit one singular outrage committed at Moffat, which was within the commission of the Laird of Westeraw. This wretch ordered intimation to be made in the church, on the Lord's day, that the test was to be offered to-morrow in the parish, and summoned all the heads of families to appear. After this he openly said, The devil damn his soul in hell, but before to-morrow's night they should be all damned as well as he.

I might here likewise mention, that another branch of oppression, at this time, was owing to those who had gifts of the fines made to them; for many were forced to leave their houses, and were reduced to great straits, by the merciless exaction of these fines: but I pass all these over, and go on to other things in the order of time.

*Andrew
Guillan
appre-
hended.*

On the 12th of July, Andrew Guillan, a weaver near Magus-muir (but after Sharp's death was obliged to abscond, and serve at some distance from where he lived formerly) was before the lords of justiciary for the death of the Archbishop of St. Andrews; and he was the only person that may be said to have suffered precisely on that score. On the 11th of June last the curate of the parish came by, while he was at work with a country-man, and asked him whether he kept the church. Andrew told him he did not own him, nor would give him any account; whereupon the curate called the neighbours and seized him. Then he was carried to Cockpen, and pressed to drink the king's health; and, upon refusing, was committed to prison at Dalkieth, and from thence to Edinburgh where he was put in the iron-house. At one of his examinations

inations, (for there was no proof of his being any ways concerned in the affair of Sharp) while the advocate was expatiating on the aggravating circumstances of that affair, and, among other things, was representing, that when the bishop was upon his knees praying, they killed him; Andrew being touched at this, lifted up his hands, and cried out, O! dreadful! he would not pray one word, for all that could be said to him. This was enough.

His own confession was brought as proof of his being concerned in the bishop's death, and accordingly he was sentenced to be taken to the cross of Edinburgh on Friday, July the 20th, to have both his hands cut off at the foot of the gallows, and then to be hanged, his head to be cut off, and fixed at Coupar, and his body to be hung in chains at Magus-muir. He endured his sufferings with great courage. The hangman, being drunk, or affecting to be so, gave him nine strokes in the cutting off his hands, which he endured with invincible patience. When his right hand was cut off, he held up the stump before the spectators, and said, My blessed Lord sealed my salvation with his blood, and I am honoured, this day, to seal his ruths with my blood. After his body had hung for some time in chains, some people came and took it down, which exposed that part of the country to no small trouble. In his last testimony, where are many excellent advices, among other things, he says, 'I declare I die not as a murderer, or as an evil-doer, although this Covenant-breaking, perjured, murdering generation lay it to my charge, as though I was a murderer, on account of the justice that was executed on that Judas, who sold the kirk of Scotland for 50,000 merks a-year.'—

Edward Atkin was condemned and executed at the same time with Andrew Guillan. His crime was conversing with the Laird of Earlstoun, which he acknowledged, and blessed God for the converse he had with him. Hard measure with a witness!

On the 18th of July, Sir Thomas Hope of Craighall, kene of Hallyards elder, Holburn of Menstrie, and other gentlemen, were indicted before the justiciary for reset and converse, but were dismissed upon taking the test.

On the 23d the Rev. Mr. William Carstairs was apprehended in England, at Kenterden in Kent on suspicion that he was Mr. Ferguson, one of the supposed conspirators. He was admitted to bail for some days, after which he was committed to the common jail

1683.

Trepanned into a confession.

Condemned.

Executed.

Edward Atkin.

Mr. Carstairs apprehended.

1683.

of the place. All he was accused of was his refusing the oaths, one of which had been expired by law, *viz.* the Oxford-oath. After he had been there a fortnight, he was sent to London and committed for two days into a messenger's hands. During which time Sir Andrew Forrester came to him, in the king's name, and offered him a pardon, and all kindness, if he would discover what he knew of that matter, which, says Mr. Carstairs, shews the fallshood of what was positively asserted, in an account given in the name of the King and Duke of York, that never any hopes of favour were offered to any to induce them to confess. He was afterwards called before a committee of the council, and not giving them that satisfaction they desired, was committed to the Gate-house. He had for his fellow-prisoner Major Holmes, who had been a friend and correspondent of the Earl of Argyll, and to whom he was desired to give a cypher of names to correspond with, and to which he added several with his own hand, which was well known to the Earl of Melford. This proved afterwards prejudicial to him, for it was found among his papers when he was seized. Besides, the major told the lords of council that there had been some consultations about lending money to Argyll. He continued in the Gate-house eleven weeks close prisoner; and, thinking himself secure against being sent to Scotland, under the protection of the *habeas corpus* act, in the first of Michaelmas-term he petitioned the court of King's-bench for either being brought to his trial or admitted to bail; but, the day after that, he was ordered to prepare for Scotland, in 24 hours, to be tried there for crimes committed in that kingdom, though for several years he had not been in that country but *en passant*. Accordingly he was sent to Scotland in the king's Kitchen-yacht, with several other Scots gentlemen, and was with them committed to the jail of Edinburgh, where he was close prisoner for several months, and where I must leave him in order to relate what happened in the mean time.

Commit-
ted to the
Gate-
house.

Sent to
Scotland,
and im-
prisoned
at Edin-
burgh.

Laird of
Monk-
land pro-
secuted.

On the 24th Robert Hamilton Laird of Monkland was prosecuted before the justiciary, and indicted for being with four servants at Schaw-muir in June 1679, keeping a council of war with the murderers of the Archbishop of St. Andrews, conversing with them, entertaining them at his house, and that he entertained and received rent from tenants after they had been at Bothwell. This gentleman was what was then called *regular*, and had

had never given the least evidence of what was accounted disloyalty. While the west-country army was near his house, and he was told that one of his children had strayed towards them, he went out to bring back his child, which he thought was no crime; but, though nothing else appeared against him, he was sentenced to be beheaded at the cross of Edinburgh on the 10th of August next. And though the sentence was not executed, yet the cruel treatment he met with bore so hard on his spirits, that he fell sick and died, and his son, at the revolution, was obliged to sell the half of his estate.

On the 24th, 25th and 30th of this month the following persons were imprisoned for alledged rebellion, reset of rebels, and other treasonable crimes, *viz.* John Porterfield of Douchal, James Hamilton of Aikenhead *, Mr. Andrew Hay of Craignethan, William Bredin of Whelpshill, John Gilkers heritor in Biggar, James Paterfon in Shields, J. Dunlop of Houshill *, G. Muirhead of Stevenson, Mr. J. Bannantyne of Corehouse, after the revolution minister at Lanerk, G. Houston of Johnstoun *, J. Pirrie in Nuik, G. Hamilton of Westburn *, Allan Watt in Kinktoun, A. Mack and D. Richmond in Harestocks, J. Bruce in Nethertoun of Hamilton, Thomas Allstoun of Mynes, James Strang, Arch. Roxburgh, John Mair, Jo. Robertson, Rob. Wilson, And. Ross, John Allan, Will. Paterfon, John Alexander, Tho. Bowis, Tho. Dinning, William Smelly, James Brown, all in Hamilton; James Muirhead of Bradisholm, Jam. and John Murrays in Auchinreath, Pat. Park writer in Glasgow, Mark Marshall merchant there, Mr. And. Kennedy, *alias* Weir of Clowburn.

July 25. John Young in Linbank, Eliezer Allan and his son John, Tho. Allan younger of Coldstream, James Young chamberlain of Evandale, James Stuart of Hartwood *, John Fisher in Covingtoun-mill, James Chreighton in Biggar, James Gilkerfon in Side, Matthew Hamilton son to Gavin in Haws, Alex. Cuninghame of Craigends, Will. Muir of Glanderstoun *, John Anderson of Dovehill, Alex. Muir in Pentland, Tho. Young in Cothil, Jo. Meikle in Nuikfoot, Ga. Semple in Overtoun, John Steil elder in Brakenridge, John Cochran in Cairnduff, Will. Thomson in Waterhead, Alex. Hamilton in Haws, Sir John Maxwell of Nether-pollock *, Sir John Schaw of Greenock, John Chiesly of Carlwell *, Gavin Muirhead of Lachop *, Sir Al. Hamilton of Hags *, James Chancellor of

1683.

of Shielhill, Mr. John Hamilton of Halcraig, Will. Forrest of Maschoch-mill, Matthew Thomson in Bothwell, J. Nasmith in Allartoun, Rob. Hamilton of Burnbrae, J. Loudon in Hamilton, John Muirhead, And. Little, John Wright, Rob. Alstoun, James Mack, W. Matthie there; Will. Cook, John Loudon in Carphin-bridgend, Mr. W. Ruffel chamberlain to Sir Daniel Carmichael, Sir Rob. Sinclair of Stevenson*, Will. Baily of Lammington*, A. Durham of Dunvertie, Mr. Will. Douglas of Bads, Dav. Oswald of Eastburn, Sir Patrick Hepburn of Blackcastle, Ad. Cockburn of Ormiltoun*, Mr. James Mitchel son to Owlson, John Flint in Breich-mill, John Wallace in Cleughhead, Andrew Rob in Wailley, Mr. Patrick Inglis portioner in Eastbarnes.

July 30. John Peltin in Whitehill of Lesmahago, Archibald Crawford of Auchinmains, John Cannon of Headmark, James Galloway of Shields, Mr. Will. Rankin late schoolmaster at Ayr, Tho. Mackneilly in Ochiltree, Jo. Speir there, John Forrest in Langhouse in Carlouk, And. Prentice, David Dykes, And. Hutchison of Sorn, Dunlop of that ilk, Fergus MacRubben of Knockdallen, Fullertoun of that ilk, David Boswell of Auchinleck, Geo. Fullertoun of Dreghorn, And. Ramsay baker in Ayr, Dav. Blair of Adamtoun*, Jo. Smith of Rodaindykes, Jo. Ramsay, Sir David Carmichael of Maudsley*, and Walter Lockhart of Kirkton*.

These with [*] at their names, and a good many others, were released before the 22d of August, against whom nothing could be proved. Others gave bond to appear when called. Vast numbers escaped imprisonment by taking the test; but then there were not a few that were declared fugitives and outlaws by the justiciary on the said 25th of July, as W. Thomson procurator in Lanerk, Gideon Crawford merchant in Biggar, Ja. Muirhead younger in Lanerk, Jo. Clelland portioner of Stane, Ja. Thomson of Harestocks, Jo. Browning there, David Gilkerson, Hum. Stevenson, James Forrest, Alex. Smith, John Scot, John Nasmith in Cledans, John Nasmith in Hamilton, Will. Bell, Jo. Simpson, Arch. Scot, Jo. Marshall of Chapel, Rob. Murray, Tho. Allan, and Jo. Marshall in Kilsyth. How happy were the days when such numbers tasted the sweets of imprisonment; and the pleasures of outlawry!

New commission.

The circuit-courts being over for this time, so many things were reserved to the council that they gave a new commission.

1683.

commission, on the 28th of July, to John Boyle of Kelburn, Ardmillan, Colonel Buchan, &c. to hold courts for inquiring after those who were suspected as guilty of rebellion, or reset of rebels, or who maliciously slandered such as testified their loyalty by taking the test.

The same day Messrs. MacGilligen, Philip and Spreul were ordered to be sent from the prison of Edinburgh to the Bass; and the governor of the Bass was enjoined to suffer no man-servants to wait on the prisoners, to inspect all letters and papers sent to or from the prisoners, to suffer only two at a time to have the benefit of walking above the prison walls, between the rising and setting of the sun, and only two to come at a time from the shore to the prisoners, and always some to be present to hear their discourse,

Orders to the governor of the Bass.

The Rev. Mr. James Frazer of Brae was seized at London, in this month of July, upon the breaking out of the plot, and soon after was brought before the King and the Duke of York. After he had satisfied them as to his knowing nothing of the plot, the king asked him what he thought of the Archbishop of St. Andrews's murder. He answered he had no hand in it, nor was accessory to it, yea, he was grieved when he heard of it; and, as he would not justify or have had a hand in it for the world, so for him to condemn it, or declare it murder, was what he could not do; that he was a doer of the law, and not a judge: and as to his inward sentiments, he desired to be excused, not being free to give an account of his thoughts before any human judicatory, who were only judges of mens words and actions. The king next asked him concerning the obligation of the Covenants; to which Mr. Frazer replied, That though he had never taken the Covenants, yet he looked upon himself as bound to all in them of a moral import. Though the king seemed to be satisfied with his having no concern in the plot, yet he was remitted to the Lord Mayor, who asked him if he would take the oaths. He declared he was willing to take the oath of allegiance, but demurred on that of the supremacy, and absolutely refused the Oxford-oath; whereupon he was sent to Newgate, where he continued six months, and had such good entertainment, company and conversation, that he says he could scarce call it suffering. And indeed there was a great difference between the sufferers in England and those in Scotland, where the managers were acted from a real spirit of cruelty.

Mr. Frazer of Brae

1683.

*Indulged
ministers
prosecut-
ed.*

*Case of
W. Muir
of Glan-
derstoun.*

*Process a-
gainst the
Earl of
London,
&c.*

*King
thanks the
council.*

*The coun-
cil's de-
mands.*

On the 2d of August, Messrs. Anthony Schaw, John Veitch, Rob. Millar, John Campbell, Rob. Boyd, Will. Bailly, and James Veitch, indulged ministers, were charged with treasonable crimes. The two first were ordered to be imprisoned at Edinburgh. The process against the rest was delayed. We shall meet with most of them next year. On the 8th William Muir Laird of Glanderstoun, who had been with others imprisoned on the 25th of July last, was released by an act of the justiciary. His case was singular. When he was in a fever he was blooded by Mr. Sprael, an apothecary, who was a non-conformist. This was construed converse with rebels; and for this Glanderstoun was imprisoned. He was obliged first to petition the council, for the justiciary, at this time, was entirely under their direction. On the 16th the council ordered the king's advocate to raise a process of treason against the Earl of Loudon, Lord Melvil, Sir John Cochran of Ochiltree and his son John, Sir Hugh Campbell of Cefnock elder, — Campbell of Cefnock younger, the Lairds of Rowailan elder and younger, — Montgomery of Langshaw, — Fairly of Brunshfield, — Bailie of Jerviswood, — Crawford younger of Crawfordland, — Stuart of Cultness, and — Denholm of West-shiels. This process was raised on account of the plot; but it was some time before it was brought to any thing. And on the same 16th of August the council had a letter from his majesty, thanking them for their care of the orthodox clergy, and declaring that it was his pleasure they should pursue the same wholesom methods. This was no doubt acceptable; for on the 21st they wrote to the king, desiring that they might be empowered to nominate the justices of peace, in any of the shires, as they shall see needful, and that, as several had lost the opportunity of taking the test before the first of August, they might have a farther opportunity, and that the king would approve of what they had done, in empowering proper persons to examine witnesses in the country, in regard to persons suspected of the rebellion, or guilty of reset and converse with rebels. In short, the king granted all their desires, and they issued a proclamation, ordering the common people to take the test by the first of March next, in order to indemnify them for ever, as to their receiving, or conversing with such as were in the rebellion 1679, except those who have received, or conversed with the murderers of the late archbishop, or seditious field-preachers, or

who were any ways accessory to the late conspiracy. This they reckoned a great instance of clemency. But when perjury was the condition of their clemency, one would be ready to apply to them that saying, *The tender mercies of the wicked are cruel.* Besides, the taking of the test, according to the proclamation, secured the lives, but not the estates of such gentlemen as they could have an accusation against.

By this time Mr. Alex. Gordon of Earlstoun was come to Scotland, and had been several times examined by the council, and by committees of their number. His answers were open and sincere; but, after all their endeavours, they could find nothing relative to the plot. But, having been formerly forfeited in life and fortune, the judiciary, on the 21st of August, condemned him to be beheaded at the cross of Edinburgh on the 28th of next month. But, still hoping to make great discoveries, they were resolved to examine him by torture; but here lay their difficulty; they wanted some point of law for torturing one under sentence of death. Accordingly the same day they wrote to the secretary to advise with the king's advocate, then at London, 'whether, by the laws of the kingdom, and the circumstances he is in, being under sentence of death, he may be put to the question by torture, upon such pertinent questions as your lordship and he shall think fit to draw up, &c.'

Mean while, this same day, the Lady Moristoun, a pious gentlewoman, was ordered to leave the kingdom, without having any thing to lay to her charge.

On the 29th of August, Mr. J. Dick son to D. Dick writer in Edinburgh, having been apprehended upon the information of a poor woman whom they had bribed, was examined by the committee for public affairs, and in his answers exceeded the bishop in point of argument. On the last of August he was brought before the council, and subscribed what he had confessed upon his examination, *iz.* 'That he owned the Work of Reformation, as contained in the Confession of Faith and Catechisms; conform to the Covenant against Popery, Prelacy, Erastianism, &c.—As to Episcopacy, he cannot understand it to be lawful,—that Episcopacy and Erastianism, established in that and subsequent parliaments, were contrary to the word of God, and that the supremacy therein established was most horrid blasphemy.' Then, directing himself to the chancellor, he said, he hoped his lord-

1683.

*Earlstoun
sentenced
to die.*

*Letters
concern-
ing exa-
mining
him by
torture.*

*Lady Mo-
ristoun.*

*J. Dick
before a
committee
of council.*

1683.

ship would not take that ill, seeing he had sworn the same in the test, and desired that this might be added to his confession, but that was refused. 'He did not own the Sanquhar declaration, but owned the Hamilton, the lawfulness of self-defence, field-meetings, and that the invasion made against them at Pentland and Bothwell they being in the exercise of religion, was service done to the devil, and that the resistance they made in their own defence was service done to God.—He confessed his being at Bothwell, but not at Drumclog, that the king was lawful born king, and came lawfully to the crown, and owned his authority conform to the word of God,—that the Covenants were binding on the nations, and should be so to the end of time, and that the oath, called the *test*, was a most horrid and unlawful oath, and that he was not obliged to take the same. As to the killing of the archbishop, that he could not give his judgment about it, it not being an act of his own but that some of those who were called the *actors*, whom he knew, were holy and just men.' The council, when he signed the confession, failed not to improve it; and accordingly ordered George Bannerman advocate to prosecute him and George Lapsley before the lords of justiciary.

*Before the
justiciary.*

Thus on the 4th of September they were brought before the criminal-court, and indicted for treason. Mr Dick's confession was produced as evidence against him he owned it in the face of the court; and, being asked he had any thing to add to it, he answered, 'he had only one clause, *viz.* that he was of opinion, that all the blood of the Presbyterians shed those years bygone merely for their principles, was murder.' The lord would not hear what he had to say in his own defence the jury brought him in guilty; and he was sentenced to be hanged at the Grass-market on September 28th. When the sentence was pronounced, he told them, 'That to pass such a sentence upon him, without hearing him in his own defence, was a practice never paralleled among the Heathens.' And going on he was interrupted and carried off. But an incident happened which prevented his execution at this time, which I shall presently relate.

*Geo. Lapsley
before
a committee
of
council.*

George Lapsley was for some time a miller at Linlithgow-mill, and was one of those multitudes who was converted by the gospel preached in the fields. At Bothwell he was wounded in the leg, and made prisoner.

When before a committee of the council, he discovered, by his answers, that he was a man of undaunted courage and resolution. As he was called before them he was reading his Bible, and carried it with him under his arm. Bishop Paterfon was the first that attacked him, and asked if he thought Bothwell-bridge rebellion; he answered, if you are a perjured prelate, I will answer you no questions. The other lords examined him in the manner following:

Question. Wherefore are you in prison? *Answer.* His examination.
 For hearing the gospel. *Q.* Do you go to church?
A. No. *Q.* Wherefore? *A.* Because they are not the sent ministers of Christ, and because of their perjury.
Q. Will you own the king's authority? *A.* According to the word of God and Covenants, and no other ways, which you have broken and burnt, and for which the Lord will be avenged. *Q.* Did you write to Mr. Dick?
A. Yes. *Q.* Who wrote the letter? *A.* I will give no account. *Q.* Was the bishop's death murder? *A.* I am not concerned with his life or death either. *Q.* Was Hackstoun's death a murder? *A.* Yes, and all those whose lives you have taken these two and twenty years.
Q. Was you at Bothwell-bridge? *A.* I will not accuse myself. *Q.* What thought you of it? *A.* I thought it duty and not rebellion, and all that were on the contrary party were in rebellion against God, and that you will find. *Q.* Did you converse with Mr. Welsh? *A.* Yes, and I bless God for it. *Q.* What book is that under your arm? *A.* It is the acts of the parliament of heaven, and I charge you, as ye shall answer at the great day, when ye and I shall stand on equal terms, that ye judge according to what is contained in it. *Q.* Is it lawful to resist the king's forces at the field-meetings? *A.* Yes, the law of nature allows self-defence, and the word of God and our Covenants to stand to the defence of one another.

Notwithstanding these bold answers, they were restrained from passing sentence of death, and he escaped before they had another opportunity, and lived a merchant in Edinburgh for many years after the revolution.

On the 12th of September garrisons were appointed in Dumfries, Kaitloch, Earlstoun, &c. which effectually carried on the persecution against all non-conformists. *Garrisons.*

Four days after this Mr. John Dick, George Lapsley, and 24 more, made their escape out of the prison at Edinburgh; *Prisoners escape.*

1683.

Edinburgh; for which the magistrates were called to an account, reprimanded, and enjoined to be more careful for the future. Mr. Dick was afterwards taken and executed.

Earlstoun ordered to be examined by torture.

On the 19th the council had a letter from the king, ordering the fugitive-rolls to be printed; and next day a letter came from Middleton the secretary, to the chancellor, relating to the torture of the Laird of Earlstoun, (p. 185.) in which it was declared, that though a man cannot be tortured on questions relating to the crimes for which he is condemned, yet he may be tortured for what relates to plots, conspiracies and combinations that have happened afterwards; and since Mr. Gordon had a commission from the rebels, and it doth appear from a letter to him, from *I. N.* dated at London, March the 20th last, that he was privy to the late conspiracy, &c. therefore his majesty resolved that he be put to the torture, and interrogated concerning those from whom he had the said commission, and concerning the said conspiracy. In consequence of this the council, the same day, appointed a committee to meet next Tuesday, and examine Earlstoun by torture.

His declaration.

Accordingly, on the 25th of September, Earlstoun was before them; but though the instrument of torture was standing by, yet it was not used, because he declared he would be as ingenuous, and more full than he could be in torture. There were two things upon which he was chiefly examined, *viz.* the commission from the societies, called in the interrogatories the *pretended convention*, and the letter signed *I. N.* As to the first, he declared, 'That the first time he met with that pretended convention was near the Inner-kirk of Kyle in the fields, about two years ago, and that there about 80 persons or thereby; and that he was brought there, from his own house, by one John Nisbet, whom the declarant knows no farther than that he is a west-country-man about Glasgow, and that John Nisbet is another John Nisbet that wrote a letter to him to Holland, under the notion of trade, relating to the rising and rebellion in England. And farther, that, about a year and half ago, he met with another convention, consisting of fourscore persons, or thereby in the fields, within five miles of the former place near Inner-kirk, and that very few of them had swords; to which meeting he was advertised to come by a letter sent to his house, subscribed by Mr. Jam. Renwick, who

Sprat's copies of information,

p. 150.

p. 151.

1683.

is clerk to the convention, and heard of no ministers being among them at either of these times; and says there were people there from all the districts in several shires of the kingdom; which districts he was informed were fourscore, and that in them all there would have been 6 or 7000 men; and he knew none of the persons in either of their meetngs, except Mr. James Renwick the clerk, the said John Nisbet, who came from a district beside Galloway, and William and James Stuarths, who came out of Galloway, Robert Spier, who came from the Lothians, and one Forrest, who came from the upperward of Clyde; and that, at these general meetings, they produced their commissions from the several districts to the clerk, that it might appear that they were commisionate to get relief for the distrefs in their bounds; that the business of the convention was to provide for those among them that were in want, and for their own security against the dangers they were in, being denounced fugitives from the laws, and in hazard to be caught by the governors; and that he heard nothing treated of, or spoke amongst them, as to rising in arms, nor knows of any correspondence these of the convention had with any in Ireland; and as to England, he supposes there was a correspondence there, but knows not those that managed it, except the said John Nisbet, he having shewn the declarant a letter he had from Michael Sheills, one of the clerks of the convention, which he saw in the end of March, or beginning of April last,—that he accepted the commission, to see if there could be a way found for the distressed brethren to go abroad, or to have something from abroad to maintain them there,—that the commission was sent him to Newcastle, by a common receiver, whom he knows not, directed to him at his lodging, at the sign of the Vine in the Gateside in Newcastle, his landlord's name being George Marshall a public inn-keeper, and addressed to him under the name of *la Graveil, &c.* As to the letter from *I. N.* he explained all the parts of it they required, as the reader may see in the copies of informations by Sprat; and no farther could appear from his declaration, than that there had been conferences among those who wished well to their country, about the most proper methods for rescuing it from approaching slavery, and consultations about rising in arms; but nothing of assassinating either the king or the duke. To use the words of a modern

historian,

1683.
Neal, vol.
iv. p.
517.

historian, 'There was was nothing more in it, than the rash and imprudent discourse of some warm Whigs, which, in so critical and dangerous a conjuncture, was very hazardous; but no scheme of a plot was agreed upon, no preparations were made, no arms nor horses bought, nor persons appointed to execute any design against the king or government.'

Reprieved
from time
to time.

Notwithstanding Earlstoun had been most open and full in his declarations, yet, in less than two months after this, he was, in consequence of a new letter from the king, ordered to be put to the torture; but, as I am assured by his son, when they were going to put him in the boots, he turned furious, and frightened the whole court; and that this, and the interest of the Duke of Gordon, who was his firm friend, were the occasions of his life being preserved. The physicians advised that he might be sent to the castle for the benefit of the air. He perfectly recovered in eight or ten days. In short, this worthy gentleman was reprieved from time to time, and was at last sent to the Bass, where he had sometimes more, and sometimes less liberty, with his excellent lady, till he was released by the revolution.

Mr. Ren-
wick re-
turned to
Scotland,
See his
life, p.
30, &c.

p. 34,
&c.

Some time in September Mr. James Renwick returned to Scotland. After his ordination he went with all expedition to Rotterdam to take the first opportunity of a ship. It was sometime before he found a conveniency; at last he got aboard a vessel for Ireland. While at sea they were overtaken with a storm, and forced to put in at Rye-harbour in England, which happened during the noise of the plot; but getting off he arrived at Dublin, and from thence sailed to Scotland, where he joined the societies, who chose him for their minister. His first public meeting was in a moss at Darmead, where, for his own vindication, and the satisfaction of the people, he declared all his sentiments about the then puzzling questions, particularly concerning the defections of ministers, and shewed what ministers he would and what he would not join with; and, as he named the latter, he gave his reasons why he could not join with them. Some present were offended at his naming some ministers, which when he came to understand, he wished he had not been so particular in mentioning names, since it had given offence; but he declared his end was harmless, and that it flowed from no prejudice at their persons, nor disrespect to their names. After this he was exposed to many slanders and reproaches, too numerous here to mention.

And

And many sought to defame his principles, as not only un-
found, but also pernicious; and I am sorry to have it to
say, that none reproached him more than the indulged of
his own communion.

1683.

In the mean time, by the noise that went of him through
the country, the council soon got intelligence, and were
galled at the thoughts of his preaching in the fields; which
practice had been laid aside since Mr. Cargill's execution;
but was now revived by Mr. Renwick notwithstanding the
inevitable danger to which it exposed both him and his
followers. But, considering the necessities of the people,
who had been long without ordinances, and could not sub-
mit to the indulged, he engaged in the difficult work, and
was heartily received by the poor persecuted people, who,
for the sake of the gospel, were determined to venture
their lives. The council soon began to shew their resent-
ment; for, on the 8th of October, they fined the Laird
of Dundas and the trades of Glasgow in 50 l. sterl. each,
because of a field-meeting which Mr. Renwick had preach-
ed to, and baptized several children at Brownridge belong-
ing to Dundas's estate, and in the parish of New-Monk-
land belonging to the trades of Glasgow.

*Laird of
Dundas
fined.*

The same day Mr. Tho. Hog and Mr. Tho. Wilkie
were fined for conventicles, the first in 5000, and the se-
cond in 10,000 merks. The former soon after went to
Holland, and the latter seems to have been minister of
the Canongate after the revolution.

*Mr. T.
Hog, &c.*

Some time in this same month James Forrest in the pa-
rish of Cambusnethan, his son, and his nephew Rob. Gour-
lay, were banished to West-Flanders. But returning, he,
his son, and daughter Margaret Forrest, were seized and
banished, she to Jersey, and they to Jamaica, after a long
imprisonment. The prisons, especially at Edinburgh, were
crowded, and many of the prisoners were transported to
the plantations for their non-conformity, and alledged re-
set and converse. One William Inglis a mason was ta-
ken out of his bed, upon a bare information of his being
a non-conformist, and, after a long imprisonment, was
sent to Carolina, where he died.

*Sufferings
of J. For-
rest.*

But the treatment of George Jackson, in the parish of
Eastwood, shews the inhuman and bloody spirit of the
prelates as much as any. While at Glasgow he was o-
verheard at prayer, and immediately suspected for a Pres-
byterian, and so was seized some time in this month of
October. There was nothing they could lay to his charge.

*George
Jackson.*

He

1683.
His examination,
Cloud of Witnes-
ses, P.
308, &c.

He was soon brought before the Bishop of Glasgow, who examined him as follows. *Question.* What now, Mr. Jackson? *Answer.* I was never a scholar. *Q.* Can you read the Bible? *A.* Yes. *Q.* Was you at Bothwell-bridge? *A.* Yes. *Q.* What arms had ye? *A.* An halbert-staff. *Q.* Was ye an officer? *A.* No, I was but sixteen years of age. *Q.* Who was your captain? *A.* A young man. *Q.* How called they him? *A.* I am not bound to give an account to you. *Q.* Was you at Bothwell-rebellion? *A.* I allow myself in no rebellion against God. *Q.* Was it rebellion against the king, or not? *A.* I have answered that question already. *Q.* Would you go to it again? *A.* The question is like yourself. I know not. *Q.* Will you say, God save the king? *A.* It is not in my power to save or condemn. *Q.* Will ye pray for him? *A.* I will pray for all within the election of free grace. *Q.* Whether is the king within the election, or not? *A.* If you were the man you profess to be, you would not ask such a question; it belongs only to God. *Q.* Do you own the authority as it is now established? *A.* No, but I own all authority so far as it is according to the written word of God. *Q.* Do you own the king and inferior magistrates? *A.* In so far as they are *a terror to evil doers, and a praise to them that do well.* *Q.* Are they not that? *A.* When the Lord Jesus Christ shall sit judge, they and ye, and the like of you, will count for it, whether they be so or not. *Q.* Is the bishop's death murder, or not? *A.* If your questions be upon these matters I am not concerned with, I will keep silence.' He was then examined concerning some papers found about him, but declining to answer, the right reverend prelate mildly said, Sir, the boots shall make you free. He refused to subscribe what he had said, because he looked upon that as an acknowledgment of their unjust laws. In short, he was kept in irons all winter till the month of May, when we shall meet with him again.

*Cruelty to
prisoners.*

In the beginning of November a party apprehended about 12 persons in the parish of New-Monkland, and carried them to Hamilton, where they were increased to 30, and from thence carried them to Lanerk in the night-time, and cast them into a dungeon, where they were forced to stand the rest of the night, without meat, drink, fire or candle. Next day they were tied to one another, two and two, set on bare horses, with their legs tied under the horse's belly,

1683.

belly, to the effusion of their blood. In that posture they were obliged to ride at the gallop for sundry miles, without being allowed a refreshment, though Bonshaw and his soldiers stopt at most of the public houses on the road. One of the poor prisoners begged leave to light and ease nature, but the cruel commander would not suffer it. When they got to Edinburgh, they were for some days neither able to walk, sit, nor stand.

During these proceedings things were preparing for the trial of several in Scotland who were said to be concerned in the plot. Accordingly, on the 22d of October, the Scots council at London ordered the Laird of Cefnock and his son, Rowallan elder and younger, Crawfordland, Bruntsfeld, Alex. Monro of Beacrofts, Jerviswood; Mr. Will. Carstairs; Hepburn son to Major Hepburn; Spence servant to the Earl of Argyll, prisoners at London, to be sent to take their trial in Scotland; and, by a letter from the king, the advocatè was ordered to prosecute them for treason. They were sent down accordingly.

*Cefnock,
&c. order-
ed to be
tried for
the plot.*

Mean while cruelty and injustice were riding in triumph in Scotland: for, on the 15th of November, Sir William Scot of Harden, a gentleman near 70 years of age, was fined in 1500 l. sterling for his lady's withdrawing from the church. And, because his confinement in prison at Edinburgh; for near six months, was like to destroy his health, the council, out of their great clemency, ordered him to the castle. He was afterwards sent to the jail of Jedburgh, and from thence to that of Edinburgh. He was released it seems in August next year, upon Sir Patrick Scot of Ancrum's bail for 1500 l. sterling to present him the Tuesday following; and none of them appearing that day, the bond was declared forfeited.

*Sir Will:
Scot of
Harden*

On the 28th John Whitelaw in New-Monkland in the shire of Lanerk, Arthur Bruce in Dalserf and John Cochran shoemaker in Lesmahago, were indicted before the lords of justiciary at Edinburgh for treason. They had nothing to lay to their charge, but the answers they gave to their ensnaring questions, as in many former cases, and yet they were condemned to be executed on the 30th. They were persons from whom the government had nothing to fear; and nothing can be said but that the magisters thirsted after blood. The last mentioned had a wife and six small children, whom he left to the protection of the Almighty, as he declared in his last testimony. They all died with a holy cheerfulness, adhering to their

*Three
country-
men exe-
cuted.*

1683.

Protestation against the Scots congregation at Rotterdam.

Informatory Vindication, p. 81.

Commissions.

Searches.

M. Garnock.

covenanted principles, and bearing witness against Popery, Prelacy, and the Test, and every thing else contrary to the written word of God.

The same day these three were condemned, the general meeting of the united societies drew up a protestation against the Scots congregation, ministers and church-session at Rotterdam, and sent it to Mr. Hamilton their agent. This action was very much condemned, and in their Informatory Vindication, they do not justify some expressions in it, though they own they had matter for a protestation. Thus they conclude, ' Considering that the causes inserted, materially considered and rightly applied, are both true and sufficient for a protestation, we desire that it may be looked upon as a standing testimony, (together with what contentings have formerly been by some faithful Scottish sufferers in that land) for the vindication of truth, and against the sad wrongs and abuses in that congregation, ay and while the causes inserted are maintained, and the offence and scandal given not removed. Yea, in very deed, a deep sense, in the mean time, of the sins witnessed against by the foresaid protestation, would make all therein involved more favourably and charitably to construct of the action.'

On the 29th commissions were given to sundry gentlemen, in several shires in the south and east, to attack heretics who had not given satisfaction with respect to their converse with rebels.

During the months of October and November searches were common and severe, especially in Glasgow. A strangers who did not answer their ensnaring questions were carried either to the guard or prison. Multitudes were thus apprehended, and sent to Edinburgh. One night they caught John Richmond as he was walking in the streets, John Dick and John Williamson. The first was carried to the guard, where he was most cruelly tied neck and heel, and left in that posture bleeding of the wounds which he had received in making some resistance when taken. He was executed, as we shall relate. The second was banished to Carolina, and the third made some compliances, of which he afterwards repented. One John Main was also seized at this time in arms, and was likewise executed.

On the 6th of December one Margaret Garnock, after about a year's imprisonment for pretended converse with rebels, was released.

Next day Lord Livingstone was, by the council, appointed provost of Linlithgow, in regard the former magistrates did not exercise their authority against church-orders; so that this town was deprived of its privileges, and were obliged, not only now, but also in the following infamous reign, to submit to the nomination of magistrates made by the council.

As the process against several gentlemen and others, at this time, before the justiciary came to nothing, I purpose to wave them. About 20 were summoned to appear on the 10th, and not appearing were declared fugitives, and put to the horn.

On the 19th a number of gentlemen were imprisoned for the same cause with those in July; some of them it seems were Papists, who were so honest as to refuse the oath; but, as I cannot distinguish the one from the other, I omit their names. However, the Papists had little to fear under the present administration, since the reins of government were in the hands of their friend the Duke of York. These were ordered to the prison of Edinburgh, with Sir John Riddel, John Maxwell of Gribtoun, Rob. Carlisle, James Lindsay, James Hume brother to Bassin, Hugh Dunbar of Knockshinnoch, and Rob. Nisbet of Greenholm.

The same day about 30 persons, mostly tradesmen and country people, were declared fugitives, and several others denounced; and the magistrates of Edinburgh, to shew their zeal for Prelacy, made an act against conventicles, by which they offered 60 l. Scots to the discoverer of any conventicle, unlawful baptism or marriage, or the entertainer of any intercommuned or vagrant person, and 12 l. Scots to such as should discover any person that kept not the church.

Some time this month another general search was made at Glasgow, when John Buchanan, a young student, was taken, and, after some time's imprisonment, was transported to Carolina.

James Dun in Beauwhat, in the parish of Dalmellingoun, a pious man, suffered much in his family at this time. He had four sons; one was killed, another was banished, and his youngest son Quintin, not quite 14 years of age, was apprehended and imprisoned at Ayr. Nothing could be laid to his charge. His father was forced to pay 40 l. Scots before he could get him released. This was

1683.

*Town of
Linlith-
gow de-
prived of
its privi-
leges.*

*Gentle-
men im-
prisoned.*

*Act of
the magi-
strates of
Edin-
burgh.*

*John Bu-
chanan.*

*Sufferings
of James
Dun.*

1683.

more than they could have got for him had they sold him for a slave, as they afterwards did.

C H A P. IX.

Of the persecution this year in general; the proceedings of the council and judiciary; the sufferings of particular noblemen, gentlemen and others; together with the public executions till the end of August 1684.

1684.

THE longer persecution lasts the worse it grows, one kind of oppression making way for another; as appears from the preceding part of this work; but, this year and the following open a more bloody scene than any before, being, what the oppressed people justly called, *Killing time*.

Severities of courts.

The courts held by commission in the former years increased their illegal severities in this; for, when they had nothing to accuse persons of since Bothwell, they went as far back as Pentland. The fines were exorbitant, and the curates egged on the oppressors. At one of these courts, held at Kirckudbright, Mr. Colin Dalgleish the curate caused almost the whole parish to be summoned, and excused or accused whom he pleased. Particularly, through his instigation, James Martin of Dularg was fined in 1000 l. Scots for his wife's not keeping the church, and cast into prison till he paid it; but, through bad usage and want of accommodation, he was seized with a cholic of which he died in prison.

James Martin died in prison.

Imposition of the test.

The test was imposed with rigour at these courts upon all whom they suspected, and the recusants imprisoned. This made several take it contrary to their consciences, which afterwards filled them with dreadful remorse. One William Spaldie, a taylor in Glasgow, died in despair on this very account; for, when they spoke to him of the extensiveness of the divine mercy, his answer was, Speak not of mercy to me, I have appealed unto God, and attested him to judge me, and he will do it. I have sealed and signed my condemnation with my own hand. But I purposely omit other instances, which the reader will find in my author.

Sufferings on account of the cess.

† Vol. I. P. 399, &c.

The quartering of soldiers for not paying the cess was another occasion of great oppression. The reasons why many refused to pay this have been mentioned †. Soldiers were sent to the recusants, and quartered upon them till ten times the value of the cess was destroyed; and, after

all, a composition was forced to be made with the collectors. Seven cows were taken from one Gavin MacLy-mont in the parish of Carsphairn, upon his refusal, after the loss he sustained by quartering, though he was not charged above the value of 15 shillings sterling.

1684.

Multitudes were banished, many of whom never returned. I shall have occasion to mention several of these afterwards in their proper place. Only here I would observe, that one John Gate was committed to prison at Glasgow, for modestly declining to drink the king's health; his wife was imprisoned in a different room in the same jail, where she fell sick; and, though she was with child, could not get out till a surgeon gave a certificate that her life was in danger; but, when she was released, she was not suffered to go with her eight children to her own house; and the people being terrified at the dreadful persecutions for reset and converse, would not take her in; so that she was obliged to ly in the streets, till the Lady Ardry, notwithstanding the hazard she ran, gave her the conveniency of her brew-house, where three of her children died. Her husband continued several months in irons, and was at last transported to America, where he died. She survived her troubles, and was alive when my author wrote his history. George Ruffel, in the parish of Cambusnethan, was first imprisoned, and then sent abroad to the army, where he died for the great crime of having a child baptized at a conventicle some years before.

*Many banished.**J. Gate.*

This year the most unhuman practice of killing innocent people in cold blood, in the fields, began to be used, and public authority was given for it, as we shall relate it in its proper place; but before that could be pretended it was put in practice. Accordingly, as one John Smith was returning from some meeting, he was taken ill, and sat down in the fields. A party of soldiers coming that way, without any process or ceremony, shot him where they found him.

J. Smith murdered.

The prisons were crowded, and many died there, particularly George Shiells, Thomas Scot in Bouchester, John Falla in Kelfo, and Thomas Turnbull in Ancrum. But I shall now relate the most remarkable transactions of this year, as near as I can, in the order of time.

Many died in prison.

As fines were one of the fore oppressions the country groaned under, so the most of these were squandered by the exactors, and a small part of them was accounted for. But, on the 3d of January, a letter from the king was read

King's letter about fines.

1684.

read in the council, and recorded, wherein his majesty required them to call judges and magistrates to an account for what fines they received, and to pursue those heritors who were fined and had not yet paid them, as they should see proper. A committee was appointed to take this matter under consideration, and agreed, that the heritors, who had not paid their fines, should be charged to do it in 15 days; and that such of them as applied for mitigation should be heard before the council. Whether the council examined the magistrates, &c. as to the way the fines were disposed of, is not on record, farther than that it appeared, that the magistrates of Edinburgh had received 8349 l. 12 s. Scots, and were allowed 200 l. sterl. for their charges, which was a tolerable good allowance, and would be very encouraging to other magistrates in their severe exactions.

Mr.
Camp-
bell, &c.

The same day Mr. John Campbell, indulged minister at Sorn, and Mr. James Veitch at Mauchlin, were deprived of their licence, and ordered to find surety to leave the kingdom by the first of March, or to exercise no part of their ministry, because they had preached in private families, and had not read the proclamation for the thanksgiving. Mr. Veitch went to Holland, where he continued till the toleration. The same day one John Millar of Watershauch was released, upon giving bond, under the penalty of 5000 l. sterl. to appear when called. He had been nine months in prison, upon mere suspicion of correspondence with *rebels* as they were called. And,

Judiciary
commissi-
ons.

At the same time, a new commission was granted to the Provost of Glasgow, and others, for the shires of Lanerk and Dumbarton, and to the sheriff-depute of Dumfries, and others, for Dumfries, Kirkcudbright, Wigtoun and Annandale, for judging those who were or should be apprehended for-being in the late rebellion, or for justifying the same, or disowning the king's authority. The like commission was afterwards granted for Renfrew and Ayrshire. If prisoners were silent, as to the questions proposed to them, the commissioners were directed to delay proceeding against them, to administer the test to such of them as desired it, and to acquaint the council with their case, but to execute justice upon the guilty. The same orders were repeated to the justices of Dumfries, with this alteration, that when such prisoners, against whom there is no proof, refused to answer, they were to be sent to Edinburgh. In short, these commissioners were afterwards

1684.

afterwards impowered to act against those who were without the bounds of their commission. I shall only add here, that the Laird of Meldrum got likewise a commission for trying rebels in Lanerkihire. We shall hear of several condemned at Glasgow in consequence of these commissions.

Mean while, on the 7th of January, Mr. Anthony Schaw, indulged minister at Newmills, was indicted before the justiciary at Edinburgh, for preaching at a field-conventicle. The case was this: when assisting the-indulged minister at Colmonel, at the Lord's supper, the number of people was greater than the church could contain, so that Mr. Schaw preached in a tent in the church-yard, a thing very common in Scotland; for which crime this good man was tried for his life. However, the process was dropt, on condition of his appearing before the council on the tenth. He appeared, his indulgence was taken from him, and his church declared vacant, and he was not released till bail was found that he should no more exercise any part of his ministry. And indeed such attacks as these were made on all the indulged. What then must have been the case of others?

Mr.
Schaw.

I have had occasion to relate the case of husbands being fined for their wives non-conformity, and of the exorbitant fine imposed on Sir William Scot of Harden, who, on the 22d, presented a petition to the council, desiring some enlargement in prison, where he he was confined for the extravagant sum imposed upon him. The council on the 23d, wrote to the king for his approbation of what they had done, in fining husbands for their wives, and desiring his majesty would impower them to dispense with the fines of loyal husbands, who were no ways to be suspected of connivance with their obstinate wives, but were content to deliver them up to be punished. The king granted their request, and approved of what they had done.

*Council's
letter a-
bout hus-
bands be-
ing liable
for their
wives.*

There had, for some time, been a breach between the Earls of Aberdeen and Queensberry, who were of different sentiments with respect to fining the husbands for their wives not going to church. Lord Aberdeen, says Bishop Burnet, stood upon this, that the act did not mention the wives. It did indeed make the husbands liable to a fine, if their wives went to conventicles, for they had it in their power to restrain them: and, since the law provided in the one case, that the husband should suffer for his wife's fault, but had made no provision in the other case, as to their going to church, he thought, the fining

*Bishop
Burnet's
account
of this,
p. 582.*

them

1684.

them on that account could not be legally done. Lord Queensberry was for every thing that would bring money into the treasury: so, since in those parts the ladies had for many years withdrawn from the churches, he reckoned the setting fines on their husbands, to the rigour, would make all the estates of the country be at mercy.—The Earl of Perth struck in with this, and set it up for a maxim, that the Presbyterians could not be governed but with the extremity of rigour, and that they were irreconcilable enemies to the king and duke, and therefore ought to be extirpated. The ministry being thus divided, they referred the decision to the king. And Lord Perth went up to have his resolution. The king determined against the ladies, which was thought very indecent; for, in dubious cases, the nobleness of a prince's temper should always turn him to the merciful side. This was the less expected from him, who had all his life time expressed as great a neglect of womens consciences, as esteem for their persons.'

*Perth
made
chancel-
lor.*

*Burnet,
p. 583.*

But he was determined to it by the duke, who, since the breaking out of the plot, had got the whole management of affairs—into his hands. Scotland was so entirely in his dependence, that the king would seldom ask what the papers imported which the duke brought to be signed by him.—The breach grew so wide between Aberdeen and Queensberry, that both were called up to give an account of it. It ended in dismissing Lord Aberdeen, and making Lord Perth chancellor; to which, says Burnet, he had been long aspiring in a most indecent manner. He saw the duke's temper, that his spirit was turned to an unrelenting severity, as he shewed very indecently in Scotland. For, 'when any are to be struck in the boots, it is done in the presence of the council; and upon that occasion almost all offer to run away. The sight is so dreadful, that, without an order restraining such a number to stay, the board would be forsaken. But, when the duke was in Scotland, he was so far from withdrawing, that he looked on all the while with an unmoved indifference, and with an attention, as if he had been to look on some curious experiment. This gave a terrible idea of him to all that observed it, as of a man that had no bowels nor humanity in him. Lord Perth, observing this, resolved to let him see how well qualified he was to be an inquisitor-general; for as, in the court of inquisition, they do, upon suspicion, or, if a man refuses to answer

*Duke of
York's
cruelty.
Ibid.*

upon oath, give him the torturs, and repeat it and vary it as often as they think fit, and do not give over till they get out of their mangled prisoners what they have a mind to know, so Lord Perth resolved to make this his pattern.

1684.

While Lord Perth was at London, Bishop Leighton died at the Bell-inn in Warwick-lane, after he had lived ten years in Suffex in great privacy, dividing his time wholly between study and retirement. He was certainly the best of all the Scots bishops, and no person can have a better character than what Bishop Burnet gives him, who, among other things, says, that he was, in his last years, turned to a greater severity against Popery than he imagined a man of his temper, and of his largeness of point of opinion, was capable of. While I am speaking of Leighton's death, I shall add, that Burnet Archbishop of St. Andrews died some time this year, of whom see Vol. I. and was succeeded by Mr. Arthur Ross Archbishop of Glasgow. The Bishop of Sarum says, that he was a poor, ignorant, worthless man, but in whom obedience and fury were so eminent, that these supplied all other defects. But to return.

Leighton's death, Burnet, p 588, 589.

On the 30th of January Mr. William Eccles, indulged minister at Paisley, and Mr. Robert Elliot at Lintoun, were deprived of their licences, and ordered to find bail, either not to preach, or leave the kingdom. They had broke their confinement, *i. e.* preached in other places besides their own parishes, and had not preached every 29th of May: Mr. Thomas Black, indulged minister at Newtyle, being summoned, and not appearing, was declared rebel.

Mr. Eccles, &c.

On the 12th of February Mr. Ezekiel Montgomery, Sheriff depute of Renfrew, was ordered to be imprisoned for some pieces of misconduct in his office. The same day the council ordered the advocate to prosecute Sir Hugh Campbell of Cessnock for treason; and lest Sir Hugh should have the benefit of Sir George Lockhart, they appointed that able lawyer to assist the king's advocate in the prosecution. However, Sir Hugh was permitted to have what other lawyers he pleased.

Sir Hugh Campbell of Cessnock ordered to be prosecuted.

On the 18th George Martin, some time notary and reader in Dally in the shire of Ayr, John Ker in Hownum, and James Muir at Cessford-boat, were indicted before the justiciary at Edinburgh for treason, and their confession, or answers to the usual questions, were produced

George Martin, &c. condemned.

1684.

duced as evidence against them. They confessed they did not own the king's authority as then established, nor account Bothwell rebellion, nor Sharp's death murder, &c. They were condemned to be hanged at the Grass-market of Edinburgh on the 22d. The Cloud of Witnesses speaks only of George Martin, and of one John Gilry in the parish of Hownan in Teviotdale, who, my author thinks, was the same with John Ker mentioned in the registers, and says he had two letters, signed John Cilry, from the iron-house, the 27th of December 1683, which breathe a spirit of humility, self-confidence and meekness. They all died with much comfort and joy in the Lord. And it cannot but be a constant reproach on the managers at this time, that so many pious persons, whom God owned so signally at their death, were butchered and led to the slaughter for their principles, and because they could not, over the belly of conscience, express their loyalty and approbation of wicked rulers who had overturned the foundation of all legal government, and deprived the subjects of their religion and liberty.

*Why he
could not
say God
save the
king,
Cloud of
Witnesses.*

George Martin had endured a long train of sufferings with great patience. He was apprehended about the end of the year 1679, so that he had been confined for near four years and four months, and for a considerable part of that time been in irons night and day, without fire and other necessaries. In his last testimony he gives the reasons of his conduct; and concerning praying God save the king, says, among other things, 'Another reason why I cannot pray after such a manner is, I find, when prayers are rightly discharged, and seriously gone about, in the manner, time and place as is warranted by the word of God, God is thereby worshipped and honoured; but if reverently gone about he is dishonoured, and his name profaned and taken in vain, which is an abomination to him, and which he says his enemies do, and for which he will not hold them guiltless.—I dare not pray it, because all the profane and profligate persons have it always in their mouth, especially when they are drunk.' He concludes his testimony with many serious and pertinent advices, which I cannot here insert.

Mr. Hamilton of Raith's case.

On the 21st the council wrote to the secretary in favour of Mr. Thomas Hamilton of Raith, who had in June last been forfeited in life and fortune for alleged accession to Bothwell. In their letter though, they owned his loyal-

ty,

ty, and that there were many favourable circumstances in his case, yet they asked for a pardon only with respect to his life, which was granted; but his estate, goods and chattles continued under forfeiture, though they could have nothing against him as acting contrary to their laws. I shall leave the reader to make his own reflections.

1684.

On the 4th of March James Forrest younger, John Colin, Joseph Gourly, Dennis Gilcreof, Thomas and George Jacksons, were banished, by the committee for public affairs, to West Flanders never to return on pain of death. In their testimony they vindicated themselves from the imputation of disloyalty and rebellion, and left their testimony for the Scriptures, Confession and Covenants, against Popery, Prelacy, &c. And particularly John Colin gives the reason why he could not say God save the king, because, when he desired the committee to explain the meaning of the words, he was told that they imported an owning of his person and government, and the laws and present acting, which, said he, satisfied me much, and I think no serious Christians would approve those.

James Forrest, &c banished.

About the beginning of March Mr. John Dick was again apprehended, and brought before the council, and, upon his refusing to give an account of the manner of his escape, was referred to the justiciary, who, on the 4th, ordered him to be executed next day, which was done accordingly.

Mr. John Dick ordered for execution.

He wrote several pious letters to his friends before his execution. In that to his father he gives a most pointed account of the Lord's first effectual dealing with his soul, and concludes with these words, 'I hope ere long the capstone shall be put on, the result of which shall be praises and shouting to Him that sits upon the throne, and to the Lamb, throughout all the ages of eternity, of long lasting eternity. This, with my earnest prayers while in the body, that the Lord would help you to mind his glory, and your own soul's eternal welfare, is all the legacy you can expect from him who is both your affectionate son and Christ's prisoner.'

His letter to his father.

'P. S. I hope, ere I get home, to get another sight of you. Let none see this till I be in my grave. The Lord gave me to you freely, so I intreat you be frank in giving me to him again; and the more free this be, the less cause you shall have to repent.'

1684.

His last words on the scaffold.

** the executioner.*

His last words on the scaffold were these, ' I am come here this day, and would not change my lot with the greatest in the world. I lay down my life willingly and cheerfully for Christ and his cause, and I heartily forgive all mine enemies. I forgive all them who gave me my sentence, and them who were the chief cause of my taking; and I forgive him who is behind me * I advise you who are the Lord's people to be sincere in the way of godliness, and you who know little or nothing of the power thereof, to come to him, and trust God, he will not disappoint you; I say, trust in the Lord, and he will support and strengthen whatever trouble or affliction you may meet with. I remember, when Abraham was about to sacrifice his son, Isaac said, *Here is the wood and the fire, but where is the sacrifice?* Now, blessed be the Lord, here is the sacrifice and free-will offering. Adieu, farewell all friends.'

Henry Hall, &c. forfeited.

On the same 5th of March Henry Hall of Haughhead deceased, Mr. John Menzies of Wintercleuch or hanginghaw, — of Calderhead, — younger of Windy-edge, Henry Boswell portioner of Dunsystoun, Robert Steil portioner of Stain, and John Mack portioner of Hisselwood, were indicted before the justiciary in absence, and found guilty and forfeited, and were all, except Henry Hall, ordered to be executed when apprehended. Perhaps it was peculiar to this period to try persons who had been dead for several years.

On the 13th the case of several gentlemen in Renfrewshire, who had been fined most unjustly by the sheriff-depute for church-irregularities, came to be considered. This was the case of James Pollock of Balgray, James Hamilton of Langtoun, Matthew Stewart portioner of Newtown and John Pollock of Fawside. The council reduced the fines of the two first, and acknowledged the injustice done to the two last. I must refer the reader for the particulars to my author.

Five executed

On the 19th five excellent and serious Christians were executed at the cross of Glasgow, viz. John Richmond in the parish of Galston, James Winning taylor in Glasgow, Archibald Stuart in Lesmahago, James Johnstoun in the parish of Calder, and John Main in that of Old-Monkland. John Richmond was apprehended last year. James Winning, being informed against last February, was called out of his bed to appear before one of the magistrates of Glasgow, and, not giving satisfying answers concerning Both-

well

well and the bishop's death, was committed to prison and prosecuted with the rest.

1684.

These five persons were tried at Glasgow, on the 17th, before the military justiciary, as I may call them. Their judges were Lieutenant-colonel Windram, Sir W. Fleming, Sir J. Turner, Lieutenant-colonel Buchan, J. Sommerwell of Spittle, sheriff-depute of Lanerk, W. Stirling and John Jones. The prisoners were indicted for being at Bothwell, reset and converse. Many witnesses appeared, but none swore any thing that could touch their life, even according to the laws then in force. One witness swore that he saw John Richmond in arms at Airsmoss. The preses asked him how far distant he was from the prisoner; he answered, about half a mile: and yet this was sustained as good evidence! In short, though there was no proof against any of them, they were all condemned to be executed on the 19th. The main thing for which this unjust sentence was past, was because they were silent as to the king's authority, King Charles I. death, and that of the archbishop. They all died with the utmost cheerfulness and comfort, adhering to the Covenants and Work of Reformation, and testifying against all encroachments made upon the crown and dignity of the Lord Jesus.

*without
any legal
proof.*

The last testimonies of John Main and John Richmond are in the Cloud of Witnesses. The former says, that none of the articles of his indictment could be made criminal, such as his escaping out of prison, his being at Bothwell only as a spectator, his conversing with Gavin Wotherpoon, his refusing to call Bothwell rebellion, his owning the Covenants, his not answering the questions about the king's authority, his not asserting that the death of the late king, or of the archbishop, was murder; and therefore he concludes that he and his fellow-sufferers were murdered, only for the satisfaction of men who were worse than Heathens.

*Their
temper
and spirit.*

Among other moving expressions Archibald Stuart had at his execution, he said, 'I die not by constraint; I am more willing to die, for my lovely Lord Jesus Christ and his truths, than ever I was to live; and my soul blesteth the Lord that ever he did accept of a testimony from the like of me. Scar not at the way of Christ because of sufferings. If you knew what of his love I have got since I was honoured with imprisonment for him, and what sweet ingredients, he hath put into my cup, ye would no be afraid

*Arch.
Stuart.*

! afraid

1684.

*His letter
to an ac-
quain-
tance.*

‘ afraid of suffering. He hath paved the cross all over
‘ with love, &c.’ The letter that Archibald Stuart wrote
to an acquaintance shews the disposition of his mind, in
which he says, ‘ Now, my loving friend, I am going to
‘ my father’s house, to reap the fruits of all these walking
‘ nights that you and I had together, when none knew of
‘ it but ourselves and our heavenly Father; and I die in
‘ the hope of it we shall come to your Father and my Fa-
‘ ther, to your God and my God, to your Redeemer and
‘ my Redeemer — Now all is sure and well with me; I
‘ am brought near unto God through the blood of his Son
‘ Jesus Christ; and I have no more to do, but to lay down
‘ this life of mine that he hath given me, and take up
‘ house and habitation with my lovely Lord and Master
‘ Jesus Christ, &c.’ He concludes with many excellent
advices which I have not room to insert. He was but a
youth of 19 years of age. James Winning and James
Johnstoun spoke much to the same purpose. The pious
reader will form a judgment; from these short hints of the
spirit and temper of these suffering martyrs, who all died
with a most forgiving spirit, praying for forgiveness to
their persecutors, though, at the same time, assuring them,
that if they did not repent, their blood would be required
at their hand. At the execution of these men Gavia Black
of Monkland was seized by the soldiers and imprisoned,
because he discovered some tokens of grief; and not sa-
tisfying their inquiries, was with others banished to Caro-
lina: and at their burial a relation of theirs, James Nisbet,
was apprehended, and afterwards executed, as we shall re-
late in its proper place.

*Sir Hugh
Campbell
of Cess-
nock’s in-
dictment.*

On the 24th of March the trial of Sir Hugh Campbell
of Cessnock came on before the justiciary at Edinburgh.
His indictment was read, setting forth, ‘ That Sir Hugh
‘ having, in June 1679, met with Daniel Crawford in
‘ Galtoun, Thomas Ingram in Borelands, John Ferguson
‘ in Catharingsill, and several other of the rebels, at or
‘ near the Bridge-end of Galtoun, asked them where they
‘ had been; and, when they told him they had been
‘ with the Westland army, he said, that he had seen more
‘ going to them than coming from them; and having asked
‘ them if they were to return, they told him they knew
‘ not. Whereupon he treasonably said, that he liked not
‘ runaways, and they should get help if they would bide
‘ by it; and bade them take courage, or some such like
‘ words to that purpose; wherethrough the said Sir Hugh
Campbell

1684.

Campbell is guilty of intercommuning with notour rebels, and of giving a counsel and advice to go back and return to the rebellious army, and thereby was guilty of the said rebellion; which being found by an affize, he ought to be punished, &c. As this was the only part of the indictment the advocate insisted upon, there is no occasion to insert the rest. He was not tried on the plot.

The debates upon the relevancy of this indictment, to infer the pains of treason, took up till the 26th. Cefnock's advocates offered to prove, that on the day these persons pass the bridge of Galtoun, he was at his own house at Cefnock; that the indictment bears that the defendant only met with him by the way, and that the simple meeting of persons on the high-way, which was only accidental, and the asking from whence they came, and whether they were going, cannot infer intercommuning. They farther insisted, that the words alledged to be spoken do not import counsel and advice to go back to the rebels, and that words and expressions can never infer a crime, far less the crime of treason, unless they clearly, directly and positively inferred the crime; especially certain sentences and speeches which have been gathered five years after the same were pretended to have been spoken in a transient way. In short, though the expressions should be constructed as treasonable, yet, as they prior to the king's act of indemnity, the defendant cannot be now called in question for them. These, and many other things were pleaded in behalf of the prisoner; and yet, on the 26th, the lords by a plurality of voices, found the indictment relevant.

Found relevant.

On the 27th the jury was called and sworn, and the advocate produced Thomas Ingram and David Crawford as evidences for the crown. Several things were objected against these witnesses, which occasioned a long debate. Among others, that they bore malice to the prisoner, and so could not be admitted, particularly Ingram, against whom they undertook to prove, that he said several times, that if there was a way out of hell how to be avenged of this prisoner, for delating him as a murderer, he would be revenged; that he was forced to be an evidence in this cause, and had received money, particularly from Hugh Wallace factor to the deceased Lord Craigie. And witnesses were produced, who deposed, That Thomas Ingram had sworn in their hearing and presence, a great oath, that he would be avenged upon Cefnock if there

Witnesses examined.

there

1684.

there was a way out of hell to do it. Ingram's father and mother swore, that they saw the above mentioned Wallace give him several pieces of money, though they could not tell how much; nay, Ingram himself acknowledged that he gave Wallace half-a-crown at one time, and ten shillings at another; though he knew not upon what design. But notwithstanding all this, the lords ordered the witnesses to be received.

*Ingram's
evidence.*

When Ingram was brought in, and holding up his hand to swear, Sir Hugh directed himself to him, and said, 'Take heed now what you are about to do, and damn not your own soul by perjury; for, as I shall answer to God, and upon the peril of my own soul, I am here ready to declare I never saw you in the face before this process, nor spake to you.' Then he was solemnly sworn, and deposed, that, being in the house of Crawford, Cefnock came to the door, and, having called upon the said Crawford, he asked what men those were who were in his house? Crawford answered, they were men lately come from the Westland army. Then Cefnock asked who commanded there? Crawford answered, one Robert Hamilton. As Ingram was going on, one of Cefnock's lawyers asked him whether he had communicated this to any other, and told him that his soul was at stake, as he was under a deep oath. Ingram answered, I believe I have spoke of it to several. The justice-general asked, if Cefnock spoke any other words to Crawford. Ingram answered, My lord, I am now upon my great oath, and I declare I do not remember he spoke any more at all. Upon this there was a great shout and clapping of hands in court, which so irritated the advocate, that he said, that he believed Cefnock had hired his friends to make this acclamation, in order to confound the king's evidence; and that he never heard of such a Protestant roar, except in the trial of Shaftsbury; that he had always a kindness for that persuasion till now; that he was convinced in his conscience it hugs the most damnable trinkets in nature.

*Firmness
of the jury.*

After silence the justice-general interrogated Ingram again, who declared he had said as much as he could say upon oath; and offering a third time to question him, Alex. Nisbet of Craigenenny, one of the jury, interposed, declaring that they would only take notice of Ingram's first deposition, though he should be examined twenty times. The justice-general answered him with warmth,

Sir,

1684.

Sir, you are not judges in this case. The Laird of Drum, another of the jury, presently replied, Yes, my lord; we are the only competent judges as to the probation, though not of its relevancy. Whereupon the whole jury rose, and adhered to what these had said. Silence being commanded, Crawford, the other witness, was called, and swore that he did not see Cessnock for a considerable time either before or after Bothwell-bridge; and that he does not remember that he spoke any thing to him, either about the Westland army, or who commanded them. Upon this there was another shout and clapping of hands, which put the justice-general and the advocate in a terrible rage. The jury brought in their verdict *Not guilty*. Nevertheless Cessnock was remanded to prison, and, after some months, was sent along with Mr. John Rae to the Bass. He was afterwards forfeited, and his estate given to Melford. Ingram and Crawford were a long time detained prisoners, and were ordered to be examined by the committee for public affairs. Several who were concerned in the noise, during Cessnock's trial, were obliged to beg pardon.

We have related how the advocate was ordered to prosecute the Earl of Loudon, &c*. Accordingly the Earl on the first, and the Lord Melvil on the eighth of April, petitioned the council for the competent time to appear before the justiciary. The lords postponed the process against them till November when they were called, and declared rebels and fugitives, on account of their not appearing. They were charged with contriving the death of the king and the duke, in order to subvert the government; but there was no proof of these things. The process against Sir John Cochran of Ochiltree was delayed till July; but the issue of it I know not.

On the 8th of April, Mr. William Erskine*, having been a close prisoner for 7 years in Blackness castle and other places, was by the council's order allowed to walk round the castle, and take the air in the company of a keeper. He had been ordered to be set at liberty 1679, but why he was not is more than I can tell.

On the 9th John Cochran of Water-side, son to Sir John Cochran of Ochiltree, was in absence tried before the justiciary; and, because two witnesses swore that they thought they saw him with the rebels, the jury brought him in guilty, and the lords condemned him to be executed when apprehended.

*The Earl of Loudon, &c. declared fugitives, * p. 184.*

*Mr. W. Erskine, * Vol. I. p. 343.*

Cochran of Water-side.

1684.

*James
Howison.*

Next day James Howison, maltman in Lanerk, was indicted for being at Bothwell. The witnesses declared that he was in company with some of the Westland army, but without arms. He could not avoid this, for he lived on the place; he was brought in guilty, and sentenced to be hanged at the Grass-market on the 12th of November next. Whether the sentence was executed I cannot tell.

*Prisoners
to be ban-
nished.*

On the 11th the council, considering that the prisons were full, wrote to the king for authority to send such of the prisoners to the plantations who appeared penitent, though they took not the test. This was complied with.

*Two
fasts.*

The same day they agreed to a proposal of the Bishop of Edinburgh for two fasts to be observed, the one in the spring, and the other in the harvest. Had never worse things come through the prelates hands than this, there had not been so much cause of complaint.

*Magi-
strates of
Ayr cho-
sen by the
council.*

We have had some instances of the council's infringing on the freedom of electing magistrates in burghs; accordingly, on this 11th of April, they, finding that some of the magistrates of Ayr had encouraged the Presbyterian party, and other irregularities, and that there had been differences between Provost Brisbane and Rob. Hunter and others, in order to stop all heats in that town, did declare, that, at Michaelmas next, they would make choice of magistrates and counsellors for the ensuing year, and discharged the present magistrates from making any election at that time.

*John Pa-
ton exe-
cuted.*

On the 16th John Paton of Meadow-head, in the parish of Fenwick, commonly called *Captain Paton*, was indicted for being with the rebels at Pentland and Bothwell. He confessed the fact; and being asked if he owned authority, answered, that he owned all authority allowed by the word of God. He was condemned to be hanged in the Grass-market on Wednesday the 23d of April; but, being prevailed with to petition the council, he was respited to the 30th, and from that to Friday the 9th of May, when he suffered according to his sentence. Several were inclined to favour him; but he remarks in his last speech, which is in the Cloud of Witnesses, that the prelates put an effectual stop to that. He says, 'I desire to mourn for my giving ear to the counsel of flesh and blood,——though it lays my blood the closer to their door, and I think the blood of my wife and bairns.'

I think

1684.

think their supreme magistrate is not ignorant of many of their actings; but these prelates will not be free when our God makes an inquisition for blood.' He lamented the differences among God's people, and forgave all his enemies, in these words, 'Now, as to my persecutors, I forgive all of them; instigators, reproachers, soldiers, privy-council, justiciaries, apprehenders, in what they have done to me; but what they have done in despite against the image of God's name in me, who am a poor thing without that, it is not mine to forgive them; but I wish they may seek forgiveness of him who hath it to give, and would do no more wickedness.' Then he left his wife and six small children on God, and took his farewell of all created enjoyments.

On the 17th the council took under their consideration the case of some of the gentlemen ordered to be prosecuted in August last, against whom they could find no sufficient evidence; and accordingly Rowallan elder and younger were released upon a bond of 2000 l. sterling to appear when called. Cefnock elder and younger, Burnsfield and Crawfordland, had the benefit of free prison; but Mr. Carstairs, Mr. Spence, and Jerviswood, met with peculiar hardships, as shall be related in its proper place.

*Case of
Rowallan,
&c.*

Thus, on the 22d, Mr. William Spence, who had been secretary to the Earl of Argyll, was allowed to be taken out of the irons, but kept close prisoner. It would seem he had been in irons since he was sent down from England; and no doubt he fared the worse for the sake of his master.

*Mr. W.
Spence.*

The same day the ministers of the then establishment were impowered by proclamation to chuse whom they pleased to serve as elders, and assist them in discipline, and to give in a list of them to their ordinary for his approbation; and whoever shall refuse to serve were to be put to the horn. How far this was agreeable to scripture directory, that none should serve by constraint, but willingly, was not thought of. It was sufficient that it flowed from the supremacy of a gracious king, 'whose predecessors and he had always been careful that the discipline of the church be observed.'

*A strange
method of
chusing el-
ders.*

On the 5th of May Mr. William Wishart student in divinity, afterwards principal of the college of Edinburgh, presented a petition to the council, bearing, 'That, having left his studies at Utrecht, to come home and visit his aged and dying parents, upon some mistake he was

*Mr. W.
Wishart
in prison.*

1684.

put in prison, as being one of those who deny his majesty's authority; whereas he disowns these principles; and, as nothing is laid to his charge, craving that he may be liberate. The council ordered him to be released, when once the advocate was satisfied as to his principles, upon bail to appear when called; but the advocate, for some time, neglected to make report, and therefore he continued a considerable time in the iron-house in no small trouble.

*Fugitive
rolls
printed.*

The same day the council ordered the fugitive rolls to be printed, in order to prevent any from harbouring those who were declared fugitives for being in the rebellion, or for reset and converse; but very few of them could be charged with the first. My author has printed the lists of these fugitives in his appendix, No. 94. It contains no less than 1863, among whom are these following preachers, viz. Messrs. William Gilchrist, James Welsh, John Hepburn, James Guthrie, John Forrester, — Lenox, Tho. Wilkie, Thomas Vernor, George Barclay, John Rae, Thomas Douglas, — Forrester, — Lamb, David Hume, and John Rae, and a considerable number of women. It is easy to observe what a state the country was in when so many were by name marked out for destruction.

*Procla-
mation
for the
peace of
the High-
lands.*

The same day, on pretence that the Earl of Argyll was concerting measures for raising an insurrection, a proclamation was published, ordering the heads of the clans to have their quotas of men in readiness to attend the new lieutenants which were set over Argyll-shire and Tarbet, whenever they should call for their assistance. This was the project of the Duke of York, in order to weaken the interest of the family of Argyll, which was still great in these shires, and to encourage those clans, who were generally Popish, and so the more fit for accomplishing the deep intentions of his royal highness.

*George
Jackson
before a
committee
of the
council.*

George Jackson having been kept in irons all last winter, was brought to Edinburgh on the 13th of May. Being called before a committee of the council he happened to come with his Bible in his hand; upon which the advocate scoffingly said, There's him and his Bible. Come away, let us see where the text is. George replied, I was never a seeker out of texts, that is the work of a minister. Then said the advocate, Put up your Bible, for we are not for preaching now. He answered, I am not come to preach; but, Sir, that is the word of God

—and

—and I charge you, and not only you, but all of you, that, as you shall answer one day before our Lord Jesus Christ, when he shall judge between the just and the unjust, that you judge me by what is written in this Holy Bible, otherways, remember ye and the rest of you shall account for it in that day, when our Lord shall sit as judge, and ye stand naked and bare before him; and if ye do it not I shall be a witness against you. They told him he was come to be judged, and not to judge. After some silence he was examined upon the ordinary questions, for they had nothing else to lay to his charge but what they got from his own answers. He was returned to prison, and kept in irons till December, when he was executed.

Mean while the council, on the 17th, having considered the report of their committee concerning the prisoners referred to them, the said George Jackson and George Hutchison of Harlaw were remitted to the justiciary, and they delayed the case of Mr. William Withart and others, to farther consideration; and ordered eight or ten poor country people to be released, upon promising to keep their parish-church. The same day they ordered for transportation to America, William Laing in Hawick, James White in Douglas, John Harper in Fenwick, Gavin Muirhead in Camnethan, John Gairdner in Monkland, David Jamison a sweet-singer, and James Balfour in Fife. Their pretended crimes were rebellion and harbouring of rebels. After the managers had agreed with Walter Gibson merchant in Glasgow, for the transportation of these and other prisoners, there was a strange act of grace made on the 27th, by which such of the rebels as were penitent were ordered to be transported. *The tender mercies of the wicked are cruel!*

Proceedings of the council.

Persons banished.

While these severities were used to the prisoners, the country was oppressed by the soldiers. As two of them were levying the cess in the parish of Dalmellington, and were endeavouring to apprehend two of the wanderers, they were slightly wounded. Whereupon Dundaffs with his men came upon that village, and particularly seized on the goods of one Andrew Mitchel who was noways concerned in the scuffle. The lieutenant called before him a great many, who he pretended, had conversed with the outlawed wanderers; 15 of whom were sent prisoners to Edinburgh, because they refused to swear they had not conversed with these people, and after 17 days confinement, were fined in 15,000 merks, besides

Hardships of the parish of Dalmellington.

1684.

*James
Nisbet
executed.*

500 to the wounded soldiers. James Gibson of Erris was forced to pay the whole sum.

On the 5th of June James Nisbet was executed at the Howgate-head near Glasgow. He, having been intimate with John Richmond and some of his fellow-sufferers came to Glasgow to pay his last respects at their burial, and, being known, was apprehended by his own cousin Lieutenant Nisbet, [a persecuting spirit dissolves all the bonds of natural affection] and carried directly to the guard, where he was soon ensnared by their persecuting catechism, if I may use the expression. It would seem he was tried by the military commissioners for judiciary there. He was so closely watched, that he could scarcely get any thing wrote.

His last testimony is in the Cloud of Witnesses, and begins with these words, ' Now I am brought hither this day to lay down my life for the testimony of Jesus Christ, and for asserting him to be Head and King in his own house and, for no matter of fact they have against me. — Although the most part of the men of this generation is counting it death to call him so, yet I, as a dying man, live and die in the faith of it, that he shall appear to their confusion, and for his own glory now trampled upon and lying so low.' — It is easy to see in what spirit and with what frame he and others changed worlds, which will be an indelible reproach on the cruel persecutors of that time.

Proceedings on account of the conventicle at Blackloch.

The managers were after this informed of a field-meeting at Blackloch, where 100 were assembled in arms, and had been pursued, without effect, by Colonel Windram and his party; and therefore the committee, on the 12th of June, ordered General Dalziel to examine Gavin Lowrie in Redmire, James Stuart of Hartwood, and James Walker of Rosehall, for not pursuing and giving timely notice of these men. On the 13th the advocate was enjoined to prosecute the heritors upon whose lands the rebels were seen. Sir William Paterson was likewise sent to assist at these examinations, and to acquaint the commissioners at Glasgow, that their remissness in proceeding against the rebels, and other disorderly persons there, gave offence, and to enjoin them to be more diligent, and forthwith to punish those according to law, against whom the proof was clear, or who confessed their being in the rebellion, and continued obstinate in their rebellious principles; and to transport to the plantations

those

those against whom there was not sufficient evidence, and who would not confess their being accessory to the rebellion, unless they formally renounced the Covenant, and took the oath of allegiance, &c.

1684.

Sir William returned; and, on the 19th, the council finding, from his report, that most of the heritors in the parishes of Shotts, Camnethan and Monkland had been guilty in not informing against those who were seen in arms, ordered them to be summoned to appear before them on the first of July next, together with the sheriffs of Stirling, Linlithgow and Lanerk, William Stuart of Allanton, James Stuart of Hartwood, William Cochran of Ochiltree younger, Walker of Hacketburn, and Mr. Violant indulged minister at Camnethan, because these rebels had passed by his house in arms, and he did not inform any magistrate or officer of it.

*Heritors,
&c. to be
prosecut-
ed.*

This looked as if all the country had been up, though it is well known that those people were driven to the necessity of meeting in arms, if they met at all, in order to defend themselves against their persecutors; otherways they never injured any, but met peaceably for the worship of God, and dismissed to their lurking places to conceal themselves the best way they could: but why so many gentlemen should be brought to all this trouble, for what was not in their power to help, must be left with the reader.

Remarks.

But, to leave this for a little, I find, on the 13th of this month, James Hasty of Harlaw, in the parish of Carstairs was obliged to give Meldrum a bond of 200 merks, for the great crime of non-conformity. Many were the losses this person sustained, by the quartering of soldiers, fines, imprisonments, &c. which I have not room here to mention.

*James
Hasty.*

On the 19th Sir William Paterson reported, that 22 were ordered for transportation from Glasgow, and to be sent along with Gibson; and the same day the council passed sentence of transportation against James MacGachin in Dalry, John Crighton in Kirkpatrick, John Mathison in Cloosburn, and John MacChisholm in Spittie; and, on August, 15 more were ordered the same way. All this was for reset and converse. One John Dick was, in this month of June, banished to Carolina. At his examination he owned the lawfulness of defensive arms when people are oppressed for adhering to their principles; and being closely interrogated as to praying for the king, he said,

*Persons
banished.*

said;

1684.

said, ' I can, as he hath a soul, and hath not sinned a
' unpardonable sin ; but to pray for him as he is king, and
' for the prosperity of his courses, I cannot do it.'

*A joint
testimony.*

There was a joint testimony against Popery, Prelacy
&c. and for the Covenants and Works of Reformation
signed by the following persons before they were shipped
off, viz. James MacLintosh, John Buchanán, William
Inglis, Gabriel Black, Adam Allan, John Galt, Thomas
Marishal, William Smith, Ro. Urie, Thomas Brice, John
Syme, Hugh Syme, W. Syme, Jo. Alexander, Jo. Ma-
rishal, Matthew Machan, John Paton, John Gibson, John
Young, Arthur Cuninghame, George Smith and John De-
art.

*Their
treatment
aboard,*

About 32 of these transports were put aboard Gibson
ship about the beginning of July, and suffered great hard-
ships, during their passage, through the cruelty of the
captain and sailors. What money was given them by
their friends was taken from them. They were disturb-
ed when at worship under deck ; and, whenever they
began to sing Psalms, they were threatened and the hatch-
es closed upon them. They had their bread by weight
and their water by measure ; and no difference was made
between the sick and the healthy.

*and after
they land-
ed.*

When they landed at Carolina they were put into
houses under a guard. What things their friends gave
them to be sold to the best advantage, to be distributed
among them, were otherways disposed of. John Dick
formerly mentioned, though he paid all his freight ex-
cept 30 shillings, for which he offered security, was, con-
trary to agreement, forced up the country as the captain's
servant, where he died. John Smith and John Paton
being discovered attempting to escape, were beat eight
times every day, and condemned to perpetual slave-
ry.

*Case of
Elis. Lin-
ning.*

When they were lying ready to sail from Clyde, Eli-
sabeth Linning came to visit some of them who were her
acquaintance, and was, by the captain's order, carried a-
long with them, though nothing could be laid to her
charge. When they got to Carolina, perceiving the cap-
tain intended to sell her for a slave, she took a proper op-
portunity and escaped, and made her case known to the
governor, who treated her civilly, and ordered the cap-
tain to be summoned before him the next court-day, when
the captain's villany was discovered, and the innocent girl
released, and declared a free woman. Scarce six of those
prisoners

prisoners ever returned to Scotland, the most of them dying in Carolina. But to return to the transactions at home.

1684.

On the first of July the council fined Hackwoodburn, Allantoun and Hartwood, according to the proclamation, and next day ordered the two last to be released, upon engaging to satisfy the cash-keeper as to their fines. What Hackwoodburn's fine was I know not; but Stuart of Allantoun was fined in 3000 merks, and Stuart of Hartwood in 1500. Nothing could be laid to their charge, but because some came from the above meeting in arms, through the parish where they lived, in their way home. Allantoun was looking out at the window by accident, and saw them; and Hartwood met them as he was coming from church at Cannethan. It was not so much as pretended that they conversed with any of them, or gave them any supply; but, because they did not raise the country to seize them on the Lord's day, this was the way they were served.

*Stuart of Allantoun, &c. fined. * p. 141.*

On the 5th of July the Earl of Perth was made chancellor in the room of Lord Aberdeen, and Linlithgow made justice-general; and the better to suppress non-conformity, a new commission came down from the king to the council. None of the former members was left at, only some new ones were put in. His majesty expressed his hopes that they would go on firmly and faithfully in his service, by doing justice to his people, by putting the laws vigorously in execution against the fanatics, whose enemies not only of his person and government, but likewise of all religion and society. There is no occasion to make any remarks upon this, nor to insert the council's fulsome letter. It is easy to guess at the strain of it.

Perth made chancellor.

The council, in order to prosecute the king's designs, appointed the same day a new committee for public affairs, consisting of the Archbishops of St. Andrews and Glasgow, the Earls of Linlithgow, Balcarras and Tweeddale, the Lords Drumlanerk and Livingstone, the Lairds Drumelzier and Claverhouse, or any three of them. His new appointed council went on in persecuting heretics, and others, for not raising the Hue and Cry, and in stirring after the blood of those who could not prostitute their consciences to a compliance with their wicked impositions.

Committee for public affairs.

1684.

*Orders to
Sir Will.
Murray,
&c.*

On the 16th this new committee wrote to Sir William Murray of Stanhope, and others on account of some conventicles they were informed of, complaining that the gentlemen had not given notice of them according to the proclamation, which they now ordered to be reprinted and therefore enjoined them to search for and apprehend the preachers and hearers. And next day the council impowered the sheriff-depute of Ayr, and Captain Inglis, to call before them, and examine upon oath, those who could give him the best information of the heritors through whose lands they who came to or went from these conventicles were seen, and send an account to the council. The persons thus the butt of their malice were the followers of Mr. Renwick, of whom we have heard.

*Partiality
of the
council.*

On the same 17th of July the council had before them the Laird of Dundas, because the people, as they came from the meeting at Blackloch, had gone through the bounds of his estate, and he had not raised the Hue and Cry. Dundas urged he was not at home for several days after that, and knew nothing of the matter for some time. But this defence was over-ruled, though, the same very day, the Earl of Tweeddale was accused of the same crime, and made the same defence, which they sustained as good; for, says my author, it was now, shew me the man, and I will shew you the law.

*Mr. W.
Violant
deprived
of his in-
dulgence,
&c.*

The same day Mr. Violant, indulged minister at Carnethan, because he did not raise the Hue and Cry, on the Lord's day, when the people passed his house from the said meeting at Blackloch, had his indulgence taken from him, and was ordered to find bail to depart the kingdom or, in case he did not chuse that, to give security not to exercise any part of his ministry under the penalty of 5000 merks. Some days after this, when he appeared before them, he told them, that he did not think a minister was obliged to be an informer, and owned that he had preached without his parish-church, and baptized children belonging to other parishes, and was obliged to answer to his Master Christ, from whom he had his instructions. He was ordered to prison till he should find bail, as above related.

*P. Wal-
ker's suf-
ferings.*

On the 22d, according to my author, one Patrick Walker, a boy about 18 years of age, was before the council, and confessed that he was present at the murder of Francis Garden, one of the Earl of Airly's troop and refused to discover his accomplices, and was order-

1684.

ed to be examined by torture next day, when he was appointed to be banished. But Patrick Walker's own account, which he has published at the end of some remarkable passages of Messrs. Semple, Welwood and Cameron, observes, that it was seldom the clerks wrote as the prisoners spoke. And, as Mr. Wodrow takes his authority from the council-records, I shall therefore give the substance of Mr. Walker's own relation.

He was taken out of his bed, with other four, on the 29th of June, and brought out of Linlithgow thieves-hole on the first of July, next day examined before the council; and that night, he, James Edward and John Gardner received their indictment for owning the Covenants, defensive arms, &c. On the third they received sentence of transportation, which was pronounced by the Archbishop of St. Andrews president, who, says he, within a month after, got his sentence elsewhere. He was again examined on the 2d; and on the 23d there was a strong debate among the counsellors, whether they should prosecute him for his life, or examine him by torture; but none of them took place; for some urged, that, since nothing new was either confessed or proved, and as he was under sentence, they could proceed no farther. However, they renewed their foresaid sentence. He lay in prison from that to the first of August, when he was put aboard a vessel; but with 13 other prisoners he was brought back on the 6th with a design on his life; which was prevented. However, he continued in prison till the 8th of May 1685, when, with many others, he was sent to Dunnoter, and brought back to Leith on the 18th of August, and made his escape out of prison. He says, that, during the 14 months he was among their hands, he was 18 times examined, and only thrice about that man's death, which happened as follows:

In March 1682, Francis Gordon (for so he calls him) happened to pursue and overtake James Wilson, Thomas Young, and Patrick Walker, about four miles from Larkhall. Thomas Young asked him why he pursued them. Gordon replied, he was come to send them to hell. James Wilson told him they would defend themselves. Upon which Gordon run his sword through Wilson's hat, who immediately fired upon him, but missed him; and another of them shot him with a pocket-pistol. By this time William Caigow and Robert Muir, two of the banders, came up with them. They searched him for

*His own
account,
p. 163.
&c.*

*Francis
Gordon
killed.*

1684.

papers, and found a scroll of names, which were design either to be killed or taken. P. Walker tore it in piece Every thing else about him they put into his pockets a left him; so that what they acted was in their own defence, and none of them was ever questioned for this Patrick Walker. Thomas Young afterwards suffered Mauchlin, but was never challenged for this. Robert M was banished. James Walker survived the persecutio William Caigow died in the Canongate prison in the beginning of 1685, so that, says P. Walker, Mr. Wodro was misinformed in saying that he suffered unto death.

Proclamation for apprehending the rebels.

On the said 22d of July the council emitted another proclamation for apprehending the rebels, signifying, that whoever did not exert themselves, to the utmost, in apprehending them, other effectual courses would be taken for preventing rebellions, and securing the public peace. Though one might think that many methods had already been used to prevent the poor wanderers from meeting for the exercise of divine worship, yet we shall find that other inventions of cruelty were still designed, and very soon put in execution.

Act about thumbkins.

Accordingly, the very next day, the following act of council was made: 'Whereas the boots were the ordinary way to expiscate matters relating to the government and that there is now a new invention and engine called *The Thumbkins*, which will be very effectual to the purpose and intent foresaid, the lords of his majesty's privy council do therefore ordain, that when any person shall by their order, be put to the torture, the said boots and thumbkins both be applied to them, as it shall be found fit and convenient.' Thus they fell soon upon another method; but before the end of this year we shall find something still more dreadful.

J. Brisbane fined.

The same day they fined John Brisbane of Freeland in the sum of 500 l. sterling for conventicles and non-conformity, and ordered him to ly in prison till he paid the two thirds of it, and out of their great goodness superseded the other third till they should see his future conduct.

Arthur Tacket executed.

On the 24th the act about thumbkins was first executed on Arthur Tacket a taylor in Hamilton, who had been apprehended as he came from hearing Mr. Renwick, in order to force him to tell who preached. The advocate told him, that, if he would be ingenuous and free in answering the questions, nothing he said should militate against

1684.

gainst him or any other. He answered, That he could not believe them, since they had broken their oaths, subscriptions and promises to God and man, and that he could not think they would press him so much to declare who preached, if they did not intend to make use of what he said. The boots were designed for him, but a surgeon telling them, that his leg being small, they would crush it to pieces, he was therefore tortured by the thumbkins. As he had been ordered for execution the 21st of March 1681, so the lords of judiciary condemned him to be hanged at the Grass-market on the 31st of this July, which was done accordingly. In the Cloud of Witnesses he is said have suffered on the first of August. He died with great cheerfulness, forgiving his persecutors, and adhering to the Covenants and Work of Reformation, and owning all magistrates, superior and inferior, as they are agreeable to the word of God and the Covenants, and as they are a terror to evil doers, and a praise to them that do well. My author justly questions whether ever such numbers were executed for such a rising as Bothwell, especially so many years afterwards.

On the said 24th of July Mr. William Spence was, according to an act of council, put to the torture of the boots, which he endured with a great deal of patience, discovering nothing which could give satisfaction to his inquisitors. But, though it be allowed that torture is the last trial that ought to be made in the most extraordinary cases, and so ought not to be repeated, far less succeeded by any thing more inhuman and barbarous, yet such was the injustice and cruelty of the counsellors, that, on the 26th, they made an act, ordering General Dalziel to receive Mr. William Spence from the magistrates of Edinburgh, and to appoint a sufficient number of officers and soldiers to watch him by turns, and not suffer him to sleep night nor day, but use every method necessary for keeping him awake, and in the mean time, to take down in writing every thing he shall say in relation to the plot. Bishop Burnet says he was kept from sleep eight or nine nights. This was a method of cruelty, that, I believe, was never invented before. To keep a man from sleep, night and day, was enough to deprive him of his senses. But I leave the reader to make his own reflections.

*William
Spence
tortured.*

*Kept from
sleep.*

*W. Shir-
inlaw
murdered
in the
searching
fields.*

Some time in July, as Lewis Lawder, a subaltern officer belonging to the garrison of Sorn was with a party

1684. searching the country for the wanderers, they met with William Shirinlaw, a youth of about 18 years of age, at the Woodhead of Tarbolton in the shire of Ayr, and, after a few ordinary questions, Lawder commanded him to be shot directly. Then the party went to the Stair-head, a place where William had been servant and seized Paul Lawmont, Matthew Bell and — Boswel, carried them to the adjacent fields, and ordered them to kneel and cover their faces, in order to be shot likeways; but providence interposed, Lauder's men positively refusing to obey the orders, saying, One in a day was sufficient.

*Rescue at
Enterkin-
path.*

About this time, as a guard of 28 soldiers were carrying nine prisoners towards Edinburgh, some of their wandering friends took up a resolution to rescue them, and for this end posted themselves in the narrow path of Enterkin, between Dumfries and Edinburgh. When the prisoners came up two and two tied together on horseback, the countrymen demanded them to be released, but were answered by a volley of shot, which they returned, put the guard to flight, killed one, wounded several more, released seven of the prisoners and took them along with them. Though the Laird of Lochear, a gentleman of a small estate, who had been both at Pentland and Bothwell, was among those who were released, yet some way or another, he fell in among the soldiers, and was greatly wounded, and cruelly used; but the rescuers coming up the soldiers retired, and he was sent to a country house in the neighbourhood, where friends took care of him as private as possible.

*Conse-
quences
of it.*

The soldiers carried John MacKechney, a pious good man, one of the prisoners with him to Edinburgh, where he died, after enduring 13 weeks great pain from a wound he received in his arm. When they got there, and gave an account of what happened, a strict search was ordered to be made through Nithsdale for the rescuers. All persons above 15 years of age, in ten or twelve parishes round Enterkin, were ordered to be examined upon oath. This was intimated from the pulpits about the space of six weeks running. Many were imprisoned, and more were oppressed, who knew nothing of the matter. The Laird of Lochear was again apprehended, and, notwithstanding his wounds, was sent prisoner, first to Dumfries, and then to Edinburgh, where he lay till his patience tired out his persecutors; so that he was released without any sinful compliances.

Courts were also held by some of the forementioned commissioners. The Laird of Lagg was singularly diligent, and held a court in the church of Carsphairn, assisted by Mr. Peter Pearson the curate. The soldiers grew still more and more insolent. Though one George Lorimer, a youth, was sent prisoner to Dumfries, because he would not drink the king's health, yet he happily made his escape. But I must pass these things.

1684.
Oppressive courts.

About the end of this month and beginning of August, at several meetings of the judiciary, near 200, mostly country people, had their processes dropt.

On the first of August Lord Neil Campbell was ordered to be confined to the town of Edinburgh, and six miles round it, under the penalty of 5000l. sterl. and to appear before the council in the space of six hours after summons. Nothing worthy of death, or of bonds, could be alledged against him, unless it was a crime to be the brother of the Earl of Argyll.

Lord Neil Campbell confined.

According to what was threatened in the proclamation, others methods of oppression were appointed; for, on this day, the council, 'considering that several desperate rebels do daily break out in arms, in multitudes, at their seditious field-conventicles, and lay ambuscades for his majesty's forces, and kill some of them,' [this refers to the rescue at Enterkin-path] ordered the forces to be so disposed of as to be the better able to apprehend them; and accordingly more of them were cantoned through the shire of Ayr than in all the country besides. They likewise impowered Claverhouse, and Colonel Buchan, or any deputed by them, 'to call for, and examine upon oath, all such persons as can give any information in the premises;' so that the officers in the army, or their very substitutes, were put in the place of the magistrates, and had power to examine the country at their pleasure.

Officers of the army impowered to examine the country.

The same day they made a most barbarous act, ordering the prisons of Edinburgh and the Canongate to be visited, and recommending to the justices to prosecute and pronounce sentence of death on those who shall be found to have been in the late rebellion, or were guilty of reset of rebels, and to order the sentence to be executed in six hours after passing of it; and the commissioners at Glasgow and Dumfries to act in the same manner with the guilty prisoners there, only they were to execute the sentence in three hours after it was pronounced.

Prisoners ordered to be executed a few hours after sentence.

Thus

1684.

Thus they fell upon methods with a witness! I question whether such an act is to be met with any where but from the council of Scotland at this time, by which people were in a manner hurried into eternity.

On the fifth of August several who were unjustly imprisoned were released. Had they set all at liberty who were truly so, the blood of many innocents would not have been in their skirts.

T. Harkness, &c. condemned and executed the same day.

While Claverhouse, with a party, was searching the parishes after the affair of Enterkin; they surprised Thomas Harkness in Lockerbane, Andrew Clark in Leadhills in Crawford, Samuel MacEwen in Glencairn, and Thomas Wood in Kirkmichael, while asleep in the fields, in the parish of Cloosburn or Dalgarno. When the men were awake, and saw them, they endeavoured to make their escape; but the soldiers pursued, fired, and wounded them. All the houses about the place where they were taken were plundered; and such was the cruelty used to the prisoners, that they would not suffer their wounds to be dressed, but carried a poor woman prisoner along with them some part of the way for offering her assistance. When they came to a narrow pass, Claverhouse ordered his men to kill the prisoners, if any should attempt to rescue them, though they had nothing to lay to their charge. When they were brought before the council three of the soldiers falsely swore that these men were at Enterkin-path, and were wounded there, which they absolutely refused. Thomas Wood was reserved till afterwards; but the other three were referred to the judiciary on this fifth of August, condemned and executed the same day. They

*Edit. 4.
p. 303,
&c.*

drew up a short joint testimony, which is in the Cloud of Witnesses, and is inserted in my author; in which they say, among other things, ' We were questioned for not owning the king's authority. We answered, That we owned all authority that is allowed by the written word of God and sealed by Christ's blood.—We bless the Lord we are not a whit discouraged, but content to lay down our lives with cheerfulness, and boldness, and courage; and, if we had an hundred lives, we would willingly quit with them all for the truth of Christ. Good news! Christ is no worse than he promised.—*Him that overcometh will he make a pillar in his temple.* Our time is short, and we have little to spare, having got our sentence at one o'clock in the afternoon, and are to die at five this day. And so we will say no more, but, Fare-

wel.

1684.

wel all friends and relations, and welcome heaven, and Christ, and the cross for Christ's sake.' Samuel MacEwen wrote a short letter to a friend on this occasion, shewing with what gladness he laid down his life, and the assurance he had of a glorious eternity.—These were the persons marked out for destruction by the bloody edges of this period, who not only thirsted for blood, but made haste to shed it.

James Nicol merchant in Peebles, being present at his execution, was constrained, in the bitterness of his spirit, to say, in the hearing of many, These kine of Babylon have pushed these three good men to death at one ulsh, contrary to their own base laws, in a most inhuman manner. Whereupon he was immediately seized, and carried to prison, to fill up the next scene of blood.

James Nicol apprehended.

Mean while, on the sixth of August, Robert Goodwin maltster in Glasgow was sentenced to be banished, because he would not own the king's supremacy, nor promise to attend on ordinances under the bishops, &c. The reader may think he was well off, as things went. However, he was with others sent to Dunnoter, and afterwards made his escape.

Robert Goodwin.

The fines imposed at this time were most exorbitant: it appears, from an extract dated the 11th of August, that the fines imposed on the heritors of the shire of Roxburgh, for not keeping the church, amounted to no less than 274,737 l. Scots, or 22,894 l. 15 s. sterling, shall not pretend to give particular accounts of the prodigious fines in other places. From this one instance we may form a judgment of the great oppression of the country from this branch of persecution.

Fines exorbitant.

On the 17th they made a third act for the torture of Mr. William Spence, in order to force him to petition to be allowed to make a free and open confession, which he refused. Bishop Burnet seems to intimate that he was tortured with the thumbkins, and that, in that extremity, he capitulated that no new questions should be put to him but those already agreed on; and that he should not be obliged to be a witness against any person; and that he himself should be pardoned. And accordingly, two years after, he declared, upon oath, 'That he believed an insurrection was intended within these two years: as to what is to come, he cannot tell what the people abroad may be a-doing; that he often heard of designs and associations; but, that they were directly intended to hin-

William Spence's declaration.

1684.

der the duke's succession to the crown, he cannot say; for all that he understood was pretended for the ground of any designs of arms, was the defence of the Protestant religion, and the liberties of the kingdom; and, if against the duke's succession, it was only in so far as that might be prejudicial to these; and that he thinks upon the king's death, troubles may arise.' The council, two days after this, declared that what he had said should not be prejudicial to any. Mr. Spence was likewise prevailed on to decypher the Earl of Argyll's letter, in which Mr. Carstairs's name was expressed; but says Bishop Burnet, none of these letters spoke any thing of any agreement then made. However, this turned out to the prejudice of Mr. Carstairs.

On the 18th Mr. Robert Bailie of Jerviswood, who had been long in prison, and being now in a declining state of health, his lady was permitted to visit him with the physicians; but she was to speak nothing to him but what they heard.

*J. Nicol's
examination,
p. 395.*

The same day James Nicol, according to the Clow of Witnesses, was examined by the council, and was bold and courageous in his answers. Concerning praying for the king, he said, If he belongs to the election of grace, he has a part of my prayers; and also, if he were a king that had kept covenant with God, I would give him a double share, and make mention of his name; but he is an apostate.' When they asked him how he proved from scripture what he said against the Prelates, he told them 'By many scriptures. *The kings of the Gentiles exercise lordship over them, and they that exercise authority upon them are called benefactors; but it shall not be so among you, but he that is greatest among you shall be servant of all: not like your glutton, epicurean, belly god prelates, who are riding in coaches in great pomp.* Upon this he was interrupted. He says, that concerning the tyrant, for I use his own words, he added, 'That he was brought home by Mr. Livingstone, and others (Vol. I. p. 34.) and put in a nobler state than any king in the whole world, crowned a covenanted king with the eternal God, to be for him, to carry on his work and cause, he and all the people; which, if he had continued in, he would have been the greatest king in all lands and nations in the world, and would have been a terror to all the kings in Europe; but now he hath made himself base, and a reproach to all the nations. And another

rease

'reason why I dare not own him, nor you either, is, because he and you have robbed Christ of his crown, although it be not in your power to do it.' Then he was sent to the iron-house and loaded with irons. Next day he was brought again before them, and re-examined upon the same points, which I shall therefore omit. We shall find him in a few days before the justiciary.

Mean while, on the 18th of August, the council made an act empowering the advocate to prosecute criminally those who owned the king's authority according to the Covenant. By this the council did more than ever the parliament had yet ventured to do; and thus the owning of the Covenants, the glory of the nation, was made treasonable; but it was not improper, when a Papist was near ascending the throne, that the chief bulwarks of the Reformation should be removed.

*Act
against
owning
the king's
authority
according
to the Co-
venants.*

We have frequently related what exorbitant fines were imposed for non-conformity. John Forbes of Lesly, in Aberdeen-shire, had been fined in 2320 l. Scots by the Laird of Kinmundie for not keeping the church; and on this 19th of August, he gave in a petition to the council, setting forth, that his not attending the church was only because the incumbent, Mr. Mowat, was placed without his approbation, he being patron, and that he attended ordinances elsewhere: and indeed Mr. Forbes was no Whig; and therefore the council suspended the letters. But though Alex. Nairn of Santford in Fife, and the Lady Abden, had been more exorbitantly fined, yet they had no redress. The council seldom met after this, but they had complaints of exorbitant fines by sheriffs and such as had council-power. It would be endless to give particulars.

*J. Forbes
of Lesly
fined.*

The same day, in consequence of a report from a committee appointed to examine the state of the prisoners in the prisons of Edinburgh and the Canongate, which were crowded, twenty of them, who were mean country-people, were ordered to be released, upon, obliging themselves to keep the church and live regularly: but Robert Tam and Gabriel Thomson in Carmonnock, William Campbell at Muirkirk, John Ure maltster in Glasgow, John MacLevy shoemaker in Kilniarnock, and William Young tailor in Eyandale, were appointed to be prosecuted before the justiciary according to law; as likeways J. Nicol, formerly mentioned, for disowning the king; and John Campbell tenant in Muirkirk, and John Campbell son to

*Several
ordered to
be prose-
cuted.*

1684.

*Sufferings
of Camp-
bell of O-
verwel-
wood.*

William Campbell of Overwelwood, to be pursued before the council in order to banishment.

The gentleman last mentioned, being scarce 18 years of age, and his eldest brother William about 20, had an uncommon share of sufferings at this time. When they were living peaceably at the house of their excellent father, about the beginning of this month, they were seized by a party-commanded by Bonshaw, when walking in the fields on Welwood-hill, and carried to the house of the Welwood, where they were kept till their father's house was rifled, and three of his riding horses taken away. Bonshaw swore at the soldiers, because they did not shoot them directly; for he was in a rage that two Bibles should be found about them, which was looked upon as a certain mark of disloyalty.

*Their ex-
aminati-
on.*

After some removes they were carried on the Sabbath following to the prison of Glasgow, and laid in irons till next day, when they were examined on the ordinary questions, first by Lord Ross, and then by Lieutenant-colonel Windram, who, among other things, asked John Campbell if he would pray for the king. He answered, That he both did and would, that the Lord would give him a godly life here, and a life of glory hereafter. Windram said, That is not enough; you must pray for King Charles II. as he is supreme over all persons and causes ecclesiastic as well as civil. The other said, In his opinion that was praying for him as head of the church, which belonged only to Christ; and he reckoned it arrogance in any creature whatsoever to claim it.

They were kept in irons eight days, and were then carried to Edinburgh, with their legs tyed under their horse's belly, and put in the Canongate prison, from whence they were brought several times before the committees of the council and examined. Once John was asked if he had been at Bothwell. He answered, No; for he was only put to the Grammar-school the Martinmas after it. The clerk wrote, 'As to Bothwell, the prisoner answers, I was but young then; but, had I been old enough, I would have been there.' When this was read to him, in order to subscribe it, he told them that the clerk was unjust, and wrote a lie, and appealed to the lords present; but the matter was hushed. They used all arts to get him to comply, and, among other things, told him that his brother had complied, and satisfied the council. This was worse than the clerk's conduct; for

1684.

it was a lie spoken in judgment. Mr. John stood his ground notwithstanding; but was so grieved at his brother's supposed conduct, who had been carried to the prison of Edinburgh, that he wrote an unsubscribed letter, which he sent by one Margaret Aird, who was seized at the door of the prison, and carried along with Mr. William Campbell before the council, and strictly examined concerning the writer of the letter. She was tortured by the thumbkins, and he threatened with the boots; but nothing could prevail. Next they ordered a committee to examine the prisoners in the Canongate prison on this point, particularly John Campbell of Overwelwood, and his cousin of the same name, who were removed from the room they were in to the Iron-house. They were not long there, for, on the 21st of August, they found means, with 11 others, to break prison and make their escape. One William Young was retaken, and suffered, and another was wounded.

The two cousins met, the night after their escape, on the hill of Tintock, and from thence went to Ayr-shire, where they were joined by John Campbell's father, and William Campbell of Middlewood, and spent that winter and part of the following year in the fields, as privately as they could. It is easy to conceive the hardships they underwent, in being exposed to all manner of weathers: but this was the case of many hundreds besides, who were forced to wander about in dens and caves of the earth. William Campbell died of a consumption, contracted by the severities he met with in the prison at Edinburgh. His father and brother survived the persecution, and the latter was made a captain of horse by King William, to whom he did singular service in many parts of the kingdom. But I must return to the history.

The day after the prisoners escape the magistrates of Edinburgh were enjoined to take more care of the prisoners for the future, else they alone should be accountable for any that should afterwards escape. This day James Nicol got his indictment, and was told that he was to be condemned and executed on the 27th.

On the 25th Dr. James Welwood, famous for his curious Memoirs and other writings, was ordered to be sent to Coupar, to satisfy the sherriff for his non-conformity.

Next day the council had a petition presented by one Robert Aitkin, and about twenty-two men and women who were most unjustly fined by Kennoway, and order-

*Dr. J.
Welwood.*

*Petition
of Rob.
Aitken.*

ed

1684.

ed a stop to be put to the execution of the letters raised against them on that account. Matters must have been wrong when the council interposed.

The same day they ordered a party to bring in Patrick Lang maltster in Greenock, James Holm, William Baird, William Andrew, James Warden, William Scot, Marion Muir, ——— Linning, George Muir, and other prisoners, to Edinburgh, for being at a field-meeting held by Mr. James Renwick, where a child was baptized.

*J. Nicol
and W.
Young
executed.*

On the 27th James Nicol and William Young were brought before the justiciary, condemned in the forenoon, and executed in the afternoon. There was no other proof against any of them but their confession, which was extorted by the ordinary questions which they answered.

James Nicol died in much peace and comfort, protesting that he expected salvation, not by any merit, but of free grace, saying, 'I have been beginning to pray and praise these thirty-six years, weakly as I could, but yet I am just to begin this night both to praise and pray; for I lay no more stress upon all that I have said and done, believed and suffered, nor on a straw, God is my witness; so that I must have salvation upon Wednesday at three or four o'clock, as free as the thief on the cross. And what can poor silly James Nicol say more?'

William Young had, for some years before he was apprehended, been out of his right mind. He was one of those who escaped out of prison, and would not have been known had he not himself told the soldiers that he had broke the tolbooth. He was most barbarously used when recommitted, but he bore all his sufferings with patience, saying, that extreme pain would be intolerable if eternal, but he was now near the crown, and rejoiced in the full assurance of it.

Mr. Bailie of Jerviswood fined, p. 585.

On the 30th Mr. Bailie of Jerviswood was ordered to be prosecuted for entertaining and corresponding with rebels; and on the fourth of September, because he refused to answer upon oath the questions put to him, was fined in the sum of 6000 l. sterling. Bishop Burnet tells us, that the ministers of state were most earnestly set on Bailie's destruction, though he was now in so languishing a state — that if his death would have satisfied the malice of the court, that seemed to be very near. — An accusation was sent him, not in the form of an indictment,

nor grounded on any law, but on a letter of the king's, in which he charged him, not only for a conspiracy to raise a rebellion, but for being engaged in the Rye-plot; of all which he was now required to purge himself by oath, otherways the council would find him guilty of it, and proceed accordingly. He was not, as they said, now in a criminal court, but before the council, who did only fine and imprison. It was to no purpose for him to say, that by no law, unless it was in a court of inquisition, a man could be required to swear against himself, the temptation of perjury being so strong when self-preservation was in the case:—but to answer all this, it was pretended he was not now on his life, and that whatsoever he confessed was not to be made use of against his life; as if the ruin of his family, which consisted of nine children, and perpetual imprisonment, were not more terrible, especially to one so near his end as he was, than death itself; but he had to do with inexorable men; so he was required to take this oath within two days. And by that time, he not being able to appear before the council, a committee was sent to tender him the oath, and take his examination. He told them he was not able to speak by reason of the low state of his health, and, in general, protested his innocence, and his abhorrence of all designs against the king or the duke's life. He desired they would leave the other interrogatories with him. They persisted to require him to take his oath; but he as firmly refused it. So, upon their report, the council construed this refusal to be a confession, and fined him as above, and ordered him to ly in prison till it was paid.

A few days after this they ordered his lady, and his sister the Lady Graden, to be removed from his room in the prison, because they were informed his bodily indisposition was abated, though his recovery was but slender, and he soon after relapsed; wherefore his sister was permitted to be close prisoner with them. She had been fined for non-conformity by the sheriff of Teviotdale in 26000 and odd pounds. The Lady Greenhead and John Watson of Dunikiel had likeways been exorbitantly fined. But I go on to

C H A P. X.

Of the torture of the Rev. Mr. Carstairs; the proceedings of the council, and circuit-courts, together with the societies apologetical declaration.

1685.

*Case of
Mr. Car-
stairs,*

THE first thing that occurs, in the order of time, is the case of the Rev. Mr. William Carstairs, who, immediately after the decyphering of Argyll's letter, was ordered to be put in irons, in which he continued for some weeks; during which time the Earl of Melford earnestly dealt with him to confess what he knew as to the plot, and offered him conditions that many in his circumstances would have thought very encouraging; particularly, that nothing he said should be brought in prejudice to any man, directly or indirectly, upon trial. Melford had the council's authority to offer this. However, M. Carstairs did not think proper to comply, though Lord Perth had told him, since he had refused so many singular favours beyond any prisoner, that before God he should be tortured, and never a joint of him left whole.

*who was
put to the
torture.*

The council, on the 5th of September, ordered that he should be questioned in torture that afternoon, and agreed upon 20 questions to be proposed to him, all relating to the persons suspected to be engaged in the foresaid conspiracy, which the reader may see at large in my author, Vol. II. p. 391. In the afternoon he was brought before them, and the declarations of Major Holmes and Mr. Shepherd were read. He told them he had never been confronted with them, which was an evidence that they had said things they would not have had the confidence to have asserted in his presence. Then he was urged to answer, upon oath, the questions to be proposed, and was told that nothing he said should ever militate against him, neither should they inquire whether his answers were true or false; but he refused to comply, being unwilling to begin so bad a precedent. They asked him next, what reasons he had why he should not be tortured. He replied, that he humbly conceived he could not be tried there, because the order by which he was sent to Scotland was express, that he should be tried for crimes committed against the government in that kingdom, and desired to know if the lord advocate had any thing to lay to his charge of that nature. His lordship declared he had not; but

it that, being now in Scotland, if he had been guilty of intriging against his majesty's government at Constantinople, he might be tried for it. Mr. Carstairs told them, though that was true, yet the crimes he was accused of were said to be committed in England, where his majesty's laws were in force for the security of his kingdom, as well as in Scotland, which at Constantinople they were not: but this was over-ruled, though it was a notorious breach of the *habeas corpus* act. After some farther consulting the king's smith was called in with the thumb-nails; and accordingly his thumbs were put in the screws, which were drawn so hard, that, says Bishop Burnet, as they put him to extreme torture, so they could not uncrew them, till the smith by whom they were made was obliged to use his tools to take them off. Under this torture he continued an hour and an half. Mean while the tiring by the boot was tried; but the former executioner being in prison for some crime, and he that then officiated being ignorant how to use it, it was put off till the next day, and, in the interim, the lord treasurer-depute was appointed to confer with him, in order to bring him to an ingenuous confession.

1684.

p. 584.

On the 6th the council, being informed that Mr. Carstairs was content to swear upon the interrogatories; made an act empowering the lord treasurer-depute to give his word of honour, that, upon his answering, upon oath, what questions should be put to him by the first of October next, he should have his majesty's full pardon, never brought as witness against any person or judicatory, directly or indirectly, for any thing contained in his answers, nor ever be questioned as to any thing prior to this day, after the said first of October.

The conditions he received.

His examination came on upon the 8th. His candour as singular in the answers he gave to their questions. The reader may see his depositions in the State-trials, and Sprat's copies of informations; and that they all amount to no more than some loose discourses about what was proper to be done at such a crisis, for preserving their religion and liberties: but the council recorded nothing in their registers of what passed at his examination, only they ordered his depositions to be printed a few hours after they were made, and that in so lame and so unfair a manner, that probably they were ashamed to insert them in their registers; and, which was worse, contrary to the conditions given, they produced and read them at the trial of Jervis-

The unjust treatment he met with.

1684.

*Part of a
letter of
his to Mr.
Wodrow.*

wood, and others, to support their evidence, as we shall relate; it was but equivocating to say that Mr. Carstairs was not personally adduced as a witness; for, if his declarations were produced, he reckoned he was made an evidence. This reverend person vindicated himself and his brethren in England from all assassinating designs which, he says, they abhorred; and, in a letter to my author, expresses himself in these terms; ‘ Now, as to the whole of this un-
‘ pleasing subject, I do declare, that this affair is, so far
‘ as I was concerned in it, as to any consultations, no farther than discourse as to what might be proper to be
‘ done for securing our religion and liberty from dangers
‘ they were then in, without any design against the royal
‘ persons of the king and his brother.—I should be guilty
‘ of the most horrid injustice, if I should accuse any of
‘ the worthy gentlemen of my country that were my fel-
‘ low-prisoners, or any of the English dissenting ministers,
‘ of having the least knowledge or concern in the abomi-
‘ nable assassination of the king or his brother; for I did
‘ then, as I do now, abhor such practices; nor can I, to
‘ this hour, tell really what was in that matter that
‘ makes such a noise; for, nothing in my maimed depositions that are printed hath any regard to any thing of that
‘ nature, except as to what Mr. Ferguson and Mr. Shepherd did say, for which they alone are to be answerable;
‘ and I must also say, that Mr. Shepherd did own his abhorrence of such practices. —I cannot but also acquaint
‘ you, that I think it was a hardship put upon me to print
‘ my depositions as they stood, because they were very
‘ lame; since simple answers to questions were set down,
‘ and neither the questions that gave rise to such answers,
‘ nor the just extenuations, as to persons and things,
‘ which I gave in my answers; which had they been published, it would have been found, from what I said,
‘ that there could be no reason given why that affair should
‘ have been prosecuted with so much cruelty and violence.’

Bishop Burnet says, ‘ that Mr. Carstairs had at this
‘ time some secrets of great consequence trusted to him
‘ by Fagel, of which they [the managers in Scotland]
‘ had no suspicion; and so they asked him no questions
‘ about them. Fagel told the doctor, that he saw by that
‘ how faithful Carstairs was, since he could have saved
‘ himself from torture, and merited highly if he had discovered them. And this was the foundation of his favour with the Prince of Orange, and of the great con-
‘ fidente

1684.

'fidence he put in him to his death.' I shall have occasion to mention this great man again at the trial of Mr. Baillie of Jerviswood; and now I proceed to other things, as they occur in the order of time.

Circuit-courts having been again resolved upon at London, upon application from the bishops and managers in Scotland, the king's letter, ordering the council to give a commission for them, was read on the 6th of September. Accordingly commissioners were appointed for the several shires, and their commission was to continue in force till the first of December, or longer, if the council should think fit. They, or any two of them, were to act within the bounds prescribed as commissioners of justiciary, in all matters of life and death; and by their instructions which consisted of twenty-eight articles, they were to disarm all heritors and commons, except the militia, who have not taken the test, and fine the recusants; to seize all preachers, chaplains, not authorised by the bishop, and send them in to the council; to examine the indulged ministers on their instructions, remove such as have transgressed, and imprison them till they find security not to preach, or exercise any part of their ministerial work, or else to remove from the three kingdoms; they were farther, by their instructions, impowered to turn out all the wives and children of forfeited persons and fugitives from their habitations, if it shall appear that they have conversed with their parents or husbands, or if they shall refuse to vindicate themselves by oath. In a word, they had, in a manner, an unlimited power, and might do what they pleased; their instructions carried them even to fire and sword; so that reflections upon this are altogether unnecessary. But, as it was October before these terrible circuits sat down, it will be proper to relate some interveening occurrences.

Commissions for circuit-courts.

On the 9th Mr. John Sinclair minister at Ormiston, having thought proper to retire to Holland, was indicted before the justiciary, in absence, for preaching treasonable doctrine, pressing the renewing of the Covenants, defensive arms, declaiming against the king, calling the duke a rebellious enemy to God, and the counsellors rogues, and praying that God would open the king's eyes to see the evil of his ways, and turn him from it, (a very good prayer) or else take him away from being a scourge and a curse to God's people. But though there was no sha-

Mr. Sinclair outlawed in absence.

1684.

dow of proof for these alledged expressions, yet he was forfeited, and declared a fugitive and outlaw.

Proclamation concerning passengers,

On the 15th, in order to prevent the sufferers from flying from the persecution then carried on; a proclamation was published, requiring all masters of ships, going from or returning to the kingdom, to present all their passengers, upon oath, to the several persons to be named by the customers in the precinct mentioned in the proclamation, under the penalty of imprisonment, confiscation of their goods, and being rendered incapable of being master of a ship, bark, or any other vessel for the time to come. And,

and travellers.

On the 16th another proclamation was published, discharging all persons to travel, from one shire to another, without a pass from some person in the government, under the pain of being punished as disaffected persons: so that, as the former proclamation could not but be prejudicial to trade and commerce, so this was subversive of the liberties of the subject. It is strange the orthodox clergy were not impowered to give passes!

Magistrates chosen for the town of Ayr.

But this was a time when little regard was paid to the liberties of the subject; for the same day the council nominated a provost, bailies, and town-council for the town of Ayr; nay, this month and the following, as my author found from the registers, they engrossed the whole power of nominating the magistrates in most of the royal burghs. They even ordered a committee to be present and oversee the election of the magistrates of Edinburgh.

Design against the indulged ministers.

The design was now formed to turn out all the indulged ministers, and either to make them promise not to preach, or engage to remove from the kingdom, as appears from the instructions given to the circuits. They had nothing to object against their loyalty; for they rather exceeded in that point, and laid themselves too much open to the censures of many of their suffering brethren; but this brings to my mind what the noble proto martyr said to some ministers who were permitted to attend him, Vol. I. p. 85.) 'Though you go along with these men in part, if you do it not in all things, you are but where you were, and so must suffer; and if you go not at all with them, you shall but suffer.' Accordingly,

Mr. John Knox ungratefully used.

On the said 16th of September, Mr. John Knox, indulged at West-calder, son to Mr. Knox minister at Bowden in Teviotdale, appeared before the council, and was imprisoned, where he continued till the king's death. It

1684.

was in vain for this worthy person to plead his former services to the king during his exile, for this was not a time when regard was paid to former favours. He was chaplain to Sir John Brown's regiment of horse at the battle of Inverkeithing. His elder brother Mr. Henry was frequently employed by the king in negotiating his affairs in Scotland. Many of the king's letters to his friends were directed to Mr. John; nay, the king wrote a letter to himself, dated at St. Germain's, August the 3d 1652, wherein he expresses a great value for his interest and negotiations, and concludes it thus: 'I could heartily wish therefore, that, by your interest and negotiation with those you dare trust, and who you know wish me well, some way may be thought of to assist me with money, which would be a very seasonable obligation, and could never be forgotten by me. I need say no more, but that I shall be glad to receive any advice or advertisement from you that you think necessary for me, and shall always remain your very loving friend, &c.' Mr. Knox was ordained minister of North-Leith, from which he was ejected at the restoration of his very loving friend, because he could not in conscience submit to Prelacy; and, though he was afterwards indulged at West-calder, yet now he was imprisoned, because, when the managers insisted upon his giving bond never to exercise his ministry in Scotland, he told them that he looked on himself as a minister of Christ, and would never tie up himself from preaching his gospel.

The same day the council ordered Hay of Park, Alexander Munro, and Campbell of Ardkinglass to be sent to Blackness castle. Mr. Hay continued in prison till August next year; and Mr. Campbell, about the end of next April, was brought to Edinburgh under a strong guard, in order to appear before the parliament. But nothing of moment was evidently proved against him. What was the issue is not known.

The same day they made an act ordering those who would not declare Bothwell to be rebellion, the primate's death to be murder, or who owned the Covenants, or only hesitated on these things, to be prosecuted criminally, or tried for their life. This was the pattern of the questions proposed by the soldiers to those whom they afterwards met with and murdered in the fields.

During all these unprecedented methods of oppression Mr. James Renwick continued to exercise his ministry, and

*Mr. Hay
of Park.*

*A cruel
act.*

*Mr. Ren-
wick in-
tercom-
muned.*

1684.

and preach in the fields, notwithstanding the many hazards he and his followers run, and the inexpressible hardships they endured, which were still more and more increasing; for, on the 16th, he was ordered to be intercommuned; and, on the 19th, was indicted, in absence before the justiciary, for being at Bothwell, (which was false, for he was then a boy at the college) for preaching at field-conventicles, in arms, &c. Next day letters of intercommuning were issued out against him, prohibiting all the subjects from receiving, supplying or furnishing him with meat, drink, house, harbour, &c. or conversing with him, either by word or writing, under the highest pains.—

John Brown.

On the 25th John Brown, journeyman-taylor in Edinburgh, having been taken in Libberton's-wynd, was ordered to ly in irons till farther orders, for not owning the king's authority without his own limitations; refusing to pray for him at their desire, since that ought to be gone about in a devout manner and place for prayer; owning the lawfulness of rising in arms for the Covenant, &c. It is surprizing, he was not sent directly to the justiciary and execution; but, possibly, says my author, there was not a quorum of the justices in town.

*Colin Alison impri-
soned.*

Some time this month Major Balfour seized one Colin Alison, a weaver in Glasgow, in his own house, and committed him to prison, where he lay till the revolution. Non-conformity was his only crime.

*Circuit-
courts.*

I am now, according to the order of time, to relate some of the proceedings of the circuit-courts. The design of judicatures is to punish the guilty and protect the innocent; but these courts, without paying any regard to justice, equity, or the liberty of the subject, most barbarously harassed all ranks of people, under the pretence of their receiving and conversing with rebels; but, to the honour of this mild administration be it spoken, their oppressive powers were very large, and by virtue of a royal letter, dated the 27th of September, the council and their commissioners were impowered, when there was no legal proof, to refer the matters of accusation to the oath of the defendant, and to punish him as guilty upon his refusing to swear.

*Circuit at
Dum-
fries.*

The circuit sat down at Dumfries on the 2d of October. The judges were Queensberry, his son, and Claverhouse. Their district was Dumfries, Galloway and Nithsdale; in which district the judges continued about a month.

1684.

Their conduct.

All the heritors were called, and required to take the test, which was offered as a favour to those who were charged with what they called irregularities; and the recusants were imprisoned and fined. Most of them complied. Mr. Hugh Maxwell of Dalwinton, one of those who stood out, was exorbitantly fined, and endured a long imprisonment. When they had done with the heritors, they fell to work with the common people. All who would not swear they did not hear Presbyterian ministers, or had not conversed with whom they called *rebels*, &c. the men were obliged to take the test, and give their oath never to harbour, or shew any kindness, &c. to any of the intercommuned wanderers, and to raise the Hue and Cry upon their hearing of them, or discovering them; the women were to swear not to cohabit, or shew the least kindness to their husbands or children. The recusants, men and women, were sent directly to prison, by which means the prisons were crowded.

Sub-courts.

From Dumfries these judges went to Kirkcudbright, and from that to Wigtoun, and acted in the same manner; and, in the mean time, particular gentlemen and officers of the army were commissioned to hold courts in those parishes where the principal judges could not reach. At these sub-courts several were obliged to swear over again, though they had already satisfied the principal judges. Many who did not take the test were unjustly fined and imprisoned. About 28 prisoners were brought to Dumfries to wait the return of the judges, and were most cruelly treated by the way, not being allowed the very necessaries of life.

Address of the heritors.

While the judges were thus at work, the heritors, &c. of the stewartry of Kirkcudbright were brought to present an address, dated the 9th of October, wherein they offered to his majesty five months cess yearly, for the space of four years, for maintaining the standing army, and the better securing the peace and quiet of the kingdom; and sound themselves, for their tenants and cottars, for the future, to live regularly, or be removed from their lands. I shall relate how the heritors of the shire of Ayr were brought to comply with this; and it is not unlikely the same methods were by these commissioned judges wherever they went.

Sufferings of Mr. W. MacMillan.

Mr. William MacMillan of Caldow, the Rev. Mr. William MacGeorge minister at Heriot, Charles Maxwell, and others, had an uncommon share of sufferings at this circuit

1684

circuit at Dumfries. Mr. MacMillan had his health greatly impaired by his former sufferings, (Vol. I. p. 350.) He was declared rebel and fugitive after Bothwell, and all his goods confiscated, which obliged him to conceal himself for several months in the fields. These hardships threw him into a violent fever. He was no sooner recovered, but the soldiers dragged him before this court at Dumfries. Because he declined to answer their ensnaring questions, and refused the test, he was ordered to Wigtoun to take his trial there. As he walked a-foot he fainted and fell down, whereupon the soldiers put him upon a bare colt, to the great hazard of his life. He was confined to the guard-house at Wigtoun for eight days, without a bed to ly on; though he was afflicted with a dysentery and flux, neither would the lords, when they came there, allow him the benefit of the common prison or to give bond to appear at Edinburgh. He was carried from place to place; and, on the 22d of November, he and upwards of 80 men, women, and some children, were confined all night to the church of Moffat, notwithstanding the rigour of the season; and next day, being the Sabbath, they were removed from thence to Edinburgh; where they were distributed through the several prisons of the city and Canongate, and, at last, many of them sent to Dunnoter, of which I shall give an account next year. These prisoners, in their way to Edinburgh, endured the rudeness of the soldiers, and the scoffing of the profane. One James Muirhead, late bailie of Dumfries, was taken ill on the road, and not being allowed the benefit of a physician, died in prison at Leith.

*Mr.
Mac-
George.*

Mr. MacGeorge and James Muirhead, above mentioned, together with John Irvine, John Scot, John Gibson, Homer Gillison, James Muir, Andrew MacClelland, and others, were all carried to the prison at Leith. Mr. MacGeorge was confined there till the middle of April next year, when he was released upon giving bond to appear when called.

*Charles
Maxwell.*

Charles Maxwell in the parish of Keir was before this infamous court, for doing some acts of kindness to his sister-in-law, who had been several months in prison for her non-conformity; and, because he refused the test, was put into the thieves-hole, and laid in irons. By the intreaty of his friends, and not having the same courage with others under his sufferings, he at last complied, and was released upon paying the fees.

Some

1684.

Some women narrowly escaped prison by some of these circuits, because they assisted a woman in labour whose husband was pretended to be one concerned in the Enterkin-path rescue. This was construed reset and converse.

Women brought to trouble.

Many were exorbitantly fined; particularly William Martin, son to J. Martin of Dullarg, was fined in the sum of 700 l. Scots. Sometime before this, when he was at Edinburgh, Queensberry sent for him, and offered to purchase the fortune he had a right to by his marriage with the heiress of Carse; but, because Mr. Martin would not part with it for what he offered, Queensberry told him he would make him repent it, and threatened to pursue him for his life. Whereupon Mr. Martin sold his right much under the value. In the beginning of his year his wife was forced to give bond for 100 l. Scots, for having a child baptized by a Presbyterian minister. I have not room to mention what he suffered, by the quartering of soldiers, &c. and therefore I proceed.

Sufferings of Will. Martin.

The circuit at Ayr sat down in the beginning of October. The judges were the Earl of Mar, Lord Livingstone, and Lieutenant-general Drummond, afterwards Viscount of Strathallan.

Circuit at Ayr.

After the rolls were called in the presence of the heritors, each of the lords made a speech, recommending to these gentlemen to concert proper measures for wiping off the odium of disloyalty the shire of Ayr in general lay under. The design of this was to get them to raise money, and bring them to comply with the test, and the other measures of the court. The thing took; and Drummond, who possessed the forfeited estate of Kerland, was hired to assist them with his advice. The lieutenant-general, pretending a great regard for their welfare and the happiness of the country, gave it as their opinion, that the best way for shewing their loyalty, and procuring an indemnity for past crimes, was to make a voluntary offer to take the test. He told them, that though the law confined it to those who had places of trust, yet their loyalty would appear by petitioning the lords commissioners to administer it unto them. When this proposal was made several withdrew, and they who stayed complied with it: upon which a form of a petition was drawn up; three copies were writ for the three districts of the shire. On this the lords separated, one to the body of the church, another to the isle, and a third to another place.

Methods used with the heritors.

1684.

Then the heritors, according to the respective districts were called. The question put to each was, Will you sign the petition, or not? They who signed it were dismissed, and the recusants were ordered to continue where they were, without being allowed either meat or drink for, says my author; it would seem they intended to starve them into loyalty: but the lords, being ashamed of this indiscreet treatment of so many innocent persons of rank allowed them to come out of the church; and confined them to the town. Next the commissioners proceeded to administer the test to those that had signed the petition but finding that some of them, upon second thoughts, had changed their mind, and refused, they were so enraged that they sent them to prison, and some of them to that nasty place called the *thieves-hole*; as Montgomery of Bordland, and others, who had neither room to sit nor stand upright. The equity of this proceeding, after they were told that the law obliged none to take the test but those in places of trust under the government, must be left with the reader. After this the recusants had indictments given them, consisting of many crimes, of which many of them were incapable. For some young men who had no families, but lived with their parents, were charged with reset and converse; and others unmarried, who had no children, were accused of irregular marriages and baptisms. These indicted gentlemen were ranged into several divisions; and such as they saw proper were ordered to be examined by the officers and subalterns of Mar's regiment then lying in Ayr. Some of these officers, as Lieutenant-colonel Buchan, afterwards turned Papists. From the report of these deputies it appeared that several were able to purge themselves by oath of the crimes laid to their charge, though others could not: yet all of them were treated as guilty, and were all called a gain before the lords, and had a new offer of the test, as the only way to clear their innocence. Several complied through the importunity of their friends. They who still kept their ground were brought, one after another before the commissioners, and were still urged to take the test, and, upon their refusal, though they had nothing else they could prove against them, were committed prisoner to that room in the tolbooth or prison of Ayr, called the *Council-house*, where they remained, crowded together without fire, or any proper accommodations, till at last the lords were pleased to dismiss them, upon exorbitant bail.

bail, above the value of their estates, to appear at Edinburgh when called.

1684.

All the indulged Presbyterian ministers in this shire were called before this infamous circuit, and, upon their refusing the test, were ordered to oblige themselves not to exercise any part of their ministry until they had allowance from the king and council. One or two complied; but the rest, who absolutely refused, were sent to the Bass and other prisons, where they endured many hardships: and by this means the orthodox clergy got free of most of the Presbyterian ministers in the west.

*Treat-
ment of
ministers.*

In order to frighten the country-people, and some young gentlemen, into the test, a gibbet was erected at the cross. The lords used to say, Yonder tree will make you take the test. One day the Earl of Mar said to a young gentleman recusant, pointing to the gibbet, Will not that shake your resolution? No, my lord, answered the other; if I am to be hanged, I expect so much advantage, by my birth and quality, as to hang at the cross of Edinburgh, and betwixt this and Edinburgh I may think what to do. In short, all recusants were disarm'd; none were allowed to go out of their parishes without a certificate from the prelatical incumbent; all were discharged from being at field-conventicles upon pain of death. All who were blamed with reset and converse behaved either to take the test, or go to prison.

*Of the
common
people.*

Before I leave the circuit at Ayr I must mention two instances of particular severities. A poor country-man was charged with being at Bothwell, and sentence was going to be pass'd; but Lord Livingstone, president at that time, told him, That if he would but answer one question, the sentence should not be pronounced. The question was, Do you own the king's authority, or not? The man answered distinctly, My lord, I do own the king's authority, so far as he acts by, and it is grounded on the word of God. The president said again, I ask thee, man, do you own the authority of King Charles II. yea, or no? To which he replied, I do own the authority of King Charles II. as he acts conform to the word of God, and grounds his power thereupon. The question was several times repeated, and the honest man, not giving any other answer, was ordered to be hanged at the cross of Ayr in a few hours; but by the intercession of some ladies, he was reprived and carried in to Edinburgh. Here was a sentence of death pass'd upon a poor man, because he

*Sentence
of death
unjustly
pass'd on
a poor
country-
man.*

1684.

could not see that the king had authority without any foundation on a divine law!

*Quintin
Dick's
sufferings.*

The other instance is of *Quintin Dick*, a feuar of Dalmellington, (Vol. I. p. 398) who, being required to swear upon the common ensnaring questions, answered, That rising in arms in self-defence, and entering into leagues and covenants without the consent of the magistrate, were controverted points, and he could not give his oath upon them. Then they urged him to take oath of allegiance: Upon which he declared, that he owned the king's authority in things civil, and was ready to swear it; but supremacy in things ecclesiastical was such an usurpation upon Christ's kingdom, that he was a better friend to the king than to wish him it. Whereupon he was fined in 1000 l. sterling and ordered to be banished to the plantations. His goods were immediately seized, his house converted to a guard-house, and himself cast into one of the worst places of the prison, among thieves and murderers. When he was carried to Edinburgh he disowned the societies declaration of war before the council, for he thought these zealous people carried matters too far; however, he remained in prison till he was sent, with others to Dunnoter. The reflections he made on his sufferings the reader will find in Mr. Wodrow's history.

*Sermon of
Alex.
Ross,
D. D.*

The last circuit-court I am to speak of is that of Glasgow, which sat down the 14th October, *Alexander Ross*, D. D. professor of divinity there, preached a sermon before them, which breathed forth nothing but slaughter and persecution. His text was, Acts xxvi. 28. *Almost thou persuadest me to be a Christian.* In discoursing upon it he proposed, 1. to shew the parties of our divided Zion; 2. the malignancy of the national-sin of schism; 3. the necessity of Episcopacy for supporting the main concerns of Christianity; and, lastly, the application. How far a discourse of this nature was founded on this text, or agreeable to the spirit of the gospel, is easy for any to determine.

*Address
of the he-
ritors of
Stirling-
shire.*

The loyal heritors of Stirling-shire, which was within the bounds of this circuit, presented an humble address to the judges, viz. the Duke of Hamilton, Lord Lundin and Lord Collington; in which they declared their readiness to contribute in the supply of three months cess yearly, for two years ensuing, to be paid at Martinmas and Whitfunday next, by equal portions, besides the supply granted by the current parliament.

They

1684.

*Their
bond of
regulari-
ty.*

They likewise delivered a bond of regularity, under their hands, in which they obliged themselves, families, tenants, and subtenants, &c. to live regularly and orderly according to act of parliament; to suppress all disorders, by taking and delivering the offenders to justice, if in their power; to give timely notice to the next magistrate or officer of the army, and concur with them in apprehending any fugitives, vagrant preachers, &c. to frequent their own parish-churches, unless lawfully hindered, and partake of the Lord's supper, unless they satisfy their minister of their present unfitness; to deliver up to the magistrates such of their tenants or cottars, &c. as shall refuse to partake of that sacrament, unless they satisfy the minister for their neglect; to baptize and marry with none but their own parish-ministers, without their consent, to pay the cesses above mentioned, &c. &c. This was a most extensive bond. The reader will make his own reflections upon it.

But the heritors of Renfrew and Lanerk were not so pliable; for they generally refused the test, declined the bond of regularity, and so were obliged to endure the hardships of a prison, not a few of them for the space of 16 months. William Dalziel of Redmire died in prison, and, with difficulty, was suffered to be buried, with his ancestors, in the church-yard of Camnethan.

*Treat-
ment of
the heri-
tors of
Lanerk,
&c.*

The treatment of some heritors in the parish of Lochwinnoch was peculiar. About two Sabbaths before the orders came to Glasgow, the sheriff-officer stood at the church-door, and ordered all the heritors of the parish to appear before the lords. Robert Orr of Millibank, James Allan portioner of Kers, John Orr of Jamphrestock, James Ramsey portioner of Auchinhow, James Orr of Hills, Robert Semple of Balgreen, William Orr portioner of Seam, and William Blackburn of Lauristoun, were, for their not complying, obliged to walk on foot, through frost and snow, with about 40 other prisoners, to Stirling; where, notwithstanding their fatigue and want of refreshment, they were forced into three low vaults under ground without fire or light, or any thing to lie on, or conveniency for easing nature; and, had not some good people taken compassion on them, by sending them straw, coals, and victuals, their case had been still more wretched. Being told that they were to be sent to America, their friends gave them money; but the soldiers took it all from them. They continued at Stirling till May next year, when they

*The heri-
tors of
Lochwin-
noch.*

1684.

they were taken out, tyed two and two, and sent into the prison of the Canongate, from whence some of them were ordered to Dunnoter, where they endured unaccountable hardships. Thus much for these arbitrary circuits, from which the reader will easily form a judgment of the state of the country. These were the golden days of the mild administration of Charles II !

p. 581.

Bishop Burnet gives but a very general account of these infamous courts, which he concludes, by telling us, ' That the severity which the Presbyterians formerly had used, forcing all people to take their Covenant, was now returned back on them in this test, that they were thus forced to take. But that the Presbyterians forced all people to take the Covenant, is not matter of fact; for in the covenanting period, there were many debarred from the Covenant and Communion, and none who were thus debarred were admitted, but only those who, after exact trial, were found to have given sufficient evidence of the sincerity of their repentance. I find a modern author challenging his antagonist to give an instance of any that suffered, either confiscation of goods, banishment, or death, for their refusing the Covenant; so that no comparison can be made here.

*J. Law-
son and
A. Wood
executed.*

I find by the Cloud of Witnesses, that James Lawson and Alexander Wood suffered at Glasgow on the 24th of October this year. Whether it was in consequence of a sentence of the circuit-court there, I know not. Their joint testimony is in the above collection, to which I must refer the reader.

*W. Niven,
&c. trans-
ported.*

The council at Edinburgh was not idle during these things. On the 9th of October W. Niven and John Hodge were ordered for transportation, because they would not take the oath of allegiance and supremacy, submit to Prelacy, and own Bothwell-bridge to be rebellion. They allowed physicians to visit James Hamilton of Aikenhead, though one might have expected, since non-conformity was the only crime for which he was confined, they might have suffered him to go out upon bail.

*State of
the wan-
derers.*

The state of the west and south of Scotland was now dismal, and the old followers of Mr. Cargill, who had united in societies for general correspondence, and made choice of Mr. Renwick for their minister, were in an especial manner exposed to the vengeance of the government. The sea-ports were shut up that they could not get out of the kingdom; they were pursued by the bloody and
merciless

merciless soldiers; the whole country was sworn to discover them, and bound up from giving them meat, drink, or lodging: secret intelligencers were hired to find out their lurking places, and any who were inclined to do them the least kindness. They were put from under the protection of the laws of their country; no terms were allowed them but a renouncing of their principles, and; swallowing those oaths by which thousands were involved in the horrid guilt of perjury.

Under these dreadful circumstances, on the 15th October, they met among themselves, along with Mr. James Renwick their minister, and proposed to emit a declaration against the wickedness of the severities used by their persecutors. Mr. Renwick was at first averse to the proposal, fearing the sad effects it might produce; but considering that the necessity of the case admitted no delay, he was prevailed with to consent, concur, and assist in the publication of it. The paper was drawn up by him and agreed to on the 28th, and the following is a short abstract of it.

The apologetic declaration and admonitory vindication of the true Presbyterians of the church of Scotland, especially anent intelligencers and informers.

ALBEIT we know that the people of God, in all *Apologetic* ages, have been cruelly persecuted,———yet *declarati-* such hard usage———hath not, at least ought not, to *on,* have abated the zeal of tender-hearted Christians, in the *Inform.* prosecution of holy and commanded duties; therefore, *Vindic.* as hitherto, we have not been driven to lay aside neces- *p. 96, &c.* sary obliging duties, because of the viperous threatenings of men,———so we declare our firm resolution of constant adherence to our Covenants and engagements, ———and ———to our faithful declarations, wherein we have disowned the authority of Charles Stuart (not authority of God's institution, either among Heathens or Christians) and all authority depending upon him, ———and wherein also we have declared war against him and his accomplices; ———therefore, ——— we do hereby testify and declare, That, as we utterly detest and abhor that hellish principle of killing all who differ in judgment and persuasion from us; ———so we look upon it as a duty, ———to publish ———un-
' to

1684.

' to the world, that, for as much as we are firmly and
 ' really purposed not to injure or offend any whomsoever
 ' but to pursue the end of our Covenants, in standing to
 ' the defence of our glorious Work of Reformation, and
 ' of our own lives; yet, (we say) we do hereby declare
 ' unto all, that whosoever stretcheth forth their hands
 ' against us, ——— by shedding our blood actually, either
 ' by authorative commanding, such as * bloody counsellors,
 ' ——— especially that called justiciary, general officers,
 ' forces, adjutants, captains, lieutenants, and all in civil
 ' and military power, who make it their work to embroil
 ' their hands in our blood; or by obeying such commands,
 ' such as bloody militia-men, malicious troopers, &c. &c.
 ' likewise such gentlemen and commons, who ———
 ' ride and run with the foresaid persons, to lay search for
 ' us, or who deliver any of us into their hands, to the
 ' spilling of our blood; by inticing morally, or stirring
 ' up enemies to the taking away of our lives; ——— by
 ' informing against us wickedly, wittingly and willingly,
 ' such as viperous and malicious bishops and curates, and
 ' all such sort of intelligencers, who ——— raise the Hue
 ' and Cry after us; ——— we say all, and every one of
 ' such, shall be reputed by us as enemies to God and the
 ' covenanted Work of Reformation, and punished as such
 ' according to our power and the degree of their offence,
 ' chiefly, if they shall continue, after the publication of
 ' this our declaration, obstinately and habitually, with ma-
 ' lice, to proceed against us any of the foresaid ways. —
 ' Finally, we do hereby declare, that we abhor, condemn
 ' and discharge any personal attempts, upon any pretext
 ' whatsoever, without previous deliberation, common or
 ' competent consent, without certain probation by suffi-
 ' cient witnesses, the guilty persons confession, or the no-
 ' toriousness of the deeds themselves. Inhibiting also and
 ' discharging any of our emissaries whatsoever, to stretch
 ' forth their hands beyond the certainly known degrees
 ' of any of the foresaid persons their offences. ——— There-
 ' fore let all these foresaid persons be admonished of their
 ' hazard. And particularly all ye intelligencers, who,
 ' by your voluntary informations, endeavour to render us
 ' up to the enemies hands, that our blood may be shed;
 ' ——— we desire you to take warning; ——— for the
 ' sinless necessity of self-preservation, accompanied with
 ' holy zeal for Christ's reigning in our land, and suppress-
 ' ing

* This ad-
 jective,
 they say,
 is added,
 to distin-
 guish be-
 tween the
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 thirsty
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 more mo-
 derate.

ing of profanity, will move us not to let you pass unpunished; — not because we are acted by a sinful spirit of revenge for private and personal injuries, but mainly because, by our fall, reformation suffers damage.

— And as — we have here declared our purposes anent malicious injurers of us, so — we heartily beseech and obtest all you, who wish well to Zion, to shew your good will towards us, by acting with us, — for this great work of holding up the standard of our Lord Jesus Christ. Think not that, in any ways, you are called to ly by neutral and indifferent; especially in such a day; for we are a people by holy Covenants dedicated unto the Lord. — And, moreover, we are fully persuaded, that the Lord, who now hideth himself from the house of Jacob, will suddenly appear, bring light out of darkness, perfect strength out of weakness, and cause judgment return again to righteousness. — Given at — upon the 28th of October 1684.

‘ Let King Jesus reign, and all his enemies be scattered.’

They ordered copies of this declaration to be affixed to a sufficient number of market-crosses and church-doors on the 8th of next month, which was done accordingly.

In the Informatory Vindication they distinguish between a declaration of a hostile war and martial insurrection, and declaring a war of contradiction and opposition by testimonies. As for the former, to use their own words, ‘ they looked upon that only to be declared against the tyrant, and such as should rise with him in arms, mustering themselves under his banner, displayed against the cause and people of God, for destroying the covenanted Work of Reformation, and extirpating all the owners of it; but as for the latter, it was declared against all such as any way strengthen, side with, or acknowledge the said tyrant, or any other in the like tyranny and usurpation, civil or ecclesiastic, not that they would martially oppose and rise up against all such, but that, by their profession, practice and testimony, they would contradict and oppose them and their profession and practice as to that thing.’ And it appears, from the declaration itself, that it was a war in their own defence, against those who maliciously and wickedly thirst-

Remarks,
p. 41, 42.

1684.

ed for their blood. They declared their abhorrence of all private revenge and assassination. It is also plain that, though they disclaimed the tyrannical government of that time, they still owned magistracy and all lawful authority. How far it was prudent in them to publish this threatening declaration in that conjuncture, is not for me to determine. However, this is certain, that though it exasperated the managers to more vigorous measures yet it wanted not its effect; for it struck a terror among malignant informers and intelligencers, and the most virulent and persecuting curates of Nithsdale and Galloway thought proper to retire to other places for a time: and indeed their view in this paper was not so much action as the threatening of some people they had to do with, and if any look upon it as an unjustifiable piece of extremity, they ought to consider their circumstances, and the illegal and barbarous oppressions they were under, in being in a manner *killed all the day long, and counted a sheep for the slaughter.* I shall relate the consequence of this in their proper order.

*Sufferings
of Will.
Hanna
and his
son.*

Mean while, on the 26th of October, William Hanna in the parish of Tunnergath in Annandale, having been apprehended in England by Colonel Dacres, was received by one Sprinkel and his troop. He lay in irons at Dumfries, and at last was confined in a dark pit under the Canongate prison. The soldier who brought him his small pittance of meat and drink said, Seek mercy from Heaven, for we have none to give you, with other expressions of blasphemy. He continued in this place nine days, and then was brought up to the prison, where he remained till he was sent with others to Dunnotar. His only crime was non-conformity, for which he had in the preceding years suffered greatly. His son William not 16 years of age, was, in 1682, taken by a party of soldiers, though he was afflicted with the ague, and forced to walk a-foot for some days along with them. Coming to the grave of one who had been shot, and buried in the fields, they set him down on the grave, and, covering his face, threatened him with immediate death if he would not promise regularity, &c. The boy told them, God sent him to the world, and had appointed his time to get out of it, only he was determined to swear nothing he reckoned sinful. He was now in their power, and they might do as they would. In the year 1683, he was taken to Edinburgh, and, after several examinations, was

torture

ortured with the thumbkins, and then loaded with irons, which were so strait that his flesh swelled out above them; and, after a year and a half's imprisonment, he was transported and sold in Barbadoes. It is said he returned after the revolution, and was a minister in Scarborough.

1684.

The orthodox clergy were amongst the most diligent informers, and their informations were sometimes followed with peculiar cruelties, of which the treatment of one Robert Watson, in the parish of Baderpock, near Glasgow, is a glaring instance. While this good man was confined to his bed by a paralytic disorder, Mr. Stirling the curate informed against him as a disaffected person; whereupon, about eight at night, a party came to his house, put one of his horses to a sledge, took him and the couch whereon he lay, and laid him across the sledge, with his head and feet lying over it, and in that posture carried him to Glasgow that same night, though the rain was exceeding great. But when Robert was examined, he was dismissed, and the soldiers cursed the curate for putting them to so much trouble. About the same time Mr. James Gilchrist, chaplain to the Laird of Glorat, was made prisoner. But, passing these things, I shall now relate other unprecedented branches of tyranny and oppression in

*Sufferings
of Robert
Watson.*

CHAP. XI.

Of the proceedings of the council and justiciary; the murders in the fields; the trial and execution of Mr. Robert Bailie of Ferviswood, and others; with several other branches of persecution to the death of King Charles II.

THE persecution of this period is still on the growing hand, as will appear from a relation of matters of fact in the order of time when they happened. Many worthy and excellent gentlemen suffered exceedingly, by exorbitant fines and long imprisonment, during the months of November and December. The most of them, if not all, had been before the circuits upon sham indictments. Among others, these following suffered exceedingly, viz. Sir. J. Maxwell of Nether-pollock, the Lairds of Craighends elder and younger, the Laird of Douchal, the Laird of Fulwood, Z. Maxwell of Blawarthill, brother to Ne-

*Gentlemen fined,
&c.*

1684.

ther-pollock, Mr. J. Pollock of Balgray, and J. Caldwell Laird of Caldwell, from the shire of Renfrew. The Lairds of Allantoun and Halcraig, Mr. Andrew afterwards Sir Andrew Kennedy of Clowburn, the Lairds of Overtoun, Hartwood, Browncastle and Bradisholm, James Young chamberlain of Evandale, Mr. John Bannantyne of Corehouse, after the revolution minister at Lanerk, and Bannantyne of Craigmuir, from the shire of Lanerk. Sir James Montgomery of Skermorly, Sir Adam Whiteford, Cunningham of Ashenyards, and others from the shire of Ayr. Mr. Hugh Maxwell of Dalwintoun, and the Laird of Balmagechan, from Dumfries and Galloway. There were other gentlemen exorbitantly fined for the same cause with these now mentioned, as the Lairds of Riddel, Greenhead, Wall; and Chatto, Lord Cranstoun, Sir William Scot of Harden, senior and junior; but whether at this precise time I cannot say. The managers wanted to finger their estates; and, as they had nothing to lay to their charge but non-conformity, false indictments were trumped up against them, and the test, contrary to law, was pressed upon them, which they knew they would not take; and therefore they were thus illegally fined, and several of them suffered a tedious imprisonment.

On the 8th of November the apologetical declaration was fixed on several church-doors in Nithsdale, Galloway, Ayr, and Lanerk-shire.

*J. Hutchison
condemned.*

On the 11th J. Hutchison, portioner in Newbottle, was, in absence, condemned to be executed, when apprehended, for being at Pentland and Bothwell, the time and place to be appointed by the council. The same day copies of the above declaration were brought to the council, by which they were exasperated to the last degree; so that, instead of acting like grave and solid counsellors, they discovered themselves to be under the influence of a spirit of rage and cruelty; for not only they who were taken up on suspicion, but even they who were already in prison, were barbarously used on this very account.

W. Niven.

The same day, about six in the evening, W. Niven, smith in the parish of Eastwood, and several others, were brought from the iron-house before the council or their committee; and being interrogated by the chancellor whether they knew any thing of the treasonable papers that had been affixed to the church-doors, declared they did not. Then they were asked if they

owned.

1684.

owned the matter of them; and answered, They knew nothing about them, and so could neither own nor disown them. The clerk, upon this, read the declaration as fast as he could. Upon which they declared they could make no judgment of it upon hearing it in such a manner. They were again required to disown it upon the highest pains. They answered they had no share in it, and could not take upon them to judge of what no ways concerned them. After they were removed a little they were called in, and told they were sentenced to die that night at 10 o'clock: but something came in the way that prevented the execution of this unaccountable sentence.

On the 13th John Semple of Craighorn, in the parish of Glasford, was taken and brought before the council, on suspicion of being accessary to the above apologetic declaration, and was ordered immediately to be examined by the thumb-screw and the boots, or both, which he endured, and the torture was repeated next day. And the same day Robert Goodwin and other prisoners were brought before them on suspicion. They declared they knew nothing of it. When it was read to them in a hurry, they were ordered solemnly to swear that they neither adhered to it, nor knew the authors of it. Robert declared, in the name of the rest, that they never heard it till now, and knew nothing about the forming of it; but, because they would not swear, they were immediately sent to the iron-house.

*John
Semple.*

*See his
letter in
the Cloud
of Witness-
ses, p.
312.*

On the 14th John Semple, John Watt and Gabriel Thomson were condemned and executed at the Gallowlee, because they owned, or refused to disown, the above mentioned paper. This was quick work, there being but a few hours between their sentence and their death. The poor men were scarce suffered to pray. The spectators were surrounded by the soldiers; and, refusing to answer upon oath the questions put to them, ten or twelve were carried from the scaffold to prison: nay, because three coffins were seen carrying down the street to receive their bodies, the council ordered Sir William Paterson to make inquiry by whom they were made.

*John
Semple,
&c. exe-
cuted.*

Next day Thomas Abercromby, in the parish of Bar, was apprehended at midnight in his own house, and carried away prisoner without any cause assigned. His house was risted by the soldiers; and it cost him a great deal of money

*Thomas
Aber-
cromby.*

1684.

money before he got off. His losses before this, and sufferings afterwards, were not small.

On the 20th the advocate was ordered to prosecute John Porterfield of Douchal for high-treason, though they had no more to lay to his charge than to that of some of the rest; but this was done to bring them into their measures.

*Kenno-
way and
Stuart
killed at
Swine-
abbay.*

The same day Thomas Kennoway and one Duncan Stuart were both killed, by persons unknown, at Swine-abbay in the parish of Livingstone. I cannot relate the circumstances, as none were present but the actors, who were never apprehended. The societies were so far from approving this, that they refused to admit some persons among them whom they suspected to be concerned in it, all such assassinations being contrary to their apologetical declaration. It is indeed certain that Kennoway was one of the greatest oppressors, and a terror to the country. I shall not trouble the reader with particulars. The widows of these two were by the council recommended to the treasury for charity.

*Act for
killing in
the fields.*

A strict search was ordered to be made through the city of Edinburgh for those concerned in the murder, and the above mentioned declaration. The council then made their bloody act, empowering the soldiers to kill in the fields all who would not answer their queries. This was such an unprecedented step, that none could believe it, was it not recorded in their own registers, to their everlasting disgrace. Thus the matter stands,

Apud Edinburgh, November 22. 1684.

Sederunt Chancellor, Register, Advocate, &c.

THE query under-written, proposed by the lords of his majesty's privy council to the lords of his majesty's council and session, with their answer, is ordered to be recorded.

Query. 'Whether any of his majesty's subjects, being questioned by his majesty's judges, or commissioners, if they own a late proclamation, in so far as it declares war against his sacred majesty, and asserts that it is lawful to kill all those who are employed by his majesty, refusing to answer upon oath, are thereby guilty

of

‘ of high-treason, and art and part in the said declarati-
‘ on?’

1634.

Answer. ‘ It is the unanimous opinion of the lords of
‘ council and session, that a libel, in the terms of the said
‘ query, is relevat to infer the crime of treason, as art
‘ and part of the said treasonable declaration, against the
‘ refusers.’ Subscribed by Perth chancellor, David Fal-
‘ coner, George MacKenzie, &c.

‘ It being put to the vote in council, whether or not any
‘ person who owns, or does not disown the late traiter-
‘ ous declaration upon oath, whether they have arms or
‘ not, should be immediately killed before two witnesses,
‘ and the person or persons who are to have instructions
‘ from the council for that effect?’ Carried in the affir-
‘ mative.

‘ The lords of his majesty’s privy-council do hereby
‘ ordain any person who owns, or will not disown the late
‘ treasonable declaration upon oath, whether they have
‘ arms or not, to be immediately put to death; this be-
‘ ing always done in presence of two witnesses, and the
‘ person or persons having commission for that effect.’

By the answer to the query the refusers were to be in-
‘ dicted; but, by this act of council, they are to be imme-
‘ diately put to death without any indictment. How far
‘ then the act is founded on the answer must be referred to
‘ those learned in the law; and how Sir George MacKen-
‘ zie had the confidence to vindicate this is very surpris-
‘ ing. As for the commissioners spoke of, this is certain, that
‘ majors, captains, and even soldiers, pretended to act by
‘ virtue of it, and certainly they were much encouraged
‘ by it.

Remarks.

The day after this bloody act the council gave a
‘ commission to Lord Livingstone, Lord Ross, Lord Tor-
‘ phichen, &c. or any five of them, to try, judge and
‘ execute in the parish where Kennoway and Stuart were
‘ murdered; and, together with the commission, instructi-
‘ ons were given to the forces sent to the parishes of Li-
‘ vingstone, Bathgate, Torphichen and Calders, of which I
‘ give the following abbreviate. ‘ You shall convocate
‘ all the inhabitants——above fourteen years of age, in
‘ the parish of Livingstone, &c. and examine every per-
‘ son; and, after the oath of abjuration, [of which in
‘ its place,] such as take the oath you shall dismiss, unless
‘ you suspect their guilt. And, if any own the late
‘ traiterous declaration or assassination, you shall exe-

*Commissi-
ons and
instructi-
ons.*

‘ cute.

1684.

‘cute them by military execution on the place. And
 ‘such as refuse to answer or depone, or will not dis-
 ‘own the said, &c. you shall give them a libel instant-
 ‘ly, call fifteen men as a jury, and let them judge them,
 ‘and instantly execute the sentence of death on such
 ‘as do refuse to disown, or to answer the questions
 ‘before the said jury.——And as to the families of
 ‘such as you thus condemn and execute, you shall
 ‘make prisoners of all persons in their families, above
 ‘the age of twelve years, in order to transportation.—
 ‘For all which this shall be warrant to you, and all of-
 ‘ficers and soldiers employed by you.’ Subscribed by
 Perth chancellor, Douglass, Balcarras, George MacKen-
 zie, &c.——There were several other instructions. I
 have only singled out these, that the reader may see,
 that the murders in the fields, which were committed af-
 ter this, had now the sanction of authority; neither shall
 I detain him by any reflections of mine, but leave him to
 his own.

*Manner
 of exa-
 mining
 the peo-
 ple.*

The above mentioned judges sat first at Livingstone, where many questions were put to several people, concerning the king's authority, their keeping the church, and other things quite foreign to the designed inquiry. The soldiers sat on horseback, with their swords drawn, and surrounded the country-people in the fields. The old and infirm, who had not been from their houses for many years, were forced to attend. And they who could not walk were brought out on horseback; nay, they who could not sit, says my author, were tyed to one another on horseback, and none were permitted to go home till they were examined by the judges, or rather inquisitors. But I pass these things.

*Oath of
 abjurati-
 on.*

On the 25th the council approved of the following draught of the oath of abjuration, to be offered to whom they or their commissioners should think fit.
 ‘I *A. B.* do hereby abhor, renounce and disown, in
 ‘the presence of the Almighty God, the pretended de-
 ‘claration of war lately affixed at several parish-church-
 ‘es, in so far as it declares a war against his sacred maje-
 ‘sty, and asserts that it is lawful to kill such as serve his
 ‘majesty, in church, state, army, or country, or such as
 ‘act against the authors of the pretended declaration
 ‘now shewn to me. And I do hereby utterly renounce
 ‘and disown the villainous authors thereof, who did, as
 ‘they call it, statute and ordain the same, and what is
 ‘therein

1684.

therein mentioned. And I swear I shall never assist the authors of the said pretended declaration, or their emissaries or adherents, in any point of punishing, killing, or making of war any manner of way, as I shall answer to God.' This was the first form of the abjuration. We shall find it much curtailed afterwards, and therefore I shall make no remarks on it here.

Next day the council made an act ordering new elections to be made for next session of parliament, which was to meet in March next, in the room of those who were disqualified by an act of the last session (my author thinks it was the test-act) and by their being under process for treason. As the parliament was to sit, it was but proper that the members should be such as would pursue the measures of the ministry.

Act concerning elections.

At last the design against all the indulged ministers was accomplished; for, on the 27th of November, the council ordered them all to be ejected because they had not kept their instructions, Vol. 1. p. 292. and some of them had not observed the fast appointed in September last; and, by the instructions given to the commissioners in different shires, they were obliged, December the 2d, to give bond not to exercise any part of their ministry in Scotland. Some of them had before this been imprisoned because they would not comply with this, as Mr. Anthony Murray, and Mr. J. Curry. The Rev. Mr. John Carstairs, perceiving this storm a-coming, wrote to the chancellor for his lordship's pass to leave Scotland. He died soon after, and so got out of the reach of his enemies. Not a few were imprisoned after this, as Mr. Ralph Rogers, Mr. William Tullidaff, Mr. Robert Boyd, Mr. Robert Duncanson, Mr. Duncan Campbell, Mr. John Greg, Mr. James Hutchison, Mr. Andrew Millar, Mr. Peter Kid, Mr. John Knox, Mr. Walter Mowat, &c. There were but few that complied. Thus the prelates got rid of those who were great eye-fores to them.

State of the indulged ministers.

On the 28th the gentlemen from Renfrew were, except the Laird of Douchal, summoned to appear before the council on the 2d of December next.

Next day J. Porterfield of Douchal was indicted before the justiciary for high-treason, because he did not reveal Sir John Cochran's proposal for charity to Argyll, and had conversed with his own brother who had been forfeited for the affair of Pentland, and had harboured

J. Porterfield of Douchal condemned.

1684.

one George Holmes who had been at Bothwell. He owned that Sir John Cochran had asked 50 l. by way of charity to the Earl of Argyll; but that the proposal was made with so much indifference, that he did not think it worth his while to reveal it. As for conversing with his brother, he thought there was no harm in it, because some years after Pentland he had lived peaceably in the shire of Renfrew, and had conversed with his majesty's subjects of all ranks, such as privy-counsellors, the sheriff of the shire, and officers of the army; from whence it was generally concluded that he was indemnified, &c. As to George Holmes, he declared, that, when ever he understood that his name was in the porteous roll of the court of Glasgow 1679, though he was no tenant of his, he obliged his father to put him off his ground; that the said Holmes had afterwards made up his matters, and listed himself a soldier in the king's army. But though this was the plain state of the case, yet he was brought in guilty of treason, and condemned to be executed when and where the king should appoint.

Remarks.

This sentence drew compassion and tears from many of the spectators, to behold such a good old man meet with so much injustice; and it is said, that even Sir Geo. MacKenzie threw the blame of this from himself, and called this gentlemen *Lord Melford's martyr*. The truth is, Melford had a previous promise of his estate. Such instances as this, says my author, verified the black character which a person of merit and honour gave him of this period. 'This was a time when stretches of obsolete laws, knights of the post, half or no probation, malicious informers, scandalous rogues and miscreants, were the government's tools to ruin men of estates, honour and principle.' I would farther observe, that, the day before his trial, the lords of council and session gave their judgment of this gentleman's case, viz. That the concealing and not revealing, in the case foresaid, is treason; so that, how far the same persons could in equity give their judgment over again in the same cause, I must leave to those learned in the law. This gentleman was not executed; however, he was obliged to give security to the Earl of Melford for 50,000 merks, and a gratuity of 100 guineas to his lady. The half of the sum was paid to him, though Douchal was his cousin. The revolution prevented the payment of the other half.

* viz. of
Sir John
Cochran's
proposal
of charity
to Argyll.

The principal informer against him was John Maxwell of Overmains, a neighbour and relation, who had no other way of atoning for the crimes of adultery but by turning informer. I shall only add, that this Maxwell came to ruin, while the family of Douchal was not only restored to its own paternal inheritance, but also purchased the state of the wicked informer.

1684.

On the 2d of December the gentlemen of Renfrew were fined in the following sums, viz.

Exorbitant fines.

	L.	s.	d.
Sir John Maxwell of Nether-pollock,	8000	0	0
Alexander and William Cuninghams of Craigends, elder and younger,	6000	0	0
John Caldwell Laird of Caldwell,	500	0	0
Zacharias Maxwell, portioner of Blawarthill,	1111	2	2 ³ / ₄
Alexander Porterfield of Fulwood,	3333	6	8
Mr. James Pollock of Balgray,	833	6	8

These sums, being English money,
make in all,

19797 15 6 ³/₄

The Laird of Caldwell and Zacharias Maxwell were ordered to be prisoners for life, besides the payment of their fine. They were pleased to make some abatement of the fines of the rest. Thus Sir John Maxwell was to pay 5000*l.* the Lairds of Craigends 4000*l.* the Laird of Fulwood 1666*l.* 13*s.* 4*d.* and the Laird of Balgray of 800*l.* sterling. The greatest crimes, for which these gentlemen were fined in this exorbitant manner, were their not attending ordinances in their own parish church, their hearing Presbyterian ministers, and pretended converse with rebels. It was falsely alledged that they had contributed money to the murderers of the primate. For the like crimes the following gentlemen were fined, viz.

Fined by the Council.

	L.	s.	d.
Stuart of Allantoun,	666	13	4
W. Hamilton of Overtoun,	500	0	0

Carry over 1166 13 4

1684.

	L.	s.	d.
Brought over	1166	13	4
J. Young chamberlain of Evandale,	305	11	1
J. Muirhead of Bradisholm,	222	4	5
Mr. J. Hamilton of Halcraig,	666	13	4
Mr. A. Kennedy of Clowburn,	666	13	4
Mr. J. Stuart of Hartwood,	333	6	8
J. Bannantyne of Craigmuir,	111	2	2
G. Hamilton of Browncastle,	111	2	2
	3783	6	8

Fined by the Sheriffs.

	L.	s.	d.
Laird of Riddel,	4333	6	8
— of Greenhead,	2000	0	0
— of Chatto,	1666	13	4
Lord Cranstoun,	1500	0	0
Sir W. Scot of Harden,	2944	8	10
Sir W. Scot of Harden, jun.	3500	0	0
Laird of Wall,	1111	2	2
	17055	11	1

Remarks.

These sheriff fines were all confirmed by the council, and some of the counsellors shared largely in the spoils of these constructed criminals. Sir George MacKenzie the advocate got 1500*l.* of Sir William Scot of Harden's fine. The Duke of Gordon and the Marquis of Athol shared Sir William Scot of Harden junior's fine between them. I shall leave the reader to make his own reflections on these proceedings, when I have only observed, that none of these gentlemen had ever declared against the government that then was, though perhaps few had cause to stand up for it, unless it were the plunderers of those who were more righteous than themselves.

Council's letter about an indemnity.

On the said 2d of December, the council sent a letter to the commissioners of the several districts in the south and west shires, signifying, that, as the king had granted an indemnity on the 26th of February last, they thought proper to send instructions relating to it. But why no mention was made of this indemnity till now, is not to be accounted for. But the instructions concerning it rendered it altogether useless, since none were to have the

1684.

the benefit of it but those that would swear the oath of abjuration, and that they would never take arms against the king, or any commissioned by him, upon any pretence whatsoever. Besides it was only to be of use to those under the degree of heritors, liferenters, &c. and vagrant preachers, by which indulged ministers and preachers, not licensed according to law, were to be understood; so that the instructions rendered the indemnity of no use.

On the 3d the council recommended to the advocate to return their thanks to Judge Jeffreys for his kind concurrence with them, against those pernicious rogues and villains who disturbed the public peace, and to desire him to order hiding and fugitive Scotsmen to be apprehended and delivered up, on the Scots border, to such as should be appointed to receive them. It cannot surprize the reader to see a correspondence between bloody Jeffreys and these bloody Scots inquisitors; for *birds of a feather flock together.*

*Council's
thanks to
Judge
Jeffreys.*

The same day they ordered the advocate to raise a process of forfeiture before the ensuing parliament, upon a charge of sixty days, against the following persons, *viz.* Denholm of Westhiels, Stuart of Cultness, Sir John Cochran of Ochiltree, James Stuart son to Sir James Stuart of Goodtrees, the Lord Melvil, Sir Patrick Hume of Polwart, George Pringle of Torwoodlie, Andrew Fletcher of Saltoun, Hume of Bassenden, the heirs of Mr. Martin late clerk of the justice-court, the heirs of the late Earl of Loudon, Thomas Hay of Park, Sir James Dalrymple of Stair, Walter Lockhart of Kirkcoun, Montgomery of Langshaw, John Weir of Newton, Mr. Gilbert Eliot writer in Edinburgh, Campbell of Ardkinglass, Cessnock elder and younger, and Jerviswood. We shall meet with them again in their proper place, and find that the last mentioned gentleman was hurried off the stage before that time; for the insatiable thirst of the managers for his blood must be satisfied.

*Process of
forfeiture
enjoined.*

On the 4th, not thinking the many commissions formerly given, sufficient for suppressing the poor sufferers, whom they branded with the odious names of rogues and villains, the council constituted Lieutenant-general Drummond a justice of peace, and empowered him to repair to the south and west shires, and hold courts of justiciary, and to take along with him a sufficient number of the forces, in order to pursue and apprehend the

*Commissi-
on to Ge-
neral
Drum-
mond.*

rebels

1684.

rebels and their abettors, that they may be brought to trial, and to pass sentence upon them as he should see cause. They likewise ordered him to quarter the soldiers and settle garrisons where he should find it expedient, especially in Lanerk-shire. At the same time they wrote to the Duke of Hamilton, acquainting him with all this, and desiring his grace to assemble the commissioners who were proper to provide the garrisons with all necessaries.

To the
Laird of
Orbistoun.

Besides these powers to the lieutenant-general, other commissions were given to such private persons as would undertake them; particularly, William Hamilton, Laird of Orbistoun had a commission, on the 8th of December, 'to levy 200 Highlandmen of the shire of Dumbarton, 'and with them, or any part of them, as oft as our service shall require, to march into any part of these 'shires [Dumbarton and Renfrew] and pursue, take, 'and apprehend the said rebels, and fugitives, &c. and 'their resettlers, and commit them to some firmance, 'or ward, till they be legally tried. And, in case any 'of the said persons be in arms, resisting and refusing to 'be taken, we do hereby impower the said Orbistoun, ' &c. to kill, wound and destroy them; and deliver such 'of these as shall be taken alive to their next commissioned officer, to be brought in prisoners to——Edinburgh. —— And —— we authorise the said Laird 'of Orbistoun; to employ spies and intelligencers to go in 'company with the said rebels and fugitives, as if they 'were in their party, the better to discover where they 'haunt and are reset. —— As also with full power to 'the said Orbistoun, to take and apprehend the persons of 'all outed ministers, who shall be found within, or resort 'to the said shires, and send them in prisoners to Edinburgh, &c.'

The reader may make his own reflections here, and judge what state the shires must be in, when they were to be exposed to the discipline of Highland reformers. Orbistoun was enjoined indeed to see that his men should commit no disorders; but how these could be prevented, when such extensive powers were given, is hard to conceive.

Several
executed.

On the said 8th of December, George Jackson, Thomas Wood, Alexander Heriot, James Graham, and Thomas Robertson, together with Patrick Cunningham, John Watt, James Kirkwood, Alexander Valenge, and James

James Glover, were indicted for the apologetic declaration, because they owned, or refused to disown, the said paper upon oath. The last five, together with Alexander Heriot, solemnly renounced the said declaration at the bar, and the process against them was dropt; but the rest were next day found guilty; and ordered to be taken that very day to the Gallow-lee, between two and five in the afternoon, and there to be hanged.

George Jackson had been a considerable time in prison; and, upon being asked if he owned the declaration, said that he owned it as far as it was agreeable to the word of God, but allowed of no murder.

George Jackson.

Thomas Wood was taken at the rescue of Enterkin-bath; and being asked if he adhered to the declaration, answered, That he did not understand it, the clerk read it so fast; but, said they, the Covenants are in it, do you adhere to these? He answered, I do.

Thomas Wood.

James Graham, taylor in Corsmichael in Galloway, was apprehended by Claverhouse and a party in the highway; they had nothing to lay to his charge, but, finding a Bible in his pocket, they looked upon that as a sure evidence of disloyalty. They hurried him from place to place. He was put in the irons at Dumfries, because he would not answer their questions. He was next brought to Edinburgh, where, upon refusing to declare his opinion concerning the declaration, he was condemned and executed with the rest. His testimony is in the Cloud of Witnesses.

James Graham.

Thomas Robertson was imprisoned at Newcastle for refusing the English oaths. He made his escape, and got to Edinburgh, where he was apprehended last month, and brought before the council, where he was soon enquired by their questions. From his last testimony, which is in the Cloud of Witnesses, it appears, that he had formerly been a hearer of the curates; but, upon being brought to hear one of the Presbyterian ministers, such impressions were made upon him that he never followed them any more. He declared his adherence to the Covenant of Redemption, the Scriptures of the Old and New Testament, the Work of Reformation, once glorious in the land, &c. and his aversion to all the defections that had been carried on for several years, and died with great peace and joy; for though he was, for some time, under fearful apprehensions of death, yet he got over all these. I need only observe, that not one of these

Thomas Robertson.

these

1684.

these persons could have been concerned in the apologetical declaration ; and yet, upon that very score of refusing to disown it, they were put to death.

*Duke of
Gordon
chancel-
lor.*

Two days after this execution the Duke of Gordon's patent for being chancellor was read and recorded. Whether he was then a profest Papist, I know not, but soon after he certainly was, and that set were now getting in as fast as conveniently could be done.

*Earl of
Tarras's
confession.*

On the 16th the advocate was ordered to prosecute Walter Earl of Tarras for high-treason. Sometime after he had been brought in prisoner, he confessed, ' that, about the time Sir John Cochran and Commissary Munro got their commission for the Carolina business, Mr. Bailie of Jerviswood told him he was going to London, however on his own charges ; but that the Carolina affair was only a pretence, the true design being to press the people of England, who could do nothing but talk, to go more effectually about the business, and do something.' He likewise confessed, ' that Jerviswood settled a correspondence with him, for giving an account of what should pass between the country party in England and the Scotsmen there ; and that Jerviswood told him, that the only way for securing the Protestant religion, was for the king to suffer the parliament to sit, and the bill of exclusion to pass ; which the king might be induced to if the parliament took sharp and brisk measures.' He farther confessed, ' that Mr. R. Martin came to Torwoodlee's house in May 1683, and brought an unsubscribed letter to the Lady Tarras, which he knew to be written by Jerviswood then at London ; and that Mr. Martin told him that things in England were in great disorder, and were like to come to a height, and that the country party were considering on methods for securing the Protestant religion ; and that the late Earl of Argyll was to get 10,000 l. sterling, whereas our Scots people sought 30,000 l. which was to be sent over to Holland to provide arms ; and the said earl was to land with those arms in the West-highlands of Scotland ; and that Jerviswood was to be sent over with the money.' The rest of his confession related to some discourses concerning the methods most proper to be taken for the support of the Protestant religion ; but nothing concerning any design upon the person of either the king or his brother. The earl's trial was put off till January next, that he might not be under sentence when brought

brought as a witness against Jerviswood, whose trial was now drawing near.

1684.

On the 18th of December Claverhouse came with a party to the water of Dee in Galloway, and surprised six of the lurking people at Auchincloy, and ordered Robert Ferguson and James MacMichan from Nithsdale, and Robert Stuart and John Grier from Galloway, to be shot instantly. After they were buried, their graves and coffins were uncovered by a party sent by Claverhouse, and continued so for four days. James MacMichan's body was taken up, and hung upon a tree. Claverhouse carried the other two, viz. Robert Smith in the parish of Glenairn, and Robert Hunter, to Kirkcudbright, summoned a court of jury, and hanged them there. There were other two in company with these six; but they happily escaped. However, the soldiers being informed of a house they had gone into, marched thither, took all they found in it prisoners, and burnt the house to the ground.

Six men murdered by Claverhouse.

I am now come to the infamous trial and execution of Mr. Bailie of Jerviswood. It might have been thought, that, when he was fined in the sum of 6000 l. sterling, he had received his final sentence; but he was still kept shut up, and denied all attendance or assistance. 'He seemed all the while, says Bishop Burnet, so composed, and even so chearful, that his behaviour looked like the reviving of the spirit of the noblest of the old Greeks or Romans; or rather, of the primitive Christians and first martyrs in those best days of the church; but the duke was not satisfied with all this: so the ministry applied their arts to Tarras and the other prisoners, threatening them with all the extremities of misery if they would not witness treasonable matters against Bailie. They also practised on their wives, and, frightening them, set them on their husbands.' The reader has seen the confession of Tarras, as far as it relates to this worthy gentleman.

Jerviswood's trial.

p. 586.

Jerviswood received his indictment on the 22d of December, and next day petitioned for more time; but no regard was paid to it. He was then in a dying condition, and could not have lived many days. However, he was carried to the bar of judicary in his night-gown, attended by his sister, who several times gave him cordials, and, not being able to stand, was obliged to sit on a stool. His indictment bore, in general, his carrying on a correspondence to debar his royal highness, the king's only brother, from the right of succession. Though

His indictment.

1684.

his advocates pled that he ought not to pass to the knowledge of an assize, because he had not got a summons in 13 days, and so had not time to offer an exculpation or vindication, and that he had already been judged for what was contained in the indictment, yet all pleas were rejected, and he was brought to his trial. The Earl of Tarras was admitted an evidence, though he was himself under process of high-treason. His deposition was much the same with his confession. The depositions of Alexander Munro or Bearcrofts, James Murray of Philiphaugh, Hugh Scot or Gallowshiells, are at large in the State-trials. They are mounted to this, that Jerviswood being in hazard, as all the nation was, of oppression, after the unaccountable decision in Blackwood's case, went up to London, and conferred with several concerning what was proper for inducing the king to exclude a Popish successor, and about sending money to Argyll, &c. but no design against the king's life was known to any of them. Bishop Burnet says, 'they swelled up the matter beyond the truth, yet all did not amount to a full proof. So the ministry, being afraid that a jury might not be so easy as they expected, ordered Carstairs's confession to be read in court, not as an evidence (for that had been promised him not to be done) but as that which would fully satisfy the jury, and dispose them to believe witnesses: but, as he had a promise that nothing he said should be brought in prejudice to any, directly or indirectly, on his trial, it must be left with the reader whether the reading his confession, to support the evidence against Jerviswood, was not a breach of the conditions given to Mr. Carstairs. Besides, the title given to Mr. Carstairs's confession, viz. The deposition of Mr. William Carstairs, when he was examined before the lords of the secret committee, given in by him, and renewed upon oath, upon the 22d of December 1684, in presence of the lords of his majesty's privy-council, seems to intimate that he had voluntarily renewed his deposition on the 22d of December, with an eye to Jerviswood's trial; than which nothing is more injurious to this worthy minister. The case was this. Mr. Carstairs, being their prisoner, was brought to Edinburgh a few days before Jerviswood's trial, and was importuned to be a witness against his friend, which he rejected with abhorrence and, at the same time, put them in mind of the condition formerly granted him, and of the breach of faith in the proposal. He was next urged only to appear before the

Vol. III.

p. 366.

p. 587.

Mr. Carstairs vindicated.

State-trials,
Vol. III.

371.

1684.

officiary at a time when Jerviswood was not present, and judicially own that he had emitted the depositions signed by his own hand. This he also refused; but he was never before the council, only, when the Chancellor Queensberry, and some others, produced the original papers which he had formerly signed, he owned them, and, at the same time, reminded them of the former conditions. How when it came, that, in the foresaid title, it should be said, that he renewed his depositions in presence of the lords of his majesty's privy-council, on the 22d of December, must be left with the reader.

The advocate after the witnesses were examined, and Mr. Carstairs's confession was read, together with the examinations of Mr. Shepherd and Mr. Zachary Bourn, made most virulent speech to the jury (which the reader will find in the State-trials) wherein he aggravated every thing to the highest degree. Jerviswood, looking him broad in the face, appeared exceedingly troubled. When Sir George had done he had liberty to speak, and, among other things, said, 'There is one thing which vexes me extremely, and wherein I am injured to the utmost degree; and that is, for a plot to cut off the king and his royal highness, and that I sat up nights to form a declaration to palliate or justify such a villainy. I am, in probability, to appear in some hours before the tribunal of the great Judge; and, in presence of your lordships, and all here, I solemnly declare, that never was I prompted or privy to any such thing; and that I abhor and detest all thoughts and principles for touching the life and blood of his sacred majesty or his royal brother. I was ever for monarchical government.' Then looking directly on the advocate, he said, 'My lord, I think it very strange you charge me with such abominable things; you may remember, that, when you came to me in prison, you told me such things were laid to my charge, but you did not believe them. How then, my lord, come you to lay such a stain upon me with so much violence? Are you now convinced in your conscience that I am more guilty than before? You may remember what passed betwixt us in the prison. The whole audience fixed their eyes upon the advocate, who was in no small confusion, and said, 'Jerviswood, I own what you say; my thoughts were then as a private man; but what I say here is by special direction of the privy-council.' And, pointing to Sir William Paterson the clerk, added, 'he knows my orders.' Jerviswood re-

Ibid. p.

374, &c.

1684.

plied, 'Well, if your lordship has one conscience for your self, and another for the council, I pray God forgive you; I do.' Then, turning to the justice-general, said, 'My lord, I trouble your lordship no farther.'

His sentence.

Next morning, the 24th of December, the jury brought him in guilty; the lords condemned him to be hanged at the market-cross of Edinburgh, between two and four that afternoon, his head to be cut off, and fixed on the Nether-bow-port, and his body to be quartered; one of his quarters to be put on the tolbooth of Edinburgh, another on that of Lanerk, and a third on that of Ayr, and the fourth on that of Glasgow, &c. When the sentence was passed, he said, My lords, the time is short, the sentence is sharp; but I thank my God who hath made me as fit to die as ye are to live.

His behaviour and execution.

He was then sent back to his apartment in the prison, and, leaning on the bed, he fell into a rapture of joy at the assured prospect of a blessed eternity. And being asked, after a short silence, how he did, he answered, Never better; and in a few hours I shall be well beyond all conception. They are going to send me, in pieces and quarters, through the country. They may hag and hew my body as they please, but I know assuredly nothing shall be lost; but all these my members shall be wonderfully gathered, and made like Christ's glorious body. He was not able to go up the ladder without support. When on it he began to say, My faint zeal for the Protestant religion hath brought me to this; but the drums interrupted him. My author was told that his quarters lay three weeks in the thieves hole before they were disposed of according to the sentence.

Sum of his last speech.

He prepared a speech to be delivered at the scaffold, but was hindered; however, he left copies of it with his friends. My author has inserted it. He solemnly declared that he was never conscious to any conspiracy against the life of the king or the duke, or to any plot for subverting the government; and that he never had any other intention, in all his public appearances, but the preservation of the Protestant religion, the safety of the king's person, the continuation of the ancient government, the redressing of grievances, the relieving the oppressed, and putting a stop to the shedding of blood. In short, it breathes a spirit of true piety; he declared he died a member of the church of Scotland, in its best and purest times under Presbytery, and a hater of Popish idolatry and

1684.

and superstition. He expressed his fears that Popery would be just ready to break in upon us. 'It seems,' says he, the generation is fitted for it; and all the engines of hell have been made use of to debauch the consciences of people.——Men are compelled to take contradictory paths, that they may believe things that have a contradiction in them.' And, after bewailing the sad case of the church of Scotland at that time, he concluded with these words, 'I go with joy to Him who is the joy and bridegroom of my soul, to Him who is the Saviour and Redeemer of my soul. I go with rejoicing to the God of my life, to my portion and inheritance, to the husband of my soul. Come, Lord.'

Thus, says the historian of his own times, 'a learned *Burnet,* and worthy gentleman, after twenty months hard usage, *p. 587.* was brought to such a death, in a way so full, in all the steps of it, of the spirit and practice of the courts of inquisition, that one is tempted to think that the methods taken in it were suggested by one well studied, if not practised in them. The only excuse that ever was pretended for this infamous prosecution, was, that they were sure he was guilty, and that the whole secret of the negotiation between the two kingdoms was trusted to him; and, since he would not discover it, all methods might be taken to destroy him, not considering what a precedent they made on this occasion.' But I must now go on to other things.

The same day that Jerviswood was executed the Lady *Lady Cavers released.* Cavers was ordered to be released upon paying her fine. This excellent lady had now been in prison above two years for non-conformity; and, had it not been for her son who came home this year, she had still continued in confinement. The treatment her tenants met with, during her imprisonment, rendered them incapable of paying her any rent; so that she was deprived of the use of any means for her livelihood or subsistence, though she had a small numerous family. She had represented her case in a humble and moving petition to the council; but they paid no regard to it, till her son, Sir William Douglas of Cavers, presented another petition, praying that she might be suffered to come to her friends and relations; and that they would receive him as bail for her living regularly, or, within three months after the date of her liberation, depart the kingdom, and not return without special allowance. They gave orders for her being set at liberty, but

1684.

but would not part with her extravagant fine. I need make no reflections on this.

Scot of
Pitlochie
released.

The same day Mr. George Scot of Pitlochie was let out of the Bass, upon promise to go to the plantations. The occasion of his being imprisoned there I know not. We shall meet with him again next year. Lady Colvil was the same day allowed a better room in the prison, to which she had been confined for refusing to pay an extravagant fine.

At last, on the 30th of December, the council published a proclamation against the apologetical declaration. The tenor of which is as follows: viz.

‘ CHARLES, &c.

Proclamation
against
the apo-
logetical
declara-
tion.

‘ **F**Orasmuch as several insolent and desperate rebels,
‘ having frequently refused the reiterated offers of
‘ our clemency, have of late associated themselves, under
‘ a pretended form of government, in societies, fellow-
‘ ships, &c. and have, in their meetings, at last pulled off
‘ the mask under which they formerly endeavoured to
‘ disguise their bloody and execrable principles, and—
‘ declared, in a late treasonable paper,—intituled, *The*
‘ *Apologetical*, &c. that they have disowned us and our
‘ authority, and have declared war against us, and from
‘ that do infer that it is—a duty to kill and murder
‘ all who do any manner of way serve us, or bear charge
‘ under us, &c. Therefore we, with the advice, &c. do
‘ hereby ordain, that whosoever shall own the said most
‘ execrable—declaration, or assassinations therein
‘ mentioned, and the principles therein specified, or who-
‘ soever shall refuse to disown the same, in so far as it de-
‘ clares a war against his sacred majesty, and asserts that
‘ it is lawful to kill such as serve in church, state, army
‘ and country, shall be tried and executed to the death.
‘ And farther,—we command all our good subjects
‘ —besouth the river Tay, that they be ready to
‘ concur with our magistrates, &c. in seeking, searching,
‘ &c. and—do their utmost endeavour to seek—
‘ and apprehend any that shall own the said apologetical
‘ declaration,—or refuse to disown the same.—
‘ And since these rebels, after declaring their hellish in-
‘ tentions, for the better performance of their mischievous
‘ designs, lurk in secret, and are never discerned but in
‘ the acts of their horrid assassinations, and, passing up
‘ and down, among our loyal subjects, take an opportuni-

1684.

ty to murder and assassinate. — Therefore, as a remedy for these inconveniencies, we declare it to be our royal will and pleasure, — and we hereby command all heritors, &c. and, in their absence, their factors and chamberlains, to convocate all the inhabitants on their lands, and to bring them before any of our privy-counsellors, or our commissioners appointed by our council, &c. and the master, and all the inhabitants shall, in solemn manner, in presence of the said commissioners, take the following oath, *viz.* I *A. B.* do hereby abhor, renounce, and disown in the presence of Almighty God, the pretended declaration of war lately affixed at several parish-churches, in so far as it declares a war against his sacred majesty, and asserts that it is lawful to kill such as serve his majesty, in church, state, army, or country. And such as can subscribe are to subscribe the same; and, on performance thereof, the said commissioners are hereby ordained to deliver to every such person a testificate; — which testificate — is to serve for a free pass to all who have the same, — and shall preserve them from all molestation; — certifying hereby all such as shall adventure to travel without a testificate, — that they shall be holden and used as communers with the said execrable rebels, &c. — And if any heritor, &c. shall fail in doing as aforesaid, they shall be holden as guilty of the foresaid crimes, and pursued and punished accordingly. And we do hereby strictly prohibit and discharge all our lieges, whether in burgh or land, as well all other house-keepers as hostler-houses, inn-keepers and other houses of common resort, to harbour, lodge, or entertain any person whatsoever unless they have such certificates, — under the pain of being punished as reseters of, and intercommuners with rebels. And, for farther security, and prevention of fraud, it is hereby required that the users and havers of the foresaid testificates shall be holden and obliged to swear that these certificates are true and unforged testificates, and that they are the persons mentioned and expressed in them, if the same shall be required of them. And, finally, for the encouragement of such as shall discover any of the said traitors and assassins, or any who have been any ways in accession to the said traitorous and damnable paper, or to the publishing or spreading of the same, as said is, or to have been a member of the said pretended societies or fellowships, &c. we hereby declare

*Oath of
abjuration.*

1684.

' declare and insure to them, or any of them—
 ' reward of the sum of five hundred merks Scots for each
 ' of them who shall be discovered, so as to be apprehend-
 ' ed and found guilty.'

Remarks.

The narrative of this monstrous proclamation is full of abominable lies and horrid misrepresentations: for here, with the utmost virulence, they charge these people with maintaining the principles of assassination; whereas, in the very declaration itself, they declare their abhorrence and detestation of such things. They represent them as having associated themselves under a pretended form of government, which was absolutely false; and my author says, that he was apt to believe that some of the managers knew other things, though they spoke thus. They represent them as having refused reiterated offers of clemency; whereas it is well known that they never had any offers of clemency made them, but upon the condition of wilful perjury. As for their declaring against the king, was there not a cause, as has been already observed? The war mentioned was, as themselves explain it, not a declared insurrection with hostile force to break the peace of the nation, (that had been done by the introduction of abjured Prelacy, and the persecution that necessarily followed upon it) but an avowed and constant opposition to the murdering violence, injustice and oppression of the faction then in power. Let any of us imagine ourselves in their circumstances, hunted as partridges on the mountains, killed all the day long, and suppose, in such a situation, we should emit a declaration, warning our bloody persecutors either to desist from their persecution, or to expect that, as far as we are able, we will prevent the shedding of our own blood, by bringing them to punishment, let the reader judge whether that could be condemned; and this was the case with these people, and the state of all the war they declared. And, when we farther consider that none could disown the declaration without approving the cruelties exercised on the declarers, it is not to be wondered that many stood out. Besides, they looked upon the oath of abjuration, imposed by this wicked proclamation, in every respect unlawful, because the declaration required to be abjured asserts no such thing as is represented; and therefore, to swear to abhor, renounce, and disown it, in so far as it declares it lawful to kill all who serve the king in church, state, army or country, when no such thing

thing is asserted, must needs be to swear a falsehood. They who took this oath thereby incorporated themselves with the bloody imposers of it, condemned the sufferers, and justified the cruel persecution that was carried on against them, as if they were murderers and assassins; whereas, in their declaration, they were so far from owning it lawful to kill all employed in the king's service, in church, state, army, or country, that they testified to the world that they proposed not to injure or offend any whatsoever, but such as were directly accessory to the murder of their brethren; nay, they expressly distinguished from others the notorious villains among them, men of death and blood, who had actually shed their blood, and gloried in it; and these they farther divided into several classes, according to the respective aggravations of their wickedness. In the first they placed the cruel and bloody of those that murdered by command. In the second they threatened such as were actually in arms against them, and not all of these either, but such as cruelly performed that service to the effusion of their blood. Neither did they threaten all equally, nor any of them peremptorily, but only if they persisted maliciously to proceed against them after the publishing of their declaration. In a word, they expressly declared their abhorrence of all personal attempts whatsoever, and prohibited the execution of any part of what they threatened, without previous deliberation, common or competent consent, &c. All which being considered, the question will be, how far they asserted it lawful to kill all who served the king in church, &c. If no such thing is asserted, why such a clause in the oath? I shall only add, that, if these people were such assassins, why would you make their design of assassination public? for, if I mistake not, assassins do not give warning of their intentions, but keep their designs secret till they find an opportunity to put them in execution. I shall say no more upon this point, but refer the reader to the Hind let loose, from p. 537, to p. 557. Though these people, in their declaration, abhorred assassination, as all good men should and certainly will, yet this proclamation made way for many assassinations and murders, as shall be related: for here all must not only take the oath of abjuration, but have a certificate of their having done so; nay, they must swear that their certificate is genuine whenever called to it, though by an hostler or stabler. But to proceed.

1684.
*Commis-
 sion for
 holding
 courts.*

The same day the above proclamation was published the council gave a commission to several noblemen, gentlemen, and others, for holding courts in the southern and western shires; and these may justly be called *courts of inquisition*, as is evident from the instructions given to the commissioners, who were thereby impowered and required to examine all in every parish, upon oath, with respect to the questions contained in their commission and secure those who refused to answer, and to give pass or certificates to such as disowned the horrid principles those, *viz.* contained in the declaration. But if any owned these principles, or refused to disown them, they were immediately to be judged, and, being found guilty to be presently hanged on the place: 'But, says the instructions, at this time you are not to examine any women but such as have been active in the said course in a signal manner, and those are to be drowned.' I shall not trouble the reader with the rest of the instructions: from these he may easily form a judgment concerning them. Upon the whole, it is evident there was no peace to him that went out, nor to him that came in, without conforming to the times, of which the following is a sufficient instance.

*Cruelty to
 a poor
 woman.*

On the last of December a poor man, in the parish of St. Mungo, was taken out of his bed, by Captain Dalziel for not hearing the curate; and, upon his refusing the test, was imprisoned at Dumfries, and threatened with death. He broke prison and fled to England. His wife and seven small children begged their way after him, but the persecution being hot there, she was forced to return. While sitting peaceably in an ale-house; Westera and other persecutors came in and required her to take the test, and, upon her refusing, committed her to prison at Dumfries, and though she only begged they would allow her to take her sucking child along with her, (an infant of a quarter old) yet that was rejected; nay, they desired her to prepare for death, unless she complied by next day, when they threatened to drown her. Next morning being asked if she would swear, she said she would not. Being farther asked if she approved of murder, she answered, She did not; it was not their sort who were murderers. However, they were restrained from putting her to death; but she continued five weeks in prison at Dumfries. Providence took care both of the sucking in

nt and of the six other children, though they were ban-
ned the town.— In short, the mother was at last sent
isoner to Edinburgh, whither her children followed her;
d the council, for once, put on so much good nature as
elease her. I shall conclude this year with some par-
culars of which I have not the dates.

1684.

This year Mr. Adam Blackadder, son to Mr. John
ackadder, and his wife, a young gentlewoman whom
had married in Sweden, were brought to trouble. Be-
re this, when he was about 17 years of age, he endur-
a five weeks imprisonment at Stirling, because his ma-
er was alledged to have been at conventicles. He was
terwards imprisoned at Blackness for waiting on his fa-
er.

*Mr. A.
Blackad-
der.*

John Linning dyer in Glasgow, though blind, was this
ear imprisoned fourteen weeks, as he had frequently
een before, for nothing but non-conformity. When a
ild of his came to be on her death-death, and passion-
ely cried out for her father, such was the unrelenting
uelty of the magistrates, they would neither suffer him
o attend her when dying, nor her funeral when dead.

*J. Lin-
ning im-
prisoned.*

John Carsan of Balmangan was imprisoned, for refus-
g the bond of regularity, for nine months, during part
f the last year and this, and fined in 6000 merks. His
dy was imprisoned by Colonel Douglas, and, for refus-
g the abjuration, received an indictment, and it was
ven out that they intended to sentence her to be drown-
d within the sea-mark at the ferry of Kirkcudbright; but
he king's death put a stop to this and some other proces-
es of the same nature.

*J. Carsan
of Bat-
mangan.*

Several other instances of the severity of this year
ight be mentioned, as the scourging of a poor old wo-
an of 73 years of age, the great hardships of Lady Gil-
espie, by the depredations of soldiers, and being forced
o leave her country and flee to Ireland, &c. and the
ardships endured by Charles Stuart of Knock; but these
pass over.

*Other in-
stances of
severity.*

The scene of cruelty, oppression and blood continued
thro' the whole of the year 1685. The powers granted to
he soldiers, and the abjuration-courts produced dreadful
ffects. Multitudes were cut off every month without
he tedious formality of a process. Hanging, heading,
drowning, torturing, and many other methods of cruelty
were used. Before I come to relate things in the order

1685.

*General
account.*

1685.

of time, I shall give some instances of severity in pressing the abjuration oath.

*James
Corbie's
ears cropt.*

In the parish of Nithsdale, James Corbie, for refusing the abjuration, had his ears cropt, and was sold for a slave to Jamaica. The cropping of ears is a new punishment. We shall have more instances of this by and by. The abjuration was violently pressed upon all ranks, sexes and ages, by the commissioned courts of Dalry and other parts in Galloway, and through the large shire of Ayr.

*Cruelty to
a servant
maid.*

One William Johnston, of the parish of Auchinleck, was summoned to one of these courts, and, not appearing, a party of soldiers was sent to his house, who plundered it; and, as he and his wife had retired, took away with them the maid who was left to take care of the children, leaving the destitute infants by themselves, and, because she refused the oath, which she had told them she did not understand, they put firey matches between her fingers, and burnt the flesh to the bone. Her patience and composure so astonished her tormenters, that they thought proper to dismiss her.

*Shire of
Lanerk
oppressed.*

The shire of Lanerk was grievously harassed by the soldiers and these abjuration-courts. Women were carried from prison to prison, families were dispersed, several were banished, as J. Harvey, Walter-Ker and Andrew MacKillan in the parish of Dalserf. One John Stuart, in the same parish, had his wife carried prisoner to Hamilton, with a child not a month old, where she fell so ill with travelling so far in her condition, that she was left for dead, because she did not appear, and refused the oath. Some were killed on the spot, as a poor man in the parish of Twinham, who was shot by order of Captain Douglass, because he would not answer their questions. Some were sent to the plantations, others to Dunnoter, and not a few continued in prison till the toleration granted two years after this. The parish of Tongland was greatly oppressed by Lieutenant Livingstone; for, after the courts had been held there for pressing the oath, searches were made for the recusants, and one John Hallowme, a youth of 18 years of age, was seized on the road, carried from place to place, and at last to Kirkcudbright, where, upon refusing the abjuration, a jury of soldiers was called, and the young man presently executed. Every person who endeavoured to shun these parties was looked upon as guilty, and immediately dispatched. William

Auch-

1685.

Auchinleck, in the parish of Buttle, happened to fall in with a company of Douglass's foot, who ordered him to stand. The man complied with every thing; but not caring to lose his horse, which he suspected the soldiers had a mind for, he rode as fast as he could from them, and, fetching a compass, got to a public house called *Carlinsworth*, where he took a refreshment on horseback, thinking he was out of their reach. Mean while, some of them came up and shot him.

The conformable clergy were not wanting at this time to promote these cruelties. Thus one Finnie, curate of Cathcart, informed against John Watson, a beggar in that parish, as a dangerous person, because he would not hear him, nor take the abjuration oath, and got him apprehended by a party of Lord Ross's troop. When they found him in his cottage, and saw he was neither able to flee from them, nor travel with them, being a poor cripple, they cursed Finnie, who had hounded them out after such a prey. They urged him hard to take the abjuration. John told them that it was now long since he swore the Covenant, and was resolved to swear no more oaths. In short, Lord Ross, getting notice of this affair, blushed for the curate, sent the poor man half a crown, and ordered him to be dismissed.

*Finnie the
the cu-
rate's ma-
lice.*

While the soldiers were almost every week murdering in the fields, the commissioners above mentioned, or any two of them, had the power of life and death in their hands, and even exceeded their instructions: and it is remarkable, that all these methods of barbarity were so far from lessening the number of the sufferers, that the more they were persecuted, the more they increased; but I shall now relate things more distinctly in the order of time when they happened.

*Sufferers
increased.*

On the second of January, Andrew MacGill, son to John MacGill in the parish of Ballentrac in Ayr-shire, having been apprehended on the last of December, was executed at Ayr, and soon after his father's house was plundered by Colonel Douglass. I shall only observe that the old man and his other son suffered greatly.

*Andrew
MacGill
executed.*

On the 5th the process against the Earl of Tarras came on before the justiciary. It was delayed till now, that he might be an evidence against Jerviswood. He was this day indicted upon the grounds mentioned in his confession. Next day the jury brought him in guilty of treason,

*Earl of
Tarras
condemn-
ed.*

1685.

treason, and the lords condemned him to be executed as a traitor; however he afterwards got his life, and was allowed by the council to go to the country for his health, upon a bond to appear when called.

*Letter
from the
king.*

On the 7th a letter came from the king, ordering those gentlemen mentioned p. 251, except Jerviswood, who was executed, to be prosecuted before the ensuing parliament, which was appointed to sit down on the 10th of March next.

*Commis-
sion from
the north.*

Next day the council wrote to the bishop of Moray, signifying that they had granted a commission to the Earls of Errol and Kintore, and Sir George Munro of Culrain, to prosecute all persons guilty of church-disorders between Spey and Nefs, including Strathspey and Invernetty, and recommending to him to enjoin all the ministers in these bounds to attend the said commissioners on the 22d of January next, along with their elders, and lists of persons guilty of these disorders, or suspected of being disaffected to the present established government in church and state. Lord Duffus, with the militia troops, was ordered to attend them; for nothing could be done without military apostles. On the 9th of January their commission was extended to Inverness, Ross, Cromarty and Sutherland; for the banished ministers, and others, after the first introduction of Prelacy, and those of late who were banished by the high commission, together with the labours of Messrs. MacGillegen, Hog, and others, were so successful, that not a few in these northern parts, were enemies to Prelacy; but these must now be persecuted. We shall relate some of the consequences of this commission when they give in their report to the council.

*Procla-
mation of
the magi-
strates of
Edin-
burgh.*

On the same 9th of January the magistrates of Edinburgh, in prosecution of an act of council, issued a proclamation, requiring all heritors, liferenters, factors, &c. to give in, upon oath, exact lists of all the inhabitants of the city; and particularly masters and mistresses of families were hereby enjoined to give in lists of all their children above 16 years of age, and of all who had lodged with them since the beginning of last November. This was hard upon the keepers of public houses, who might perhaps have different lodgers every night; but the design of this was to prevent the sufferers from having any shelter; and it is not unlikely that the same method was used in other considerable towns: how far this was an

encroachment on the liberty of the subject must be left with the reader. But what by the garrisons, and what by the strict searches which were made, it is but too evident that the managers relied little upon that.

1685.

It was at one of these searches that Thomas Jackson, in the parish of Eastwood, who had returned from banishment, was taken in Glasgow by Major Balfour and Colonel Buchan. Making some resistance he was dreadfully wounded in the head, and immediately carried to the Green and ordered to be shot; but that no ways moving him, and the persecutors changing their resolution, he was sent to prison, and from that to the thieves-hole at Edinburgh, where he was 32 weeks loaded with irons. He was at last banished to New-Jersey, but died in the passage.

*Thomas
Jackson
banished.*

On the 11th Mr. Alexander Shields was apprehended in London, with several others, at a private meeting in Gutter-lane, by the city-marshal, who came upon them unawares, and commanded them to surrender in the king's name. Mr. Shields, being the first in his way, replied, What king do you mean? By whose authority do you disturb the peaceable ordinances of Christ? Sir, you dishonour your king in making him an enemy to the worship of God. At which the marshal said he had other business than to stand prating with him. Mr. Shields made an attempt to escape, but was not able to do it; so that he and his companions were brought before the lord mayor, who threatened to send him to Bridewell for not giving him a distinct account who he was. However, bail was offered and admitted for him to answer at Guildhall on the 14th. It was with difficulty he was prevailed with to give in bail.

*Mr.
Shields
appre-
hended.
See the re-
lation of
his suffer-
ings, prin-
ted 1715.*

On the 14th he attended with a firm resolution to answer, but while he went out for a refreshment he was called, and, none answering for him, his bail-bond was forfeited. This gave him no small uneasiness. However, to prevent his bail coming to any harm, he appeared at Guildhall on the 20th, when he was arraigned in common form, and then examined whether he was at Bothwell, or approved of Sharp's death, or thought it was murder. To which he replied, That he was not obliged to give any account of his thoughts; and that he came there to answer to his indictment, and not to such questions as these. Upon which he was taken to New-gate,

1685.

gate, without any *mittimus*, or any exprefs orders from the court what prifon he fhould be committed to. He tried in vain to make his efcape. It was fome days before his *mittimus* came, by which he was ordered to be kept in cuftody till the next quarter-fefions, which was to be at Guildhall on the 23d of February next. But to return to Scotland.

On the 17th of January the council ordered the advocate to purfue the parifhioners of Anworth for affronts done to their minifter, and the parifh of Carfphairn for the murder of their minifter by fome skulking rebels.

Murder
of the cu-
rate of
Carf-
phairn.

Mr. Peter Peirfon curate of Carfphairn was a violent infligator of the perfecution, and an open favourer of Popery. About the end of the laft year fome of the wanderers entered into a combination to concert meafures to force him to give a declaration, under his hand, obliging himfelf to defift from his violent courfes, and from exciting their enemies againft them, but without any defign to injure his perfon. Accordingly James MacMichael, fowler to the Laird of Maxwelltown, Roger Padzen, Robert Mitchel, William Herron, and, according to other accounts, one Watfon, and fome more, having notice that Peirfon was at home, came to the manfion-houfe, and fent thofe above-mentioned to defire him to fpeak with fome who were to do him no harm. Two of them, it feems, got in and delivered the meffage, which fo enraged him, that he drew a broad-fword, cocked a gun or piftol, and got between them and the door: upon which they called out, and MacMichael and Padzen came and knocked at the door. Peirfon opened it, and, going to attack them with arms, MacMichael fhoot him dead on the fpot. The reft, at fome diftance, hearing a noife, ran up and cried, Take no lives; but it was too late. Therefore, from a deteftation of this fact, they feparated themfelves from thofe mentioned. And fo far were the publifhers of the apologetical declaration from countenancing any thing that had the appearance of affafination, that they difcharged all the above mentioned perfons from their focieties, and would never be feen in their company; and it was likeways the abhorrence of all the reft of the Prefbyterians. Mitchel, Herron and MacMichael were all of them killed one way or another this year. Watfon was one of the government's fpies, and Padzen was admitted after this to ferve the king in Strachan's troop

troop of dragoons; so that some were of opinion that the hand of Joab was in this matter; but this I must leave with the reader. 1685.

On the 19th Robert Millar mason in Rutherglen, and Robert Pollock, called in the registers shoe-maker in Glasgow, but, by other accounts, in the parish of Kilbryde, were sentenced by the justiciary, merely for not disowning the declaration, to be hanged on the 23d. They both suffered accordingly at the Gallow-lee, between 8 and 9 in the morning. Their last testimonies are in the Cloud of Witnesses; from which it appears that they had sublime thoughts of Christ, counting all things but loss and dung in comparison of him; that they were noways afraid of dying for his sake, and that they were full of that comfort and joy which no stranger can intermeddle with.

The same day they were executed, James Dun, Robert Dun, Alexander MacAulay, Thomas Stevenson, John MacClude, and John Stevenson, being at prayer in the Caldues, in the parish of Monigaff in Galloway, were surpris'd by Colonel James Douglas, Lieutenant Livingstone, and Coronet Douglas, with a party of horse, and, without any process, were shot to death. *Six men shot in the fields.*

On the 26th Sir Patrick Hume of Polwart, George Pringle of Torwoodlee, and Mr. Fletcher of Saltoun were prosecuted before the justiciary, and, not appearing, were forfeited; and, on the 28th, the council gave orders to secure their lands and effects for the king's use. The appearances of these gentlemen against a Popish successor was all their crime. Polwart survived this black period, and was made Earl of Marchmont after the revolution, and had the honour of being an active instrument in securing the Protestant religion from the designs of the adherents to a Popish Pretender. Mr. Fletcher of Saltoun was likewise justly esteemed a brave patriot for the religion and liberties of his country, and a gentleman of a polite taste and great learning. *Sir Pat. Hume of Polwart &c. forfeited.*

Mr. Pringle of Torwoodlee, notwithstanding all his service to the king against Cromwell, underwent a series of troubles in this period, especially after the escape of Argyll, when he was obliged to keep himself as retired as possible. Last summer he was fined in 2000 l. sterling. When the pretended plot was trumped up, Mr. Pringle was sought for as concerned in it; but, by means of information from Meldrum, he escaped. Eight days after his escape a party came to his house, and seized his *Sufferings of the family of Torwoodlee.*

1685.

son, a youth of about 16 years of age, and carried him to prison at Edinburgh, where he was confined for above three months, though no crime was laid to his charge. At length, the prison being crowded, he was admitted to bail for 5000*l.* sterling, tho' still confined to the liberties of Edinburgh. Two months after this he was ordered to attend the secret committee, where the Duke of Queensberry, the lord high treasurer, threatened him with having every bone of his body broken, every joint disjointed, his flesh ripped up, and boiling oil and lead poured into him, if he did not acquaint them who informed his father of the party's coming, and the executioner was accordingly brought: but, upon second thoughts, his punishment was turned to a three or four weeks close imprisonment in the castle of Edinburgh. When that was expired he was again admitted to bail as above. Meanwhile his father was forfeited, and his mother denied the liferent that was due to her by her contract of marriage. After the miscarriage of Argyll's attempt, Torwoodlee escaped again to Holland; and his son, notwithstanding his bail, was searched after a second time; but he surrendered himself, and was confined to the castle of Blackness for other three months, and was barbarously used by Livingstone of Badlormie the governor. In short, the whole of this family was now involved in trouble by those cruel oppressors; but his lady's courage and piety, her serenity and evenness of temper, under all these hardships, were very remarkable. This worthy gentleman died in July 1689, and his lady survived him a year and some months. He served his country in the convention of estates called by the great Prince of Orange, and, with his colleague Sir William Scot of Harden younger, voted the offer of the crown to his highness and his excellent princess. But to return.

*Daniel
MacMichael
murdered.*

On the 30th John Dalziel of Kirkmichael, and Lieutenant Straiton, with a party of fifty soldiers, surprised some of the hiding people asleep in the parish of Mortoun in Nithsdale. They all escaped except Daniel MacMichael, who, being under bodily indisposition, was unable to flee. The soldiers wounded him, and carried him that night to the parish of Durisdeer. After many questions, which he declined to answer, he was told, that, unless he owned the government in church and state, and swore the oath they were to tender to him, the law made him liable to death. Daniel said to the captain,

Sir,

1685.

Sir, that is what of all things I cannot do; but very chearfully I submit to the Lord's disposal as to my life.' The commander said, 'Do you not know your life is in my hand?' Daniel replied, 'No, Sir, I know my life is in the Lord's hand, and, if he see good, he can make you the instrument to take it away.' Then he was ordered to prepare for death next day; to which he answered, 'If my life must go for his cause, I am willing, my God will prepare me.' His joy and consolation were such that night, that impressions were made on some of the soldiers, who desired to die his death. Next day he was brought to the fields at Dalveen, in the parish of Durisdeer. He had liberty to pray, a favour refused to many sufferers in this period. He prayed to the admiration of all that heard him, sung part of Psalm xliii: read John xvi. and spoke with much gravity and solidity to Captain Dalziel. When the napkin was put over his face, he said, 'Lord, thou brought Daniel thro' many straits, and has brought me thy servant hither to witness for thee and thy cause; into thy hands I commit my spirit, and hope to praise thee through all eternity.' Then, upon his giving them a signal, he was shot by four who were appointed for the purpose. His carriage struck terror on the soldiers who obeyed the bloody orders; but a little money, and some more ravages, stifled their convictions. He lies buried in Durisdeer church-yard.

Some time in January Captain Bruce came with a party to the house of Thomas MacHassie, in the parish of Carrick; and tho' the good man was ill of a fever, yet, because he declined their questions, and refused the abjuration, they took him out and shot him directly.

T. MacHassie, &c. murdered.

The month of February, I am now entering upon, was very bloody. We have but few instances of the proceedings of the commissioned courts for pressing the abjuration. On the first of this month John Park and James Algie in Eastwood were apprehended, and on the third brought before the Lord Ross, the Laird of Orbistoun, and others, the commissioners for the shire of Renfrew, by whom they were condemned, and ordered for execution that same day. And though they were prevailed with to consent to take the oath of abjuration, yet Orbistoun told them, The abjuration-oath shall not save you; unless you take the test you shall hang presently. To which the two young men answered, If, to save our lives, we must take the test, and the abjuration will not

J. Park and J. Alexander executed.

1685.

save us, we will take no oaths at all. Upon this they were sentenced to die presently, and were accordingly executed at Paisley, where they ly buried. The factious Orbistoun, after sentence was passed, gloried in his wickedness, and said to some of his attendants, They thought to have cheated the judges, but, by —, I have tricked them. And such was the madness of the soldier that they endeavoured to force those who were at the burial to declare that they died justly, and threatned them with present imprisonment if they did not. A piece of barbarity peculiar to this period!

*Case of
R. King.*

While these two youths were hanging, Robert Kinmillar at Pollock-shaws, in the same parish of Eastwood was before this commission-court. He declined answering their questions. At last the test was put to him which he refused. Upon which they bid him look upon these two who were hanging before the window, and assured him, that, if he took not the test, he should be immediately tied up with them. To terrify him into compliance, he was shut up in a corner of the prison, and assured that he had but an hour to live; that they would give him three warnings by sound of trumpet, and if he was not at the third there was no mercy for him. Robert saw the two first sounds, but his courage failing him he took the test: however, says my author, it pleased God to give him repentance not to be repented of, and he lived till a good old age. His wife Janet Scouler bore all the losses her husband sustained, in this period, with uncommon firmness and patience.

*And of
other pri-
soners.*

On the 5th of February the council released some prisoners who had taken the test, and others, not under sentence of banishment, who would take the oath of allegiance. They referred the case of John Mosman of Caldermuir to the justiciary, because of a seditious letter found with him, and of his not abjuring the late declaration. They likewise ordered Quintin Dick, Robert Slofs Duncan Ferguson, Mr. William Wishart, Mr. George Room, and several others, to be sent to the plantations; but the king's death, happening at this time, altered their measures with respect to sundry of these persons.

*The king's
death.*

For, on the 6th of February, King Charles II. died. There were, says Bishop Burnet, very many apparent suspicions of his being poisoned, and several looked upon his brother as privy to it. But not to enter upon that point, I shall only observe, that before he died, care was taken to

1685.

administer to him the three Popish sacraments of penance, extreme unction, and the eucharist; which he received by the hands of Father Huddleston a benedictine monk. As for the character of this prince, of which a great deal is said by the historians of his reign, I shall only say, that, if he was possessed of any good qualities, his dissimulation and hypocrisy, his horrid perjury, his wickedness and profaneness, threw a gloomy and black veil over them. Some have cried him up for a prince of a merciful disposition; but, if any regard is to be paid to the Bishop of Salisbury's judgment, we must have other thoughts of him. His words are these, 'He had an appearance of gentleness in his outward deportment; but he seemed to have no bowels nor tenderness in his nature; and in the end of his life he became cruel.' In short, the best way to judge of his character, is to consider the history of his reign.

p. 612.

C H A P. XII.

Of the accession of King James VII the proceedings of the council and justiciary; the murders in the fields; the unsuccessful attempt of the Earl of Argyll; the sufferings of the prisoners sent to Dunnoter; the attainings of the parliament; the drowning of two women, and other branches of oppression to the end of the session.

THE Duke of York, a few hours after his brother's death, was proclaimed king in London, by the name of James II. Bishop Burnet says, It was a heavy solemnity; few tears were shed for the former, nor were there any shouts of joy for the present king. A dead silence, though without any disorder, followed it through the streets.

Duke of York proclaimed.

When the counsellors returned, the new king, in his speech, promised to follow his brother's example, especially in that of his great clemency and tenderness to his people, and to preserve the government, both in church and state, as by law established; and, as he would never depart from the just rights and prerogatives of the crown, so he would never invade any man's property. These were fine promises; but it was well known they were only made to be broken, though he renewed them to the parliament. As to his going publicly to mass, his continuing the duties and customs before they were granted by parliament, his publishing that the late king died a Papist, &c. I must refer to the English historians.

His declaration to the council.

Though

1685.

His taking the English coronation oath.

Though James was a professed Papist, yet care was taken in England that he should take the English coronation-oath, but with what alterations I cannot determine. Unfair dealing was suspected; and my author tells us, that the lord chief baron Aitkins, upon no less occasion than his administering the oaths to Sir William Ashurst lord mayor of London, 1693, publicly asserted, 'That, as alterations were made by Bishop Laud, in striking out those words, which were a part of the old English coronation-oath, that the king should consent to such laws as the people should chuse, when he crowned King Charles I. so at the coronation of the late King James II, there was much more struck out of the coronation-oath, which might be well worthy inquiring how it came about.' Echard says, this was an aspersion cast upon Sancroft by the lord chief baron; but the reader is to judge, whether it is probable the chief baron would have expressed himself in such a manner, upon so public an occasion, if he had not had sufficient grounds for what he said.

Never took the Scots coronation-oath.

But the king never took the Scots coronation-oath. This, abstracting from his religion, made many call his right to govern in question, and made his forfeiture quite easy to the convention of states in Scotland, April 11th 1689, so that they very justly declared as follows: 'Whereas King James VII. being a professed Papist, did assume the regal power, and acted as king, without ever taking the oath required by law, whereby every king, at his access to the government, is obliged to swear to maintain the Protestant religion, and to rule the people according to the laudable laws, &c. that by all this he hath forfeited the right to the crown, &c.' Here then King James is declared, by the kingdom of Scotland, to have been an usurper from the beginning; and if he had no right to the crown of that kingdom, whence his pretended abjured race derive theirs must be left with the reader. From this I judge it very plain, that, upon the demise of the late king, the crown, by the laws of the land, devolved on the next Protestant heir, and consequently the happy revolution restored the kingdom of Scotland to its own constitution, and blessed it with its own rightful governors: so that nothing but infatuation can make any person, much more any Protestant, to be fond of the Pretender. But to proceed to the history of this detestable reign, as far as it concerns my design.

1685.

*The king
proclaim-
ed.*

On the 10th of February the king was proclaimed at Edinburgh. The proclamation was sent down from London; and, as it is somewhat singular, I shall here insert the substance of it, as follows. 'Forasmuch as it hath pleased the Almighty God to call Charles II. our late sovereign lord, of glorious and ever blessed memory, from a temporary crown to inherit an eternal in the heavens, whereby the undoubted right of succession to him, in the imperial crown of his realm, was immediately devolved on the sacred person of his royal and dearest brother, our present sacred sovereign, (whom God long preserve.) Therefore we, the lords of his majesty's privy-council—do, with the concurrence of several others, lords spiritual and temporal, barons, and burgeses of this realm, hereby declare and proclaim to all the world, that our sovereign Lord James VII. is, by lawful and undoubted succession and descent, King of Scotland, England, France, &c. defender of the faith, &c.—and whom we shall humbly obey, dutifully and faithfully serve, maintain, and defend, with our lives and fortunes, against all deadly, as our only righteous king and sovereign, over all persons and in all causes, as holding his imperial crown from God alone. And, for testification whereof, we here, in presence of the Almighty God, and a great number of his majesty's faithful people,—declare and publish, that, our said sovereign lord, by the goodness and providence of Almighty God, is of Scotland, England, France, &c. the most potent, mighty and undoubted king. And hereby give our oaths, with uplifted hands, that we shall bear true and faithful allegiance unto our said sacred sovereign JAMES VII. king of Great Britain, France and Ireland, defender of the faith, &c. and to his lawful heirs and successors; and shall perform all duties, service and obedience to him, as becomes his faithful, loyal and dutiful subjects. So help us GOD.'

This seems to look more like the form of an oath than a proclamation. Here absolute supremacy, indefeasible and hereditary right are asserted in strong terms; but I leave the reader to make his own observations on this. It is not worth while to take notice of the fulsome addresses on this occasion, these being things of course. The new king continued all the civil and military officers for some time, and consequently the state of the sufferers was still the same.

Remarks.

1685.
Gentlemen, &c.
released.

The council proceeded as usual, many gentlemen, ministers, and others, were before them; some obtained their liberty who had been imprisoned, and fined to the value of their estates, for refusing the test. Others were released on condition of returning to their confinement after a limited time, and others upon condition of appearing when called. I shall only mention their names, as James Hamilton of Aikenhead; Mr. Andrew Kennedy of Clowburn, Andrew Hay of Craignethan, Napier Laird of Kilmahew, William Fairly of Brunfield, Sir John Maxwell of Nether-pollock, John Porterfield of Douchal, and Alexander his son, Bannantyne of Craigmuir, G. Hamilton of Browncastle, Laird of Fairly, J. Crawford of Crawfordland, W. Cuninghame of Ashenyards, J. Whiteford of Balquhan, J. Hamilton younger of Halcraig, the Laird of Craigends younger, J. Caldwell of Caldwell, J. Stuart of Hartwood, William Hamilton of Overtoun, Muirhead of Bradisholm, Mr. John Bannantyne of Corehouse, Mr. William Wishart, Mr. John Knox, Robert Hamilton of Monkland, John MacGhie of Balgoon, Mr. William MacJore, Mr. Michael Porter, Mr. J. MacGilligen, Hugh Kennedy of Daljarroch, Alexander Hume of Newton, Hugh Montgomery of Boreland, John Mitchell son to Tunnerhill, Alexander Durham of Duntrieve, Mr. George Meldrum of Crombie, Patrick Hay of Naughton, Robert Boyd of Trochridge, C. Alexander in Paisley, George Douglas of Bonjedburgh, Patrick son to Sir Patrick Hume of Polwart, Mr. James Futhy, and J. Martin of Little-hairshaw, likewise James Armour merchant in Glasgow, William Muir and Halbert Wales, &c. I might also here mention the case of several excellent gentlewomen, as the Lady Colvil, the Lady St. Ford, the Lady Tilen, and her son about 11 years of age, who had been imprisoned with her for conventicles, Lady Skermorly, Lady Abdean, who, after a great deal of trouble, were set at liberty; Lady Mary Hope was outlawed, or put to the horn, for not appearing. But I chuse to omit particulars concerning these persons, and to go on to relate things as they happened in the order of time.

Report
about the
prisoners.

On the 11th of February the council recommended to a committee to enquire into and make a report of the case of those in the prisons of Edinburgh and Canongate. They made their report on the 16th, by which it appeared that several who complied to take the test, or the oath of allegiance, were set at liberty. John Smith and James Rus-
fel

I were remitted to the justices, and 14 ordered for the lantations.

1685.

On the 19th the commission court for Dumbarton and John Napier of Kilmahew in 2000 l. sterling for not appearing, John Zuil of Darleith 1000 l. sterling for refusing the test, John Campbell of Carrick 1500 l. sterling for himself and lady, for hearing ejected ministers, and Isabel Buchanan in 100 l. sterling, and ordered them to be imprisoned till they paid their fines, or gave satisfaction to the Duke of Queensberry the lord-treasurer.

Several fined.

Mr. Zuil of Darleith was put into the castle of Dumbarton. In March his lady died of a fever. Darleith was not suffered to see her when dying, only, as a mighty favour, he was permitted to go out till four days after her funeral, when his son and son-in-law gave a bond for 500 l. sterl. that he should return to prison when that time was expired. He returned, and continued in hold the space of 18 or 20 months; but by his want of accommodation, he contracted a consumption of which he died January 1688.

J. Zuil of Darleith.

The murdering work went on in the fields. Accordingly, on the said 19th of February, Captain Bruce and party surpris'd six of the wanderers in Lochinkit-muir, the parish of Kirkpatrick in Galloway, viz. William Heron, John Gordon, William Stuart, and John Wallace, whom he ordered to be shot without any process. He carried A. MacRobine or MacUbine, and Edward Gordon; the other two to the bridge of Orr, where Lagg was presiding the abjuration. The captain would have these two tried by a jury; but Lagg swore they should not, and, in bravado, said before the country people, that all who had taken the oath had sworn these mens doom. Accordingly, next day, they were carried to the parish of Ironay, and were hanged up on an oak tree by Lagg's orders. When they were come to the tree, an acquaintance asked Alexander if he had any word to send to his wife; he answered, I leave her and the two babes on the earth, and to his promise; a father to the fatherless, and husband to the widow is the Lord, in his holy habitation. When the person employed as executioner asked him for forgiveness; he said, Poor man, I forgive thee, and all men; thou hast a miserable calling upon earth. They both died in much composure and cheerfulness. On the 21st, Bruce, and some accounts say Col. Douglas with

Eleven murdered in the fields.

1685.

him, killed other five men at Kirkconnel, but their names are not known.

*Edward
Kyan
murdered.*

On the 28th, about 11 at night, Lieutenant or Cornet Douglas surrounded the house of Dalwin in the parish of Bar, with a party, and apprehended one David Martin brother to John Martin of Dalquhairn. There was also Edward Kyan who had concealed himself between the end of one house and the side-wall of another. Perceiving him, they dragged him out, and, without asking any other questions, but where he lived, the lieutenant shot him through the head, first with one pistol, and then with another; and one of the soldiers, pretending to observe for motion, shot him a third time. He was but a youth, and could not have been concerned in any of the risings. David Martin was next brought forth, and, when they had stripped him of his coat, was set on his knees beside the mangle body. One of the soldiers begged the lieutenant to spare him till next day, alledging they might get some discoveries from him, and then stepped in between him and six soldiers who were presenting their pieces. But though this prevented his death at this time, yet, through the fright and terror he was put into, he was in a great measure deprived of his reason, was seized with a palsy, of which he died after he had kept his bed four years. T. Abercromby's father and son, together with some women in the neighbourhood, were barbarously beat and wounded. One of the Abercrombies and David Martin were carried with them prisoners to Colmonel next morning, being the Lord's day.

*Other
murders.*

Several others were murdered in cold blood this month of February. Thus William Adam in Middlewelwood attempting to escape a party commanded by Sir John Dalziel, on account of their ensnaring questions, was discovered, and instantly dispatched. Wallace, Edgar, and a third were shot in the parish of Kirkpatrick by Captain Bruce. Colonel Buchan and his men shot one John Smith in the parish of Lesmahago. In the Cloud of Witnesses we find that the said Cornet Douglas apprehended Edward MacKeen; and, because he had a flint-stone about him, ordered him to be shot without any farther trial.

*Mr. Bell
of White-
side, &c.
murdered.*

Some time this month Sir Robert Grierson of Laggs having the command of a part of Claverhouse's troop and Strachan's dragoons, surpris'd Mr. John Bell of White-side, David Halliday portioner of Mayfield Andrew MacRobert, James Clement, and Robert Lennox of Irlintoun

and most barbarously killed them on the spot, after quarters given, without so much as allowing them to pray before their death, or to be buried after it. Mr. Bell was the only son of a gentlewoman, heiress of Whiteside, who, after his father's death, was married to the Viscount of Kenmure. He was a gentleman of good sense and unaffected piety, and had been grievously harassed since Bothwell. He was very well acquainted with Lagg, and only desired a quarter of an hour to prepare for death. Lagg refused it, cursing and swearing, 'What the d—, have you not had time enough to prepare since Bothwell?' A little after this the Viscount of Kenmure, Claverhouse and Lagg happened to be in company at Kirkcudbright. Kenmure challenged Lagg for his cruelty to Mr. Bell, a gentleman, and his relation, especially in not permitting him to be buried, Lagg told him, with an oath, 'Take him if you will, and salt him in your beef-barrel.' Upon this Kenmure drew, and would have run him thro', had it not been for Claverhouse. The wickedness of the soldiers at this time was dreadful, and none worse than this Lagg. They used in their cabals to take to themselves the names of devils, and of persons they supposed to be in hell, and, with whips, to lash one another, as a jest on that place of torment. But my author justly draws a veil over many of their horrid acts of impiety.

The troubles of Robert Nairn of Bonhill were renewed this month. The baillie-depute of the regality of Dumbar-ton came at midnight with two officers to his house. His wife was forced to take to the fields with a sucking child, leaving three other children with a servant-maid. When they had searched the house they took the eldest boy, not 15 years of age, and, drawing their swords, threatened to kill him if he did not tell where his father was. They took the inventory of the household-furniture, and arrested all in the hands of the landlord, whom they obliged to be accountable for every thing except the cradle. They turned the two infants (the eldest not being five years of age) out of their beds, and carried away the bed-clothes, and obliged the maid to find bail to appear when called. Next April they again searched his house, and carried his wife to prison, where she lay till she found bail to keep the church. Robert ventured home next winter; but, being informed against, he was pursued by two men, who both fired at him, so that he narrowly escaped, and got into a wood near his own house, where he contracted such a cold

*Robert
Nairn.*

1685.

and illness that he was obliged to return home. This being known, two officers were sent to carry him prisoner to Dumbarton, which they would have done, had he not been carried to a friend's house, about a mile from his own, where he got to his everlasting rest. It was with difficulty he was permitted to be buried in the churchyard of Bonhill, through the malice of the curate. His widow and eldest son were upon this brought to farther trouble, which I must pass over.

*Report
from the
commissioners of
Moray.*

On the 2d of March the council received the report of the commissioners for the shire of Moray. From whence it appears that not a few had been brought under great hardships in these northern parts. When the commissioners first arrived there they ordered all disorderly persons they could be informed of, in the shires of Banff, Ross, and Sutherland, to be summoned before them at a certain day, and compleat lists of heritors, wadsetters, &c. to be drawn up, who voluntarily, as they said, offered three months supply to his majesty, took the test, and other oaths and bonds. They examined all ministers and elders in these bounds, and others, concerning the state of the country, and disorderly persons in it, libelled all persons informed against. fined some, and banished others. Particularly, they ordered the Laird of Fowlis elder to be imprisoned at Tain, and the Laird of Fowlis younger at Inverness, in case he refused the bond of peace. They cleared the country of all whom they called outed ministers and vagrant preachers, and banished the Rev. Messrs. James Urquhart, John Stuart, Alexander Dunbar, and George Meldrum, together with Alexander and Mark Mavers portioners of Urquhart, Donald and Andrew Monroes of Elgin, Alexander Monro sometime of Main, and Jean Taylor a servant and married woman. They fined the Laird of Grant in 42,500 l. the Laird of Brody 24,000 l. Alex. Brody of Lethin 40,000 l. Francis Brody of Miltoun 10,000 l. Francis Brody of Windy-hills 3333 l. 6 l. 8 d. Mr. James Brody of Kinlee 333 l. 6 s. 8 d. Mark Maver banished, in 300 l. Mr. George Meldrum banished, in 6666 l. 13 s. 4 d. They likewise ordered Thomas Dunbar of Grange, the Laird of Innes younger, William Brody of Colfield, William Brody of Whitewray, and Mr. Robert Donaldson in Ayr, to appear when called. They whom they banished were to be sent prisoners to Edinburgh, and orders were given to apprehend the few delinquents that were absent, and

commit

commit them to prison till they should sign the bond of peace and regularity, and engage to keep the kirk for the time to come.

1685.

This is but a short abbreviate of the report made by the lords commissioners: but it is easy to form a judgment of the oppression of the country, for they had nothing to lay to the charge of any of these persons but their non-conformity.

This court consisted of the Earls of Errol and Kintore, with Sir George Monro, commonly called *major-general*. When they came to Elgin they ordered a new gallows to be erected *in terrorem*. Absence from the kirk, and being at conventicles, were the dreadful crimes, for none in this part of the country had been at Bothwell.

The Laird of Brody had what they called a conventicle in his house. He went to London to get, if possible, some reasonable composition made for his fine, and, after much pains and expence, was forced to give bond for 20,000 merks, to one Colonel Maxwell a Papist, to whom that sum was paid, and the colonel's acknowledgment of it is, for ought I know, still among the papers of the family.

Laird of Brody.

The Laird of Grant gave in a petition after this to the council, setting forth that he had been fined because his lady had confessed two years and a half's withdrawing from the ordinances, the keeping of an unlicensed chaplain, and the like; and declared that he thought it hard that a husband should be liable for his wife's withdrawing from ordinances, especially as the parish-church was vacant for a year and a half of the time specified, and the next parish-church was six or seven miles distant, and that his lady, for the most part, was in a bad state of health, and given over by the physicians, and that she had never withdrawn from any principle of disloyalty. In short, he cleared himself from every thing laid to his charge, as the petition more fully bears: but the council found that their commissioners had proceeded legally, and ordered him to be pursued for the fine.

Laird of Grant's petition rejected.

A great many others were called before this court, and imprisoned at Elgin, as John Montfod chamberlain to Park, Jean Brody relict of Alexander Thomson merchant in Elgin, Christian Lesly daughter, and Beatrix Brody relict of Lesly of Aikenwall, &c. When the king died the court rose, and these were released.

Others imprisoned.

On the said 2d of March the new king's indemnity was published, out of which the chief movers and instruments

Indemnity published.

of

1685.

of the present commotions, together with all heritors, life-renters, wadsetters, burgeses, and vagrant preachers, and the murderers of Archbishop Sharp, and of the minister of Carsphairn, were excepted. In short, none could have the benefit of it without complying with the oaths at that time imposed. All others were to partake of this demonstration of the king's innate clemency, which, he says, hath shined in the whole line of his royal race. The affair of the Palatinate, the Irish massacre, and the proceedings of the late reign, are no great proofs of this.

Two more murders.

The same day Cornet Bailie met with a young man, Will. Smith, in the fields, and carried him to the garrison because he refused to answer their questions; and, next day, J. Lawrie of Maxwelltown, pretending to be a commissioner, passed sentence of death upon him, notwithstanding the intercession of his father and the remonstrance of the cornet. He was immediately shot at the Race-muir, and died with great composure, and in full assurance of faith, declaring that he died for no rebellion, nor any crime, but for converse with the persecuted people, and refusing to discover them. Some time this month Lieutenant Murray met with one John Brown in the fields, and, without any process or sentence, ordered him to be shot near the Blackwood in that parish, though he had promised him quarters.

Robert Logan, &c.

On the 6th of March, Major Balfour seized Robert Logan, George Muir, and John Gilfillan, in the house of one Sarah Kirkland at Glasgow; and, without any order from the council, sent two of them to the plantations, and the other was sent to Dunnoter, whither the woman was likewise ordered, but she made her escape by the way. Mr. Will. Boyd, who, at the revolution, was admitted minister at Dalry, was seized about this time, but soon got free.

Report of the committee.

On the 10th the committee made another report to the council concerning the prisoners, upon which some were released, and others continued, and letters were dispatched to the commissioners for Stirling, Glasgow and Ayr, to offer the indemnity to all the prisoners there, and that they who should be released might have a pass, subscribed either by a counsellor or one of the commissioners.

Warrant to Pitlochrie.

The same day the council gave a warrant to the Laird of Pitlochrie to go to the prisons of Edinburgh, Glasgow and Stirling, and transport a hundred of the prisoners who were willing to go to the plantations, excluding all heritors who had above 100 l. rent.

By

By this time the rumours of Argyll's design upon Scotland, and of Monmouth's upon England, began to spread, which tended to increase the violences and ravages of the army, especially those under the command of Claverhouse in Clydesdale, Annandale and Nithsdale. Accordingly, on this 10th of March, all the freeholders, heritors and gentlemen, in the two last of these shires, were summoned to attend the king's standard. He parcelled out the shire into so many divisions, taking in six or eight miles square at a time. In every division, having drove all the inhabitants, without distinction, into one place, and asked them severally, whether they owned the Duke of York, that was, for their king, he made them all swear to continue in their allegiance, and never do any thing against him. Next he demanded, whether they had taken the abjuration, or had ever repented their having done so; and when they declared they had not, he then made them promise, upon their renouncing their part in heaven, that they would never repent of what they had done. When he dismissed any that complied with all this, he told him, Argyll shall have a perjured dog of you. If a man refused to swear, he was carried some few paces from the rest, a napkin was tied over his face, and the soldiers ordered to fire, either blank powder, or over his head. Having thus brought him under the terror of death, he was once more offered his life, upon swearing and promising to inform against all disloyal persons; by which means not a few were brought to a compliance. Besides these methods of cruelty, all the children in the division, above six, and under ten years of age, were assembled, by themselves, and a party of soldiers drawn out before them. Then they were bid pray, for they were going to be shot. Some of them would answer, Sir, we cannot pray. Then they were required to tell when they saw men and guns in their house, or if any men, with guns and swords, got meat or drink in their houses: but it would be endless to mention all the unaccountable proceedings of Claverhouse and his men; neither is there any occasion for making remarks on these things.

On the 12th of March the Marquis of Athol received orders to raise 500 Highlanders for securing the peace of the shire of Argyll; from which it would seem the ministry had early information of Argyll's intended invasion.

The same day the council ordered the magistrates of Edinburgh to release Mr. Andrew Miller indulged minister

1685.

Unaccountable proceedings of Claverhouse.

Cruelty to children.

Marquis of Athol impowered.

Indulged ministers released.

1685.

ster at Neilstoun, Mr. James Curry at Shotts, Mr. A. Murray at Woodend, and Mr. Robert Mowat at Meriot, who had for some time been imprisoned for not observing their instructions; and, on the 14th, Mr. Campbell and Mr. Duncanson were ordered to be released. Some time after this Mr. And. MacLean, Mr. P. Campbell, Mr. David Simpson, indulged ministers in Argyll-shire, Mr. John Oliphant, and other indulged ministers, were, about this time, set at liberty, and returned to their own houses, where they sometimes preached, but no more in the churches; and in this situation matters continued till the liberty 1687. The acts by which they were released, obliged them to engage not to exercise any part of their ministry within the kingdom; but it does not appear they complied with this.

*Country
barassed.*

On the 24th some of the hearers of Mr. Reawick were observed going and coming from his sermons in arms, and therefore the council impowered Colonel Douglas, and the commanders of the garrisons, to punish the common people who did not inform against them, and to oblige the heritors, on whose grounds they were seen, to appear before the council in April next. But we have had so many commissions of this nature formerly, that there is no occasion, either to insert this, or make any remarks upon it. Only, from the council-registers, it appears, that James Nepier, Allan Atkin, and John Beirson, were condemned to die for concealing the rebels who went through the shire of Ayr; but were afterwards pardoned.

We left Mr. Alex. Shields in Newgate, from thence he and other seven, who were apprehended with him, being Scotsmen, were, on the 4th of March, put on board the Kitchen-yacht for Scotland. They landed at Leith on the 13th, and next day Mr. Shields was examined before a committee of the council, where, being on the reserve, he was remanded to prison till the 23d, when he was brought before the justiciary, and interrogated, Whether he would abjure the apologetic declaration, and own the authority of King James VII. and, being still on the reserve, he was sent back till the 25th, and from thence continued to the day following, when he was again brought before the justiciary, and examined to the effect foresaid, with renewed threatenings of the most severe usage if he did not satisfy them; whereupon he gave in the following minute in writing, viz. ' Upon

1685.

as serious and mature deliberation as my disordered mind could be capable of in this hurry and surprize, consulting both the declaration itself that I am commanded to give my insignificant sentiments of, and consulting his majesty's proclamation, to find out that which is offensive to your lordships in it, advising also with the opinion of the lords of council and session, upon refusing to answer when questioned about it, the result of my thoughts is, in the sincerity of an unfeigned conscience, and in the fear of God, that I do abhor, renounce and disown that and all other declarations, in so far as that or they do declare war against the king, expressly, proposedly or designedly, and asserts that it is lawful to kill all that are employed by his majesty, or any because so employed, in church, state, army or country.' When the court read this, they said it was satisfactory, and required him to hold up his hand. This he refused, till, being allowed to dictate unto the clerk in what words he would swear, he said, 'I do abhor, renounce and disown, in the presence of God, that pretended declaration, in so far as it declares war against the king, and asserts that it is lawful to kill all employed by him, in church, state, army or country.' Then, protesting it might not be constructed in any other sense than the genuine meaning of the words he had delivered in the minute before insert, he did subscribe and swear it. That which, he says, did induce him to it, was, that they gave it in his own meaning; and so far was his mind deceived, that, by a quibble and nice distinction, he thought the words might bear, that this was not a disowning of that, nor no declaration which ever he saw, (save one of their pretending) nor that neither, but only in so far as, or if so be, which two different expressions he was taught to confound by scholastic notions insilled into him by the court, and by some of the indulged ministers who were in prison with him. Having so done, the justiciary dismissed him; but, on pretence of his being the council's prisoner, he was sent back to his now, more than ever, weary lodging; for he had no sooner made the above foolish, unfaithful and dishonourable step of compliance, as he justly calls it, than his conscience smote him, and, continuing to do so, he aggravates his fall in such sort as I have scarce heard of a parallel, and laments over it as what he could not find words to express, nor groans to bemoan it enough. In which condition he continued for some considerable time;

*Relation
of Mr.
Shields's
sufferings!*
p. 56.

1685. and so we leave him till we bring foreward concurring transactions.

T. Kennedy of Grange, &c. prosecuted.

On the 30th of March Thomas Kennedy of Grange, John Kennedy of Glenure, and Gilbert MacMichan of Kil-saint-ninians, were prosecuted before the justiciary for accession to Bothwell. Next day Kennedy of Grange was condemned to be executed when apprehended, Kennedy of Glenure was acquitted; but what the issue was with respect to Gilbert MacMichan is not known.

Oppressions in general.

As I am now come to relate what happened in the month of April, I might observe, in general, that the soldiers continued to harass the country; that they instructed some to be spies upon the wanderers, by feigning themselves of their principles, and, when they found out their lurking-places, by informing against them. A body of Highlanders was brought down to assist the regular troops; but I omit all this, as having had frequent opportunity to lay before the reader many unprecedented instances of oppression committed by the soldiers and officers.

Duke of Queensberry commissioner, Burnet, p. 634, 635.

On the 9th of April the Duke of Queensberry's commission to be the king's commissioner in the ensuing session of parliament was read in council. Upon King Charles's death the Marquis of Queensberry, soon after made a duke and the Earl of Perth, came to court. The Duke of Queensberry told the king, that, if he had any thoughts of changing the established religion, he could not make any one step with him in that matter. The king seemed to receive this very kindly, and assured him he had no such intention, but that he would have a parliament called, to which he should go his commissioner, and give all possible assurances in the matter of religion, and get the revenue to be settled, and such other laws to be passed as might be necessary for the common safety. The Duke of Queensberry pressed the Earl of Perth to speak in the same strain to the king; but, though he pretended to be still a Protestant, yet he could not prevail on him to speak in so positive a style. The duke frequently, since that time, told Bishop Burnet, that the king made these promises to him in so frank and hearty a manner, that he concluded it was impossible for him to be acting a part; therefore he always believed that the priests gave him leave to promise every thing, and that he did it very sincerely; but that afterwards they pretended they had a power to dissolve the obligation of all oaths and promises. The order of time leads me now to speak of Argyll.

1685.

*Argyll's
projects,
Burnet,
P. 629.*

The deliberations in Holland, says the historian of his own time, among the English and Scots that fled thither, came to ripen faster than was expected. Lord Argyll had been quiet ever since 1683, and had lived mostly in Friesland, though he came frequently to Amsterdam, and met with several of his countrymen who lay concealed here, the chief of whom were the Lord Melvil, Sir Pat. Hume, and Sir John Cochran. With these his lordship communicated all the advices he received. In short, upon the death of the late king, he judged he had a favourable opportunity to attempt the rescue of his country, from that Popery and slavery wherewith it was threatened by the accession of the Duke of York, and therefore resolved to make a descent upon Scotland, where he hoped to be joined by a number sufficient for answering his design; and at the same time prevailed with the Duke of Monmouth to make a descent upon England; but Argyll wanted money, which could not but be a great baulk to his undertaking: however, that want was supplied by means of a rich widow in Amsterdam, who furnished him with 10,000 l. sterling. With this he bought a stock of arms and ammunition, which was very dexterously managed by one who traded at Venice, as if intended for the service of that republic.

On the 7th of April there was a meeting at Amsterdam, at which were present the Earl of Argyll, Mr. Charles Campbell his son, Sir John Cochran of Ochiltree, Sir Pat. Hume of Polwart, George Pringle of Torwoodlee, Will. Denholm of Westfields, Geo. Hume of Bassinden, John Cochran of Waterside, Mr. George Wishart, Will. Cleland, James Stuart advocate, and Mr. Gilbert Elliot. Sir John Cochran was chosen preses for that time. At this meeting it was unanimously *Resolved*,

A meeting at Amsterdam.

That the above named persons, and other gentlemen of the kingdom of Scotland joining with them, in a great undertaking intended by them in the defence and for the recovery of the religion, rights and liberties of the kingdom of Scotland, shall assume and take upon them the quality and character of a council, for consulting and determining whatsoever relates to that great undertaking, and management thereof; and that, so soon as they came to Scotland, such of the nation as shall join themselves to them, in the prosecution of the said undertaking, shall likewise have access unto, and be joined in the foresaid council.

Resolutions.

1685.

‘ The persons aforesaid, in the character and quality, above expressed, do resolve to make war— against James Duke of Albany and York, and such as shall adhere to him; and for the command and conduct of the army they shall be able to gather together, they unanimously appoint Archibald Earl of Argyll to the office of captain general, — Mr. William Spence their clerk, and recommend to the said James Stuart to perfect the declaration of war they design to publish, and that against Monday next. It is farther resolved,

‘ That Mr William Veitch, Mr. George Barclay and William Clelland be dispatched to Scotland, and instructed for that effect; and that the Earl of Argyll, Sir John Cochran, Sir Patrick Hume, George Pringle, and William Denholm, meet to-morrow at the earl’s chamber at eight o’clock in the morning, to expedite their instructions; and adjourn their meeting till Monday at eight o’clock at night to Sir John Cochran’s chamber.’

No doubt they met at the time and place appointed, and probably agreed to the draught of their declaration; and thus far they were harmonious; but after this, according to Bishop Burnet, ‘ they had sharp debates about the course they were to hold. Argyll was for sailing round Scotland to his own country. Hume was for the shorter passage, the other being a long navigation, and subject to great accidents. Argyll said, the fastnesses of his own country made that to be the safer place to gather men together. He presumed so far on his own power, and on his management hitherto, that he took much upon him; so that the rest were often on the point of breaking with him. The Duke of Moemouth came secretly to them and made up all their quarrels, and would willingly have gone with them himself; but Argyll did not offer him the command: on the contrary, he pressed him to make an impression on England; and by that means they were both hurried to a precipitate undertaking, before matters were ripe for it. But to return to Scotland.

On the 21st of April the Duke of Hamilton, the Earl of Dumfries, and Colonel Douglas, were added to the council; and, on the 25th, Lieutenant-general Drummond was sent west to harass the country for the old pretended reset and converse. We have had several commissions of this nature before now, so that there is no occasion to insert any thing farther as to this.

*Debates
among
them.
p. 629.*

p. 630.

1685.

Parliament sat down.

On the 28th the parliament sat down, which was just a few days before Argyll set sail from Holland, and not after the defeat of that expedition, as Bishop Burnet, thro' mistake, tells us. The last parliament 1681 was under the conduct of a Popish commissioner; and this entirely subverted the designs of a Popish king. Here the finishing stroke was given to the nation's liberties, and the king's dispensing power established by law. Bloody and detestable statutes were here enacted, that are, to the indelible infamy of the projectors, a scandal to the Protestant name, a terror to that age, and a warning; it is hoped, to all posterity, of the native tendency of absolute power and indefeasible right.

The first thing the parliament was entertained with, was the king's letter, of which I cannot but give the following abbreviate.

JAMES R.

My Lords and Gentlemen,

THE many experiences we have had of the loyalty *King's* and exemplary forwardness of that our ancient *letter.* kingdom, by their representatives in parliament assembled, in the reign of our dearest ——— brother, ——— made us desirous to call you, ——— in the beginning of our reign, to give you an opportunity, not only of shewing your duty to us in the same manner, but likewise in being exemplary to others, in your ——— compliance with our desires, as you have most eminently been in times past, to a degree never to be forgotten by us. ——— That which we are at this time to propose, is what is as necessary for your safety as our service, and what has a tendency more to secure your own privileges and properties, than the aggrandizing our power and authority (though in it consists the greatest security of your rights and interests, these never having been in danger, except when the royal power was brought too low to protect them) which now we resolve to maintain in its greatest lustre, to the end we may be the more enabled to defend and protect your religion, as established by law, and your rights and properties ——— against fanatical contrivances, murderers and assassins, who, having no fear of God, more than honour for us, have brought you into such difficulties, as only the blessing of God upon the steady resolutions and actions of our said dearest royal brother, and those employed by him (in prosecution of the good and wholesom laws by you heretofore offered

1685.

‘ offered) could have saved you from the most horrid confusions and inevitable ruin. Nothing has been left unattempted, by those wild and inhuman traitors, for endeavouring to overturn your peace, and therefore we ——— hope that nothing will be wanting in you to secure yourselves and us, from their outrages and violence, in time coming, and to take care that such conspirators meet with their just deservings, so as others may thereby be deterred from courses so little agreeable to religion, or their duty and allegiance to us.’ The rest of the letter is made up of encomiums upon the Duke of Queensberry the commissioner, and expresses his Majesty’s hopes that this parliament would readily concur with whatever should be proposed to them.

Remarks. There is scarce occasion for any remarks on this letter. King James assures them he will defend and protect their religion, though, at the same time, he will take care that his authority shall shine in the greatest lustre; and therefore recommends to them to bring those, whom he brands with the odious names of murderers and assassins, to condign punishment; but it is well known that the sufferers detested all principles of assassination, while the soldiers murdered by authority. I shall not trouble the reader with the speeches of the commissioner and chancellor, which followed the reading of the royal letter, nor with the parliament’s answer to it, which was the echo of it, farther than to observe, that they promised to leave nothing undone to extirpate all fanaticism, especially fanatical murderers and assassins.

Act for securing the Protestant religion.

The first thing they did was a short and general act for the security of the Protestant religion, which passed without a complaint of any defect, since those patriots who opposed the test were out of the way; but there was little ground, notwithstanding all laws, nay, and royal assurances, to expect the security of the Protestant religion under a Popish prince, whom, to their shame, they owned as absolute, as appears from their offer of duty, and declaration; in which, among other things, they say, ‘ That they abhor and detest not only the authors and actors of all preceding rebellions against the sovereign, but likewise all principles and positions which are contrary or derogatory to the king’s sacred, supreme, sovereign, absolute power and authority, which none, whether persons, or collective bodies, can participate of any manner of way, or up-

1685.

on any pretext, but in dependence on him, and by commission from him. And as their duty formerly did bind them to own and assert the just and legal succession of the sacred line, as unalterable by any human jurisdiction, so now, on this occasion, they, for themselves, and the whole nation represented by them, in most humble and dutiful manner, do renew the hearty and sincere offer of their lives and fortunes, to assert, support, defend and maintain King James VII. their present glorious monarch, and his heirs and lawful successors, in the possessions of their crowns, sovereignty, prerogatives, &c. against all mortals.'

The same day the council, in respect of the forewarned invasion, published a proclamation for putting the kingdom in a posture of defence. It is not worth while to take notice of the flattering title given to the late king, our dearest brother of renowned and eternal memory.

By this proclamation the militia in the eastern shires, and all able to bear arms in the northern shires, were commanded to be in readiness with 14 days provisions; and particular care was taken of the sea-coast towns. All this preparation was no more than might have been expected.

Next day, April 29th, the Marquis of Athol was made Lord Lieutenant of the shires of Argyll and Tarbet, and ordered to march thither with some forces; and, whenever he marched, the people were obliged to furnish them with baggage-horses.

The same day a most bloody murder was committed upon five persons near Inglishtoun in the parish of Glencairn. One Andrew Watson, perhaps the same concerned in the murder of the curate of Carsphairn, was an artful spy among the hiding people, who, after that affair, deserted them. He got himself apprehended, and a sham sentence of death passed upon him. He escaped, and tried to join the wanderers once more; but they would have nothing to do with him, whereupon he threw off the mask, and styled himself for a soldier. Being tolerably well acquainted with their hiding places, he discovered a cave, near Inglishtoun, which had been a place of secrecy among them for some years. Colonel James Douglas and Lieutenant Livingstone came suddenly to this cave, where they surprised John, brother to James Gibson, the heritor of the place, James Kennoch in Glencairn parish, Robert Edgar, Robert Mitchel and Robert Grierfon. The soldiers fired into the cave, by which one of them was wounded.

*Proclamation.**Marquis of Athol lord-lieutenant of Argyll-shire, &c. Five killed near Inglishtoun.*

Then

1685.

Then they rushed in, and, without asking any questions or making any offers, Douglas condemned them to be shot directly. John Gibson was first permitted to pray, which he did to the admiration of the soldiers. He sung part of Psalm xvii. read John xvi. and, after he prayed, was shot. He had a short interview with his sister, and told her, that this was the most joyful day he ever had. His mother also got access to him, and he requested her not to grieve, but to bless the Lord, on his account, who had made him both willing and ready to suffer for his cause and interest. The rest were dispatched all at once, without being allowed to pray separately. One of them was not killed out-right, which one Ferguson, an apostate, observing, he thrust him through the body with his sword. The last words that poor man spoke were, Though every hair in my head were a man, I am willing to die all those deaths for Christ and his cause. They ly buried in the church-yard of Glencairn.

*Sufferings
of the fa-
mily.*

About this time the heritor of Ingliftoun had his lands given to the Laird of Stonehouse, who not only possessed the estate, but seized on 2048l. of Lady Ingliftoun's portion, and reduced her and her children to the greatest straits, merely for pretended converse with her sons and friends, who could not conform to the iniquity of the times.

*John
Semple,
&c. mur-
dered.*

Some time this month Dundas, the commander of Blaquhan garrison, being informed of one John Semple in the parish of Dally in the shire of Ayr, detached a party along with Ferguson the informer, who about midnight surrounded the house. John hearing a confused noise of feet, and judging what it was, tried to escape out at a back window; but 5 or 6 of the party observing him, discharged their pieces, and killed him on the spot. It was in this month of April that one Peter Inglis shot John Burrie in the parish of Evandale, though he had his pass in his hand.

*Murder
of John
Brown
in Priest-
field.*

The month of May continues the bloody scene. The morning of the first day of this month was ushered in with the barbarous murder of John Brown in Priestfield in the parish of Muirkirk, a pious solid Christian, and of great use to young people. He was a carrier to his employment, and was usually nicknamed the *Christian carrier*. This morning, between five and six o'clock, having performed family-worship, he went out to his work, and was surrounded by Claverhouse, with three troops of horse, and brought back to his own house. After he had distinctly answered some questions,

questions, Claverhouse said to him, 'Go to your prayers, for you shall immediately die;' and, when praying, he interrupted him three times. After he had done, he said to his wife, who was present with her child in her arms, and another child of his first wife's, 'Now, Isabel, the day is come of which I told you when I first proposed marriage to you.' To which she replied, 'Indeed; John, I can willingly part with you.' This, said he, 'is all I desire; I have no more to do but die; I have been in case to meet death for many years;' and then he kissed his wife and children, and blessed them, wishing all purchased and promised blessings to be multiplied upon them. Then Claverhouse ordered six soldiers to shoot him; which being done, the wretch said to the widow, 'What thinkest thou of thy husband now, woman?' She said, 'I ever thought much good of him, and as much now as ever.' He said, 'It were but justice to lay thee beside him.' She replied, 'If you were permitted, I doubt not but your cruelty would go that length: but how will you answer for this morning's work?' He answered, 'To man I can be answerable, and as for God, I'll take him in mine own hand.'

He then marched off, and left her with the corpse. She set the child on the ground, gathered his scattered brains, tied up his head, covered his body with her plaid, and sat down and wept over him. He was buried at the end of his own house. Claverhouse is said to have frequently acknowledged, that John Brown's prayer made such impressions on his spirit, that he could never get them altogether worn-off when he gave himself liberty to think.

On this first of May the parliament made two acts for facilitating processes for treason now depending before the justiciary. By the one they ratified the custom formerly used, in proceeding against prisoners in 24 hours; but, for the future, allowed them to be cited in 48 hours: So that by this a parliamentary pardon and protection was given for former violations of the rights and liberties of mankind; and two days were only granted for men to make their defences upon life and death. The other act ordains, that if those who are summoned as witnesses, in case of treason, house or field conventicles, or church-irregularities,

*Acts of
parliament.*

1685.

*Argyll
sails for
Scotland.*

refuse to swear, they shall be liable to be punished as guilty of those crimes in which they refuse to be witnesses. The iniquity of this act cannot but be obvious.

By this time the Earl of Argyll, being ready for his expedition, and the Duke of Monmouth having engaged that he would not stay in Holland ten days after him, embarked, on the 1st of May, with three ships, and a considerable number of arms, and in three days reached Orkney. They had not above 300 men in all. Mr Blackadder, son to Mr John Blackadder, was sent ashore to get intelligence, Mr W. Spence went with him to visit an uncle of his at Kirkwall the chief town; but both, being discovered, were apprehended by the old bishop there. Mr Blackadder was afterwards pardoned. This alarmed the country. Argyll was for sending a party of fusileers to recover the two gentlemen; but he was dissuaded from the attempt, and only a few prisoners were taken. From Orkney they steered their course by the inside of the western islands; and, had they got in time to Islay, would have surprised Balechan with a party of 4 or 500 men; but they came just an hour too late. They next dropt anchor near Tobermore in Mull, where they were detained three days, which was very much to their disadvantage. From Mull they sailed to Kintyre; and here they were disappointed of many whom they expected would join them. However, his Lordship, and those with him, published their declaration, which, as we have related, was drawn up by Mr James Stuart advocate. A short abbreviate of it cannot but be acceptable to the reader, and is as follows.

*Argyll's
declara-
tion.*

THEY must be altogether strangers—in the Christian world, who—are not fully convinced—that the whole reign of Charles II.—was a constant and uniform course of perjury, apostacy, and violence, begun with open rebellion against God; the rescinding not only of particular laws, but—of whole unexceptionable parliaments for the space of 27 years preceding,—and the cruel shedding of the best Protestant blood, in the most unjust execution of the Marquis of Argyll, and many other worthies, contrary to all law and reason, carried on by the smiting and casting out of more faithful and
pious

pious pastors, and scattering.—more true flocks and followers of Christ, than was done in most of the ten primitive persecutions, and the deluging of these lands with all villainous debaucheries and abominable licentiousness,——and thenceforward accomplished by a most unrelenting persecution and oppression of the generality of God's people in their consciences, persons, and estates,——in the following particulars——all too evidently seen and heavily felt to need any explicit proof or demonstration. As, 1110, Not only in the above-mentioned open and avowed revolting from God——

But next, and more particularly, in the conniving at Papists, their meetings and idolatrous masses, while, in the mean time, all Protestant nonconformists are persecuted with endless severities; the raising, keeping up, and increasing standing forces,——the exalting the king's supremacy——about the external government and policy of the church;——the strange perversion of the high trust of the militia committed to his Majesty, for the protection of good subjects, only to the invading and oppressing, by lawless hosts, both of Highlanders and Lowlanders, the best parts of the kingdom;——the forcing of poor people, by——exorbitant finings, imprisonments——for the simple cause of nonconformity, to take arms in their own defence, as at Pentland, Bothwell-bridge, and then demeaning and executing them, what in fields, and what on scaffolds, as the most desperate traitors; and, at the same time, involving whole countries, upon the most slender and absurd pretexes of inevitable intercommunings and reset, both in their crime and punishment; the setting up the most violent——men to be ministers of the law, and packing juries to the worst ends;——the transporting of freemen as slaves;——the torturing of several,——even five times more of conscientious nonconformists, within these 20 years, than of all sorts of felons and malefactors in Scotland these 100 years bypast;——the cruel executing to the death of several hundreds,——some of them for their bare opinion about the king's breach of trust, never before by them vented, but simply declared upon examination, and most part of them dispatched with that barbarous inhumanity, as that——they were, by beating of drums, hindered to speak to the people their last and dying words;

1685.

words; and some of them——tried, sentenced, and put to death in one day, yea, the time and hour of their death industriously concealed from them, that they might be cut off by a more mortal surprize;——the imposing and pressing of oaths without law;——the eating up of men by free quarters,——the harassing the best parts of the country by four extraordinary circuits, upon one and the same subject of Bothwell-bridge, on purpose, as it were, to justify his highness's judgment to his late Majesty, that it would not be well with Scotland——till the south of Forth was turned to a hunting-field;——the industrious stifling——the detection of all Popish plots;——the shamming of mock-plots upon good Protestants,——and generally in the studied and constant ensnaring——all esteemed either fixed to the Protestant interest, or well affected to their country's liberty.

This wicked mystery, we say, and conspiracy of Popery and tyranny,——having made so great a progress, by the steps above mentioned, is now at length evidently disclosed——by the most suspicious——cutting off of the late king;——the ascending of James Duke of York to the throne,——notwithstanding his being twice excluded by the commons of England; and that he neither hath given, nor can give, without an hypocritical and damning cheat, repugnant to his profession, and contemptible to all ingenuous men, the oath and security indispensibly required of him before and at his entry to the government, &c. &c.

Which things, being all of them either palpable perversions, or utterly inconsistent with the true and great ends of government, rendering our commonwealth our common calamity, and Him, who pretends to be its protector, its most hostile enemy,——we have been, and are obliged and constrained, by extreme necessity, and for common safety, (the supreme laws), to take up just and necessary arms, in the name and fear of the great God, and the confidence of his mercy and assistance, for our own and our country's relief from the foresaid most grievous and intolerable tyrannies and oppressions, the defence and re-establishment of the true and pure Christian religion, commonly called *Protestant*, in opposition to that Antichristian Roman religion, commonly called *Papistical*, and the recovery and re-establishment of all our just rights, liberties,

1685.

ies, and privileges, according as we stand indispen-
sibly engaged thereto, both before God and man; and
that against the said James Duke of York, and all o-
ther his accomplices, our most natural and wicked e-
nemies and oppressors; desiring, in the first place, to
be deeply humbled, each of us, before God, for our
manifest sins and provocations, especially our false-
heartedness and unsteadfastness in, and revoltings from
our great and manifold engagements to him that alone
hath brought upon us all these sad mischiefs; earnest-
ly and with our whole hearts, supplicating that he
would cease from his anger, cause his face to shine up-
on us, and save us for his own name's sake. And, in
the next place, declaring,——that our——ends and
designs, in this our undertaking, are, *1st*, The re-
storing and settling the aforesaid true reformed Pro-
testant religion.——*2^{dly}*, The suppression and perpe-
tual exclusion of Antichristian Popery, with all its ido-
atrous superstitions and falsehood; and also its most
bitter root and offspring Prelacy, with its new and
wicked head the Supremacy, and all their abuses.——
And, *3^{dly}*, The restoring of all men to their just rights
and liberties, especially the recompensing of all suffer-
ers, whether unto blood, the loss of liberty and goods,
&c.——which things, as we——hope to accom-
plish, only through the presence of our God with us,
——so we are most willing and resolved that they be
all settled and perfected by a free, full, just, and sove-
reign representative of all the present undertakers,
and such as shall hereafter sincerely concur and take
part with us; and that in such forms and ways as God,
by his good providence, can only most happily direct
and conduct us unto; declaring and protesting farther,
that, since such have been——the treachery, persi-
dely, &c. of our adversaries,——we will never enter
into any terms of capitulation——with them——.

After signifying their resolution to prosecute these
things, they conclude with a most pathetic invitation
to all the lovers of truth to concur and join with them;
but this declaration had not that influence on the
minds of people that might have been expected. The
societies thought that it opened a door for a too pro-
miscuous admission.

When they were at Mull, the Earl sent letters to
his

1685.
*He meets
 with dis-
 appoint-
 ments.*

his friends by his son Mr Charles, who went ashore to the castle of Dunstaffnage, and used all his interest that country, which had little success, only a few joined him there; for they whom he took for his friends basely discovered all, and others were very backward to join him; and all that Mr Charles got done, was placing a garrison in the castle of Carnafrery, the dwelling of Sir Duncan Campbell of Auchinbreck.

The Earl continued a considerable time in Kintyre in expectation of having his numbers greatly increased; but he had only one addition of about 300 foot and 100 horse. However, he received news that Auchinbreck's men were ready, whom the Earl ordered him to march with to the Tarbet, and afterwards joined him there, with his three companies fromIslay and three from Kintyre, commanded by Col. Aylie Rob. Elphinstoun of Lapness, and Major John Campbell, afterward executed at Inverary, and a troop of horse commanded by Col. Rumbold. At the Tarbet on the 27th of May, Argyll printed and dispersed his declaration to his vassals; which the reader will find in my author's appendix, N^o 113. Here about 100 men joined his Lordship, who new-modelled his little army; but I must leave him for a while, till I relate some intervening particulars.

*J. Mac-
 Ghie, &c.
 fined.*

On the 6th of May, 'John MacGhie of Larg in Galloway deceased, J. Ruffel of Catcraig, and John Ruffel of Arnes in Dumbartonshire, were forfeited and their blood tainted; and the two last ordered to be executed when apprehended, for accession to Bothwell.'

*Peter Gil-
 lies, &c.
 hanged.*

The same day Peter Gillies in Muirendside, John Brice in Westcalder, William Finneson or Fiddison and Thomas Young, both of the parish of Carluke and John Binning, were hanged upon one gibbet, without being suffered so much as to pray at their death. Peter Gillies suffered considerably for his nonconformity, during some of the preceding years; but the day before the Highlanders came to Falkirk, Mr Andrew Ure, the curate of Muirendside, got a party sent to his house next day. Accordingly he and John Brice were both apprehended, and Peter was threatened with immediate death, in presence of his wife, who was brought to bed but a few days before, and was hurried

carried away, without being suffered either to speak to her, or change his cloaths. About an hour after a party came back, and told her that he signified that he knew where his arms were, and that if she discovered them he should not be shot. She calmly told them, 'he had no arms that she knew of; and if they got power to take his life, she would endeavour to say, *Good is the will of the Lord*, and he, who did all things well, could not wrong her nor hers.' This put them into such a passion, that they threatened to burn her where she lay, &c. They rifled the house, and took whatever they could carry with them, except some Bibles, which they threw away. The two men were tied together, and driven before them. When they were got about a few miles, they tied a napkin about Peter's face, set him on his knees, with a file of musqueteers before him, and kept him half an hour in this posture, and then carried him to the west country. 'As they marched through the parish of Carluke, they apprehended William Finneson and Thomas Young, and carried these four prisoners to Mauchlin, and seized one John Binning keeping some cattle, and took their Bibles from them.' The day they were carried to Mauchlin, Peter Gilliés wrote a most affectionate pious letter to his wife; and, when there, they were examined by Lieutenant-general Drummond, indicted on the 5th of May, and a jury of fifteen soldiers was impannelled; who, on the 6th, condemned them to be hanged at the town's end; which being done, the soldiers and two countrymen made a hole in the earth, and threw them all in together.

On the same 6th of May the parliament passed three acts. The first was against the covenants, by which it was declared, 'That the giving or taking the national covenant, as explained 1638, or of the league and covenant, (so commonly called), or writing in defence thereof, or owning them as lawful, or obligatory upon themselves, or others, shall infer the crime and pains of treason.' This was a home-thrust; but very agreeable to the first parliament of a Popish king, and highly proper for the introduction of Popery, the national covenant having, ever since the reformation, been accounted the barrier against the Roman Antichrist. Great contempt had been cast on those

Act against the covenants.

Remarks.

those

1685.

those sacred engagements, by the first parliament after the restoration; but now the giving or taking of them, nay, the writing in defence of them, or the bare owning of them as lawful and obligatory, are declared treasonable. This was certainly iniquity established by a law; and whatever slights are, or have been cast on these covenants, yet they were the glory of the nation; and it has been unanswerably proved, that nothing is contained in those solemn transactions, but what, as my author justly observes, prior to the super-added religion and tie of these oaths, was morally obliging on the consciences of all by the divine law. In short, this was an act that could never have been made but by apostate Protestants under a Popish prince.

Act obliging husbands to be liable for their wives.

By their next act the conduct of the council and their commissioners, in having fined husbands for their wives withdrawing from ordinances, was approved of and declared legal; and the same conduct was ordained to be observed in all time coming. It is sufficient here to observe, that this parliament declared a practice legal for which there never was any law.

Act approving the proceedings against Douchal.

The 3d act confirmed the sentence of forfeiture, and all the proceedings against J. Porterfield of Douchal, declaring the same to be agreeable to the laws of the kingdom; and enacted, that the concealing, and not revealing of supplies given to, or demanded for traitors, is treason, and to be judged accordingly.

Act against conventicles.

On the 8th the parliament passed other three acts. By the first it was ordained, that all who shall afterwards preach at house or field conventicles, or be present as hearers, at field-conventicles, shall be punished with death and confiscation of goods. This act discovers the true spirit of Antichrist, and nothing can be offered as an excuse for it, but that those at the helm were either Papists, or acted from the principles of slavery and oppression. It was reckoned a house-conventicle, if five more than the family were present; so that whoever were guilty of preaching, (not against the government; for, had that limitation been made, there might have been some colourable pretence for this severity) in such cases, were to be punished with death. If there was sermon in any house where any were hearing without doors, that was a field-conventicle; and now not the preacher only, but the hearers of

Remarks.

it, were by this act condemned to die. If the reader consider vol. I. p. 266, that there are some limitations there, but here are none, he cannot but be furnished with materials for proper reflections.

I pass over the act for judicial confessions, and only observe, that the last act passed this day, declared all subjects, who refused to accept the offices of magistrates, justices of the peace, constables, officers of the militia, or any other employment laid upon them by his Majesty, or his council, to be finable for their contempt; so that it must be a happiness to be out of Scotland at this time.

On the 11th of May the council issued a proclamation, ordering all capable of bearing arms to be rearm-
Proclamation.

This was no more than might have been expected, considering the news they must have received concerning Argyll; but the blood shed this day may justify all, who have any bowels of compassion, with indignation and horror.

It was this 11th of May that Margaret MacLauchlan and Margaret Wilson were cruelly executed at Wigtoun. The reverend Mr Rowan, minister at Penningham, where Margaret Wilson lived, was at pains to have the circumstances of this affair well vouched credible witnesses, from whose attestations my author gives this narrative.
M. MacLauchlan and M. Wilson drowned at Wigtoun.

Gilbert Wilson, Margaret's father, was Episcopalian, and nothing was objected against the regularity of her mother; but their children would by no means conform, and were therefore obliged to flee to the hills, bogs, and caves, to avoid the fury of the persecutors, though they were scarcely of age to be obnoxious to the laws then in force. Mean while their rents were charged, at their highest peril, not to labour or supply them, not to speak to them, or so much as see them, without informing against them; and their father was fined for their alledged irregularities, and otherwise harassed by the quartering of soldiers, and, by the oppressions he endured, was reduced from a considerable affluence, being once worth 100 merks, to extreme poverty.

His son Thomas, a youth of 16 years of age, was forced to the mountains last February, and continued wanderer till the revolution; after which he served Flanders under King William, and, by his industry,

1685.

stry, procured as much as enabled him to live in the same place where his father had done before him.

His two sisters, Margaret and Agnes, were obliged in the beginning of this year, to wander through Carrick, Galloway, and Nithsdale; but when there was some abatement of the severities, upon the late king's death, they ventured to Wigtoun to see some of their suffering acquaintances, particularly Margaret MacLauchlan; and were betrayed by one Patrick Stuart who, under colour of friendship, invited them to drink with him; and, upon their modestly refusing to drink the king's health, went and informed against them and brought a party and apprehended them. As they had been the greatest malefactors they were put into the thieves hole, and, after some time, were removed to the same prison where the said Margaret MacLauchlan was confined.

Margaret MacLauchlan was a widow, and about 6 years of age, a woman of more than ordinary piety, prudence, and discretion, and nothing could ever be laid to her charge but nonconformity, and refusing to swear wicked oaths then imposed. She was apprehended on the Lord's day when performing family-worship, and clapped up in prison, where she met with cruel treatment. At last she, together with Margaret and Agnes Wilsons, were, about the end of April, brought to their trial before the Laird of Lagg, Col. David Graham sheriff, Major Windram, Capt. Strachan, and Provost Cultrain, and were indicted for rebellion, Bothwell-bridge, Ayrsmoss, and being present at 20 field conventicles, though it was impossible any of them could have been accessory to these risings; but the true cause was their refusing the abjuration-oath: and it was very odd that it should be offered to Agnes Wilson, who was then scarce 13 years of age; but persecutors stick at nothing. They were brought in guilty, and condemned, by those monstrous judges, to be tied to two stakes within the flood-mark of the water of Blednoch near Wigtoun, and there to be drowned. They received their sentence with much composure, and surprising cheerfulness in their countenances, accounting it their honour to suffer for Christ and his truths. Agnes the young girl got off, upon her father's giving a bond of L. 100 Sterling, but the other two suffered according to their sentence.

1685.

*Their be-
haviour at
their exe-
cution.*

On the last of April the council had this affair under their consideration, and suspended the execution to an uncertain time, and recommended to the secretaries to procure their remission. The day to which they were reprieved is blank in the registers; but we may very safely suppose it would be for a longer day than the 11th of May, there being scarce time, between the 30th of April and that day, to get a return from the secretaries; but, notwithstanding this, the barbarous sentence was executed. Windram guarded them to the place of execution, attended by a vast number of spectators to behold such an unusual sight. The old woman's stake was fixed a good way beyond the other, and so she was first dispatched, the more to terrify the other into a compliance with such oaths and conditions as they required; but in vain; for she adhered to her principles with unshaken steadfastness. When the water was overflowing her fellow-martyr, the persecutors asked her what she thought of that sight. She answered, 'What do I see but Christ and his members wrestling there. Think you that we are the sufferers? No, it is Christ in us; for *he sends none a warfare on their own charges.*' When Margaret Wilson was at the stake, she sung Psal. xxv. from vers. 7. read the 8th chapter of the Romans, and then prayed. While at prayer the water covered her; but before she was quite dead they pulled her out; and, when able to speak, she was asked, by Windram's orders, if she would pray for the king. She answered, she wished the salvation of all men, and the damnation of none. One deeply affected said, 'Dear Margaret, say, God save the king, say, God save the king.' She answered, with the greatest steadiness and composure, 'God save him if he will; for it is his salvation I desire.' Upon which, some accounts say, that Lagg cried, 'D— d b—ch, we do not want such prayers; tender the oaths to her.' It is certain what she said did not satisfy; for Windram charged her instantly to take the abjuration, otherwise to return to the water. She most deliberately refused, and said, 'I will not; I am one of Christ's children, let me go;' and immediately was thrust into the water, where she finished her course with joy, and died a virgin-martyr, aged 18 years. Upon the whole, the reader must see, that these two suffered entirely on account of their refusing

1685.

*Andrew
Hislop
murdered.*

refusing the abjuration. Reflections are needless. On the 11th of May a young man, Andrew Hislop in the parish of Hutton, was barbarously murdered. One of the wanderers happened to die at his mother's house, and was buried in the night-time in the adjacent fields; but, the grave being discovered, Sir James Johnston of Wester-raw came with a party, and barbarously dug up the body; and finding that the corpse came out of widow Hislop's house, they pillaged and pulled the house down, and drove her and her children to the fields. Claverhouse seized this Andrew on the 10th of May, and brought him to Wester-raw, who to signalize his loyalty, would have him dispatched in the fields, and accordingly passed sentence of death upon him. Claverhouse was backward at this time and urged for a delay; perhaps the impressions of J. Brown's murder were not yet worn off, but Wester-raw pressed it, till Claverhouse at last yielded, saying 'The blood of this poor man be upon you, Wester-raw; I am free of it.' Then he commanded a Highland captain, who was there, to order the execution; but he, drawing his Highlanders to a convenient distance, swore, that her nain fell would fight Claverhouse and all his dragoons first. Whereupon he ordered three of his own men to do it. When they were ready to fire, they bid Andrew draw his cap or bonnet over his face. Being of an undaunted courage, he refused, and told them he could look his death-bringers in the face without fear, for he had done nothing of which he was ashamed; and, holding up his Bible, charged them to answer for what they had done, and were to do, at the great day, when they were to be judged by that book. He was buried where he was shot in Craighaugh in Eskdale-muir. This Wester-raw was once a covenanter, and an opposer of the test, which he at last embraced, and became a bloody persecutor, and died, about the revolution, in great torture of body and horror of conscience.

*Other
three mur-
dered.*

On the said 11th of May, Major J. Balfour, Capt. J. Maitland, — Menzies, — Mackenzie, apprehended three countrymen, T. Cook, J. Urie, and R. Tam, at Polmadie near Glasgow, and then asked the prisoners if they would pray for king James VII. They said they would pray for all within the election of grace. Balfour said, Do you question the king's election?

election? They answered, that sometimes they questioned their own. In a word, they were all three shot within an hour after they were taken. When dead they drew off some of their cloaths, saying, they might do good to a soldier; but, perceiving their dogs licking their blood, they threw them on the corpses again.

One murder more was committed on this bloody day. Lieutenant-colonel Douglass found a pious man, *Andrew MacQuhan murdered.* one Andrew MacQuhan, lying sick of a fever, and, because he was either unable, or unwilling to answer his questions, ordered him to be taken out of his bed on the 10th of May, and carried with him to the Newtown of Galloway, and next day to be shot without any trial.

On the 13th of May, James Kirko, in the parish of Keir, was betrayed by a pretended friend, and seized by captain Bruce and a party of dragoons. When apprehended, the captain offered him the abjuration, and, upon his modest refusal, ordered him to prepare for present death. Then he sung part of the 116th Psalm, read a portion of scripture, and prayed. He was next offered his life on condition he would discover the haunts of the wanderers. He excused himself, and said he durst not redeem his life at so dear a rate. Whereupon they carried him to Dumfries water-falls, and, upon his declining to answer some more of their questions, ordered him immediately to be shot. He begged to be spared till next day. 'No, no,' said the captain, 'no more time; the devil a peace you now get made up.' James said, 'Sir, you mistake it, you cannot mar my peace with God.' At this the captain raged, and, speaking to the soldiers, said, 'Dogs, make ready; for the devil a peace shall he get more.' Thus he was shot directly without being allowed to pray.

About this time one Matthew Donald, who had for some time been in prison at Glasgow for nonconformity, *Matthew Donald.* fell sick; and, though he was in a dying condition, was ordered to be carried to Edinburgh. When they came to Calder, he could walk no farther; but the soldiers meeting a sledge on the road, most inhumanly tied him to it, and dragged him away, so that he died among their hands. But to leave this melancholy subject for a while.

1685.
Acts of
parlia-
ment.

On the 13th of May the parliament passed the act for supply, and ratified the forfeitures against Robert Hamilton of Monkland, Mr R. Baily of Jerviswood, and the Earl of Argyll; so that the greatest acts of injustice and cruelty were now ratified. The same day they passed their act for taking the test, by which all Protestant heritors, liferenters, &c. were to swear this oath by a certain time fixed in the act, except women. The only remark that needs be made here is, that the test seems now to be limited to Protestants. The reader may easily guess the reason of this, when he remembers what the king, when duke of York, had threatened, p. 121. In the afternoon they made an act concerning justices of peace, who by this were to be nominated by the council, to have power of proceeding against church-irregularities, and a right to the fines of all delinquents except heritors. This was brave encouragement to go on in the work of persecution.

Noblemen,
&c. prose-
cuted be-
fore the
parlia-
ment.

On the 15th the process against the noblemen and gentlemen, mentioned p. 269. came on before the parliament. The late alledged conspiracy was the pretence; but their opposition to Prelacy was the real cause. There were present Sir William Scot, Cefnock elder and younger, Hay of Park, John Weir of Newtown. The rest named in the citation were absent. The king's letter, the advocate's orders to prosecute, the general indictment, were all read, together with a libel or indictment against Harden younger, and two additional libels against Hay of Park and Ardkinglass; but these things, with other preliminaries, I omit.

Letter to
the Duke
of Gordon.

On the 17th the council wrote to the Duke of Gordon, and others in the northern shires, ordering them to take forth the heritors, since Argyll was now appearing about the western islands. The same day they commanded Mr Blackadder and Mr William Spence to be brought to Edinburgh; and, on the 19th, all the heritors on the south side of Tay were enjoined to attend the king's host, and Lord Neil Campbell, William Cochran younger of Ochiltree, the Master of Melvil, and Pringle younger of Torwoodlee, were ordered to enter into the castle of Edinburgh.

Ravages of
soldiers.

It is not to be imagined what ravages the soldiers made upon the news of Argyll's landing. Parties continually marched through the south and west, and all nonconformists

nonconformists were sure to feel the effects of their fury.

1685.

One James Forfyth, in the parish of Lochmaben, was seized and sent prisoner to Westerraw, who offered to let him go, if, with uplifted hands, he would swear and say, 'God bless King James VII.' Forfyth asked him what he meant by blessing the king? For his part, he wished him well, and that all spiritual blessings might be upon him. The other replied, he should own him as his lawful king, and that he should pray, Long may he live, and well may he prosper in all his actings and proceedings. James told him he could not do that, because he was a Papist and a persecutor. He was next examined by Claverhouse; but they were restrained from touching his life; however, they sent him prisoner to Edinburgh, and from thence to Burnt-issland. His wife, having come to see him, was sent prisoner with him, though she was big with child, and they had nothing to lay to her charge. They were both sent to Dunotter, where she was delivered, and died. And this brings me to give a brief account of the peculiar hardships the prisoners met with who were sent thither. My author had this tragical account from the papers of the reverend Mr John Frazer, and the distinct narratives of the forementioned Quintin Dick and Mr William MacMillan, who were among these unhappy prisoners.

Mr Frazer had gone to London, for his safety and improvement, about the end of 1678, or beginning of 1679, and continued there till the end of 1684, when he was, with several other Scotsmen, seized at a dissenting meeting in Gutterlane near Guildhall, as Mr A. Shields was preaching.

The accounts of Argyll's invasion alarmed the Scots ministry so, that, in consequence of a hasty resolution, Mr John Frazer, Mr William MacMillan, Quintin Dick, William Niven, William Campbell of Middlewellwood, his brother John, and many others in the prisons of Edinburgh and the Canongate, were, on the 18th of May, to their great surprize, taken out of their respective prisons, without knowing what was to be done with them, and carried out of town, under a strong guard, and delivered, at the Netherbow, to Douglas's regiment, by whom they were conducted to Leith. From thence, being in all above 200, they were

*James Forfyth.**Mr Frazer, &c. seized.**About 200 prisoners sent to Burnt-issland.*

1685. were put into open boats, and hurried off the shore, without being permitted to receive any necessaries from their friends or relations, who never expected to see them more. Next morning, about break of day, they landed at Burntisland.

Their hardships there,

About 240 were there crowded into two rooms in the prison, where they continued for two days and two nights, were denied liberty separately to ease nature, had nothing allowed for their subsistence, and many of them were not permitted to have bread and water for their money. When thus pent up the Laird of Gosford came from the council with orders to bring back to Edinburgh as many as would immediately swear the oath of allegiance and supremacy. About 40 complied; the rest, owning their allegiance, but refusing the supremacy, were reserved for farther miseries.

and on the road.

It would be tedious to mention all their particular hardships on the road. After two days dismal confinement at Burntisland, men and women together, they were committed to the militia of Fife. Most of them had their hands tied behind them. They who were so humane as to bring any necessaries for their support, were beat off by the guard. Lieutenant Beaton of Kilrinnie was so cruel as to beat some of the old women among them, and otherwise abuse them, because they could not walk so fast as they would have them. In their journey, when thrust into houses and prisons, they were so crowded that they were almost suffocated, and several of the women fainted.

Sufferings of Eupham Threpland.

Among other miserable sufferers, was one Eupham Threpland, the wife of George MacBirnie merchant in Dumfries, who, from her husband's death 1681, underwent a scene of trouble. When the rest of the prisoners, just now mentioned, were delivered to the guard, a corporal came and told her, that she must likewise go with them. Remonstrances were in vain; for though she was unable to travel, that was not admitted as any excuse; they placed her behind one of the dragoons, and hurried her after them, without suffering her to take any refreshment; and thus she joined the rest of her fellow-sufferers at Burntisland.

Prisoners brought to Dunotter.

At last, on Lord's day, 24th of May, they were all, except a few that made their escape on the road, brought to Dunotter castle, and received by George Keith of Whiteridge, sheriff-depute of Merns. This large

large company was thrust into a dark vault, under ground, which had but one small window towards the sea. It was full of mire and deep. In this dreadful place about 100 of them were pent up almost the whole of this summer, without air, without ease, without room either to lie or walk, and without any comfort except what they had from heaven. They were obliged to purchase the worst of provisions at an extravagant rate. They were so suffocated with the smell of the place, and of their own excrements, that, as several of them died, so it was a wonder of mercy any survived such an unparalleled calamity. When they had all continued together in the great vault, the governor was pleased to remove about 40 of the men to another small vault, without any light but what came in through a small crevice. The governor's lady came to see the prisoners, and prevailed with her husband to remove 12 of the men from the 40, and the women, from the large vault, into two rooms, which was a great relief.

1685.

Their hardships.

The intolerable hardships these poor people endured, put some of them to attempt their escape; accordingly about 25 of them got out one night by the window towards the sea, and crept along a dangerous rock, to the utmost hazard of their lives; but the alarm being soon given, 15 of them were retaken, and most inhumanly beat and bruised; and, when brought back to prison, were put into the guard-house, bound and laid on their backs on the floor, and most dreadfully tormented. William Niven, Peter Ruffel, and Alexander Dalgliesh in Kilbride were laid on their backs on a form, their hands were tied to the foot of it, and a fiery match put between every finger of both hands, and six soldiers waited by turns to blow the match, and keep it equal with their fingers. This was continued for three hours, without intermission, by the governor's order. W. Niven lost one of the fingers of his left hand. Alexander Dalgliesh, and one more, died of the torture; and several others had their fingers burnt, and the very bone turned to ashes.

Cruelty to these who attempted to make their escape.

Such were their hardships, that Grizel Cairns and Alison Johnstoun, in behalf of Mr William MacMillan, and Robert Young wright in Edinburgh, their husbands, and the rest of their fellow-prisoners, presented a petition to the council, representing their in-

Petition of Grizel Cairns, &c.

1685.

tolerable grievances, and praying for redress. The council, on the 8th of June, took their petition under consideration, and ordered the deputy-governor to suffer meat, drink, and other necessaries, to be brought to the prisoners, by their friends or servants, at the ordinary easy rates, and to allow Mr MacMillan and Robert Young a distant room from the rest, and all the prisoners to have better accommodation. This so nettled the governor, that he drew up a declaration in his own favour, obliging the subscribers to testify that they had good usage, and wanted not conveniences since they came to Dunotter; but there were very few that signed this, the rest absolutely refusing to attest a falsehood. After this, in July, the Earls of Errol and Kintore were appointed to examine the Dunotter prisoners, whether they owned the king, and would submit to his authority; whether they would pray for him, and renounce the apologetical declaration. At last the prisoners were brought forth; the consequences of which shall be related in its proper place. William Campbell of Middle-wellwood, with difficulty, escaped banishment, and came home; but next year was apprehended, and put in prison in the Canongate, from whence he was, after a long imprisonment, released upon paying 1200 merks fine.

*Sir John
Cochran,
&c. con-
demned.*

On the 22d of May the indictment was read in parliament against Sir John Cochran, Polwart, Torwoodlee, and the heirs of Mr Martin. Sir John's trial came on in the forenoon. All that appeared against him was, that he had conversed with others about proper methods for preventing the ruin of the nation. Mr Carstairs's printed declaration, contrary to former promises, was read. In short, he was brought in guilty, and condemned, as in the sentence against Jerviswood. And in the afternoon the same sentence was pronounced against the rest.

*Act for ta-
king the
oath of al-
legiance.*

The same day the parliament passed the act for taking the oath of allegiance, whereby they ratified all that the council, the justiciary, and their commissioners had done, in banishing, imprisoning, and fining the refusers of the said oath, &c. The reader has seen how much innocent blood was shed on this score, and must judge whether, by this act, the parliament did not bring the guilt of it upon themselves.

Mr

Mr Renwick, who still preached in the fields, having, on the said 22d of May, preached to a considerable number of his followers, and received several into the societies who professed their repentance for taking the abjuration and the test, &c. the council, on the 25th, ordered Lord Carmichael to call all suspected persons to an account, and to take care of the country of Carrick, by securing the arms and horses of all suspected persons, the better to prevent the designs of Argyll.

1685.
Mr Renwick.

On the 27th the indictment was read against Sir Thomas Stuart of Cultness, for sending meat and drink to the people at Bothwell, his receiving men that came from thence; and, being found guilty, was sentenced to die. His case was much the same with Blackwood's, p. 157.

Sir T. Stuart of Cultness.

Though the followers of Mr Renwick were not free to join the Earl of Argyll, on account, as they said, of the too promiscuous admission of persons to trust in that party; and because they could not espouse his declaration, as the state of their quarrel being, as they apprehended, not concerted according to the constant plea of the Scots covenanters, yet against the usurpation of a bloody Papist, they published another declaration at Sanquhar, on the 28th of May, of which I cannot but give the following abstract.

IT hath pleased the holy and wise God to exercise *Their protestation* the church of Scotland, now of a long time, with *wrestling and warfaring* under the yoke of cruel oppression.——All this——we have met with, as *justification at* upon the Lord's part, though unjust upon man's, for *Sanquhar.* our manifold sins and iniquities; and, in a special manner, for our not purging our judicatories and armies, when the power was in our hands, of men disaffected to the cause and interest of Christ,——and for inordinate affection to, and lusting after the deceased tyrant Charles II. and advancing him to the regal throne, even while known, by many palpable discoveries,——to retain his heart-enmity at the covenanted work of reformation.——And howbeit,——when we were brought to a very small-remnant, we did, by open declarations, disclaim his pretended authority;——all which we do hereby ratify and approve.

1685.

So now the Lord—having removed the foresaid Charles by death, and a few wicked and unprincipled men having—proclaimed James Duke of York, though a professed Papist, and excommunicate person—to be king of Scotland, &c. we the contending and suffering remnant of the true Presbyterians of the church of Scotland—do here deliberately, jointly, and unanimously, protest against the foresaid proclamation,—in regard that it is the chusing a murderer to be a governor, who hath shed the blood of the saints;—the height of confederacy with an idolater, which is forbidden by the law of God,—contrary to the declaration of the assembly 27th July 1649, and to many wholesome and laudable acts of parliament,—and inconsistent with the safety, faith, conscience, and Christian liberty of a Christian people, to chuse a subject of Antichrist to be their—supreme magistrate;—for it could not but be both highly sinful and irrational for us to intrust an enemy to the work and people of God with the interests of both.

Also conceiving that this pretended parliament is not a lawful parliament, in regard that the election of commissioners is limited,—that the members are convicted of avowed perjury,—are men of blood, the chief being convict of avowed murder.—We do, in like manner, upon these and many other important grounds and reasons, protest against the validity and constitution of this present parliament,—and their proceeding to any approbation or ratification of the foresaid proclamation.—

And farther, seeing bloody Papists, the subjects of Antichrist, are become so hopeful, bold, and confident, under the perfidy of the said James Duke of York, and Popery itself—like to be intruded again—upon these covenanted lands, and an open door being made thereunto by its accursed and abjured harbinger Prelacy, which these three kingdoms are equally sworn against: We do, in like manner, protest against all kind of Popery, in general and particular heads,—abjured most explicitly by our national covenant, abrogated, annulled, and rescinded by our acts * of parliament, and against its entering again into this land, and against every thing that doth or may, directly or indirectly, make way for the same, disclaiming.

* Act 3. &
31. Parl.
1. Act 23.
Parl. 11.
Act 114.
Parl. 12.
Act 5.
Parl. 20.
of king
James VI.

disclaiming likewise all sectarianism, malignancy, and any confederacy therewith.

Moreover, taking to our serious consideration the low——state of the churches of England and Ireland,——all bound in one covenant and solemn league together, we (in the bowels of Christ) do, in like manner, admonish you our brethren,——that ye remember how far you have sadly failed in pursuing the ends of our covenants, &c.

Finally, we being misrepresented to many,——as persons of murdering and assassinating principles, all which principles and practices we do hereby declare, before God, angels, and men, that we abhor, renounce, and detest; as also all manner of robbing of any, whether open enemies, or others.——and ——all unwarrantable practices committed by any few persons reputed to be of us,——as the unwarrantable manner of killing the curate of Carphairn——.

This then is the substance of their declaration against Popery, when open attempts were made for its introduction; and though it was not so much condemned, as any of their former declarations, yet they had not the concurrence of any ministers and professors; and, which is surprising, it was never a ground of persecution from the managers, particularly and expressly declared, though, as Mr Shields observes, ‘for its matter, it was conspicuously consonant, not only to the old principles, but even to the common grounds of Argyll’s declaration of war against this * usurper, * then generally espoused by Presbyterians.’ But to proceed.

Remarks.
Hind let loose.
Mr Renwick’s life.

On the 2d of June the parliament approved and confirmed the opinion of the lords of council and session, November 1684, making those guilty of high treason who should own, or refuse to disown, the societies apologetical declaration, in so far as it declares, &c. and all the processes that had been, or should be on that score. It would seem one chief part of the business of this parliament was to ratify the former proceedings of the ministry; but it does not appear that they approved of the orders given for killing in the fields, that being too large a pill to be swallowed, even by such a parliament as this.

** King James VII.*
Act ratifying the opinion of the lords, &c.

Another

1685.

Act for regularity.

Another act passed this day was that for regularity; by which it was ordained, that all masters, whether heritors, liferenters, &c. should insert, in all tacks to their tenants, an express clause, whereby the tenant shall oblige himself, that he, his family, cottagers and servants, shall live peaceably and regularly, free of all fanatical disorders, under the penalty of losing the half of their moveables, each for their own fault; so that, by this act, all Presbyterians were excluded from having any leases.

Other acts.

Their next act this day ratified the act and proclamation of council for raising the hue and cry; by another act passed this day (for I omit that about adjudications for fines, because I do not understand it) was for securing the kingdom, by which every master of a ship was obliged to bring all his passengers, at their arrival, before the next magistrate, to give an account of themselves; and the same must be done when persons go out of the kingdom, under the penalty of such fines and corporal punishment, on the master of the ship, as the council shall think fit. There were some other acts passed this day which I omit.

Act indemnifying the officers of state.

On the 4th of June they made a very strange act for securing the present council, the secret committee, the judges and officers of the army, and all other commissioners, as follows: 'Our sovereign lord, considering the great and acceptable services done to his majesty, by these just now mentioned, and being desirous to secure them for their actings and omissions — doth, with advice and consent of his estates of parliament, indemnify and secure all and every one of them — against all pursuits or complaints that can be raised against them any manner of way, for their actings in his majesty's service, as likewise for their omissions — and that as fully as if every particular crime or misdemeanour were particularly specified in a remission under his majesty's great seal, &c.

Remarks.

How powerful are the stings of an evil conscience! Had not the managers been conscious of unprecedented proceedings, it is hardly to be imagined they would have procured such an act as this, which is a standing blot on their memories in the records of the nation. Had they acted agreeable to the laws of God and man, or had their consciousness of guilt excited them to

seek

seek pardon from the Almighty, for the innocent blood in their skirts; why a parliamentary indemnity? But it is to be feared, the pardon granted by a wicked parliament will stand them in small stead, when they shall appear before that Judge from whose sentence there can be no appeal.

1685.

The same day Mr Robert Ferguson was tried in absence; found guilty, and condemned, upon the declaration of West and Burn. My author observes, that, if there was any formed design against the King and the Duke, he was privy to it; but none of the rest were any ways accessory.

Mr R. Ferguson.

On the 6th Claverhouse, with a party, apprehended multitudes, and forced many of them to swear never to take arms against King James VII. on pretence of religion, and carried such as refused about with them prisoners, binding them by two's and three's.

Claverhouse's proceedings.

On the 10th Lord Annandale and his party seized David Halliday in Glencyre, and George Short, and gave them quarters till next day; but when Lagg came up, he insisted upon having them presently dispatched; neither the intreaties of the poor men, nor the declaration of Lord Annandale that he had promised them life till next day, could prevail; for they were shot, by Lagg's orders, just as they lay fettered on the ground, and their bodies continued in their gore till next day.

Two murdered after quarters given.

This same month Gilbert MacAdam, son-in-law of James Dun, having been banished for his nonconformity, and purchased his freedom, returned home; but meeting with some friends for prayer at a house near Kirkmichael, a company of militia, under the command of Colzean, surrounded the house. Gilbert, being most obnoxious, tried to escape; but the soldiers perceiving him, discharged their pieces, and killed him on the spot.

G. MacAdam murdered.

About the middle of this month, as James Brown in the parish of Coulter was fishing, Claverhouse apprehended him, and, had it not been for the laird of Coulterallers, would have shot him presently; but he was carried to the English border, and from thence to the prison at Selkirk, out of which he happily made his escape.

James Brown.

There were several other murders in the fields, of which I have not their dates, as that of William John-

Other murders. ston

1685.

ston gardener to the laird of Fintilloch, George Walker servant in Kirkauly, and John Milroy chapman, who were apprehended by Major Windram, who, after asking some questions, ordered them all to be hanged at Wigtoun the day after they were seized. A party of soldiers overtook Joseph Wilson, John and Alexander Jamieson, and John Humphry at Knockdon-hill, as they were coming from hearing Mr Renwick, and shot them all except Alexander Jamieson. The same day a party of dragoons took Simon Paterfon and David Dun, and, without any trial, hanged them at Cumnock. Peter Inglis cornet, son to Peter Inglis, with some soldiers, decoyed Thomas Richard of Muir-kirk, an old man of 80 years of age, into a confession that he had entertained some of the wanderers, and then delivered the good old man to Colonel Douglass, who, without any jury or trial, ordered him to be executed at Cumnock next day, notwithstanding the intercession of some ladies of the Episcopal persuasion. One William Paterfon, son to Robert Paterfon in the parish of Cambusnethen, was shot, without any trial, by order of Captain Bell. This good man had endured a great deal of trouble during the former years; but now his troubles were brought to a period. The reader cannot but make proper reflections on so many murders, and judge who they were that truly deserved to be called murderers and assassins.

Act against the Earl of Argyll.

On the 11th of June the parliament passed an act, which they called, An address against the arch-traitor Archibald Campbell sometime Earl of Argyll, wherein they beg that the Earl's family, the heritors, ringleaders, and preachers that joined him, should be for ever declared incapable of mercy, and of bearing any honours or estate in the kingdom, and that all subjects be discharged from interceding for them any manner of way. I shall not trouble the reader with remarks on this, it being so very agreeable to the principle of rooting out of heretics; only I must observe, that the clause relating to the intercession of the subjects was reversed in the next session.

Some pardoned.

Next day James Napier, Allan Atkin, and John Peirson, who had been condemned by Colonel Douglass at Cumnock, for not discovering the rebels, were pardoned.

On the 13th Lord Melvil, Montgomery of Langshaw, and the two Cefnocks, were separately tried, and all found guilty of accession to the plot. Mr Carrairs's depositions; contrary to the public faith, were read against them. Sentence was passed against the first two, as in the other cases; but the time and place of the execution of Cefnock elder and younger were referred to the King. Though the Cefnocks were afterwards pardoned and released, yet, by peremptory orders from the king, an express was dispatched by Lieutenant-colonel Murray for apprehending them, and conducting them to the Bass. The old gentleman died soon after, and probably his death was hastened by the hardships he underwent.

1685.

Lord Melvill, &c.

The same day they passed an act for the clergy, by which all the acts, especially those made in the former reign, in their favour, were ratified, and all murderers and assassins of bishops and ministers were ordered to be punished, which was reasonable, and the parishioners, where any attempt should be made, were to pay such sums to their widows as the council should see proper; but this was a punishing the innocent with the guilty. In a word, this act made an attempt to break or rob the houses of the clergy to be death to the invader. My author justly observes, that a becoming ministerial carriage is a better hedge than 20 such severe laws, and that, before the restoration, and since the revolution, Presbyterian ministers required no such acts in their favour. He farther observes, that this act was no bar in the way of the projected design of introducing Popery, to which, in Scotland, relacy still led the way.

Act for the clergy.

By the 40th act of this parliament, the lands of Sir John Cochran of Ochiltree, Sir Patrick Hume of Howwart, Thomas Stuart of Cultnesh, Pringle of Torwoodlee, George late Lord Melvil, David Montgomery of Langshaw, Cefnock elder and younger, Mr Robert Martin, Earl of Tarras, Mr Robert Bailly of Periswood, Thomas Kennedy of Grange, John Porterfield of Douchal, Mr William and Alexander Gordon of Earlstoun, James Gordon younger of Craighen, were for ever annexed to the crown; but this, with other unjust and oppressive acts, was reversed after the revolution.

Act annexing to the crown.

1685. On the same 13th of June two regiments of soldiers came into New-Galloway, and, separating into two different places, quite ravaged the country; nay, about this time the whole army came to the west country and committed innumerable abuses every where; so that the losses sustained by many, especially about the small village of Damellington, are not to be calculated. The lands of Lord Stair and Cefnock were entirely plundered. But I must pass these things.

Parliament adjourned.

On the 16th the parliament referred the rest of the prisoners, that were to have been tried by them, to the justiciary, with power to the lords to proceed against them as if they had been summoned before them; accordingly their process came on next month. The same day the parliament annexed the offices belonging to the Earl of Argyll to the crown, and was adjourned to the last Tuesday of October, and afterwards to April next year. Mr Rapin justly observes, when mentioning some of the acts of this session, that, if what passed in Scotland in the reign of King Charles I. and during the interregnum, be remembered, this was not the sense of the Scots, but only the opinion of a parliament devoted to the King, and which visibly abused their authority, to establish a form of government directly contrary to the old constitution; but I shall leave the reader to make his own reflections on this session of parliament, and conclude this chapter with the farther proceedings of the Earl of Argyll, till he fell into the hands of his enemies.

Motions of Argyll.

We left his Lordship at Tarbet, where he published his declaration to his clan. There he was joined with 1000 men, under Sir Duncan Campbell; and, having modelled his little army into three regiments, each consisting of not much above 500 men, he determined to have attacked Ballechan, who had not above 600 men with him: but Sir John Cochran, and others with him, would not go in with this proposal. A council of war was called, where it was resolved, contrary to the Earl's sentiments, to invade the Lowlands.

Their attempt on the Lowlands frustrated.

In consequence of this the forces were transported, the best way they could, to Cowal in Argyllshire; and Sir John Cochran, Colonel Elphinstoun and Major Fullerton were sent from thence to the Lowlands: but by this time the coasts were guarded, and some

English

1685.

English frigates were come up; so that Sir John, not being able to land in the Largs in Ayrshire, was forced to put in about Greenock, in order to have intelligence and subsistence for their men. Upon their landing they put to flight some of the militia; then Sir John entered the town of Greenock, and endeavoured to prevail with the inhabitants to join in defence of religion and liberty. He seized only about 40 bolls of meal, instead of 200, which Argyll had ordered him to bring for the use of the army, and then, upon a false alarm, retired in the night, and sailed back to Cowal, and there, when it was too late, declared that it was folly to attempt the Lowlands as yet, since they were every where well guarded by soldiers and the militia.

Upon this Argyll renewed his design upon Inverary; and for this end divided his small army, and gave the one half of it to Colonel Rumbold, whom he sent to guard a pass against the Marquis of Athole, and raise the country as much as he could. He took the other half with himself to Inverary, but the wind being contrary for several days, and the English frigates come up, he was obliged to shelter his vessels under the castle of Allangreg, which having fortified as well as he could, and left two companies to guard it, he then marched by land to Inverary, resolving to attack the Marquis of Athole. Col. Rumbold, in the mean time, marched with about 500 men, and seized the castle of Ardkinglass. The Marquis of Athole sent off a large fishing-boat, full of men, to know the Colonel's strength: but Capt. Duncanson, manning a fishing-vessel, chased the other within pistol-shot of the town. However, some regiments were ordered from Inverary to retake the castle of Ardkinglass: but Argyll by this time was got up with Rumbold. The enemy made a halt; upon which the Earl, with five companies of foot, and two troops of horse, went to attack them, and, after putting the first body of them to flight, returned to the castle of Ardkinglass, resolving, next day, to attack Inverary, notwithstanding the Marquis of Athole was four times his number: but some of the gentlemen who were with his Lordship, and had all along differed from him, threatened to quit all, and go to the Lowlands; so that he was obliged to leave the castle of Allangreg, with three

The Earl crossed in his design upon Inverary.

1685.

companies of foot commanded by the Laird of Lapnefs, and to order the reft, under Rumbold and Sir Duncan Campbell, to meet him at the church of Glenderule, which they did.

Obliged to march to the Lowlands,
* p. 306.

Two days after this, the garrison left in Allangreg being, as they said, destitute of provisions, abandoned that castle. The prisoners taken at Orkney *, being left behind, acquainted the captains of the English frigates whenever they came ashore, so that all fell into their hands. This disaster obliged Argyll to march into the Lowlands, under a thousand disadvantages; for when he crossed the water of Leven, little above Dumbartoun, he found all the King's army and militia ready to oppose him, commanded by the Earl of Dumbartoun.

and to retire in the night.

The Earl and Ayloff were for engaging, knowing that, though they were thrice their number, yet they had many friends among them: but his Lordship was again over-ruled, and a retreat was resolved on. Accordingly, at night, they marched off, leaving great fires in their former camp: but their leaders, mistaking their way, led them into a moss, which quite disordered them; so that, though they were a good army at night, there were not 500 of them together in the morning. Rumbold and many brave men lost their way. They who kept together came to Kilpatrick, and put a company of militia to flight. Sir John Cochran, Sir Patrick Hume, and others, crossed the Clyde. At length a skirmish happened at Muirdyke in Lochwhinnoch, in which Capt. Clelland, and some others were killed, and several wounded. On Sir John's side a gentleman of the name of Campbell was killed, Major Henderson and Mr Archer were wounded. The last of these was carried into a shepherd's house, where the enemy found him, and brought him to Edinburgh. After this they dispersed, and shifted for themselves the best way they could.

The Earl apprehended.

The Earl, in the mean-time, according to his own account, finding it impracticable either to rally his friends, or return to Argyllshire, attempted to disguise himself under the appearance of a countryman: but he fell from one difficulty to another till he was attacked at the water of Inchanan, on the 17th of June, by two of the militia, who laid hold of him, one on each side, all on horse-back. He grappled with both,

both, and one of them with the Earl went to the ground. His Lordship got up and rid himself of them both, by presenting his pocket-pistols, and would have made his escape, had not five more come and knocked him down with their swords. When they knew who he was, they seemed to be much concerned; but durst not let him go. He was then brought in prisoner to the Earl of Dumbartoun at Glasgow: and thus this noble peer was once more in the hands of his enemies. Upon the whole, we may see the mischief of divisions: for, had not his Lordship, and those gentlemen embarked in the same cause, differed in their sentiments, it is probable they would have been more successful. Bishop Burnet lays the chief blame on Argyll, and others on Sir John Cochran, and those that adhered to him: but it is not unlikely there were faults on all sides. There were several taken as well as Argyll, the chief of whom were Sir John Cochran, Rumbold, Ayloffe, and the above mentioned Thomas Archer, Gavin Ruffel, and David Law; all these, except Sir John Cochran and Ayloffe, were executed at Edinburgh. Above twenty, who were taken in the Highlands, were hanged at Inverary; and great numbers were banished to America. But I must now proceed to

C H A P. XIII.

Of the execution of the Earl of Argyll, Rumbold, Mr Thomas Archer, and others; the proceedings of the council and justiciary; the sufferings of the banished, and other branches of oppression to the end of the year.

WHEN the Earl of Argyll was apprehended, he was first brought to the town of Renfrew, and while refreshing himself there, he said to Thomas Crawford of Crawfordsburn, to whom he had given a silver snuff-box in token of his respect, ‘ Thomas, it hath pleased Providence to frown on my attempt; but remember, I tell you, ere long, ONE shall take up this quarrel, whose shoes I am not worthy to carry, who will not miscarry in his undertaking.’ From Renfrew his Lordship was taken to Glasgow, and from thence to Edinburgh, under a strong guard; and according to the order of council, dated June 20. was carried

*Argyll
brought to
Edin-
burgh.*

1685.

carried up the street, with his hands tied behind his back, bare-headed, in the midst of Capt. Graham's guards; the hangman went before him, the horse-guards before and behind: and thus his Lordship was conducted, in dismal procession, to the castle, and there laid in irons.

*Debate at
Edin-
burgh.*

There was a great debate at Edinburgh, whether to bring him to trial for his present attempt, or to execute him on the sentence pronounced against him 1681; but such was the zeal of the present managers, that they would not seem to call the justice of their former sentence in question, though, by the way, all the world must look upon it as the most unrighteous sentence that could be passed; and therefore they looked upon him as already condemned. They were at great pains to bring him to such a confession as might involve others, frequently visited him, brought him several times before their committees, threatened him with torture, and put many questions to him: thus matters stood with him, till an express came from court for his execution.

*Rumbold
brought to
Edin-
burgh.*

Mean while Col. Rumbold was taken, and, on the 22d of June, was ordered, by the council, to be conducted to the castle in a cart, with a rope about his neck, fettered and bare-headed. The hangman's man led the cart, Col. Graham attended with the guard, with drums beating and colours flying, and next day the advocate was ordered to prosecute him before the justiciary.

*Proclama-
tion of
council.*

On the 24th the council issued a proclamation for apprehending those concerned with the Earl of Argyll, which I shall not here insert. It is easy for the reader to conceive the strain of it. Only I cannot but observe, that it was something strange to publish to the world, in this proclamation, that Col. Aylofffe endeavoured to kill himself; for what was that to the case in hand? My author says, that the fact was very much questioned by persons of good sense who lived at that time: but, if it was true, it had no relation to Argyll's attempt; only the managers were willing to improve every circumstance. Bishop Burnet tells us, 'That great discoveries being expected from him, he was brought to London, where the king examined him in person; but could draw nothing from him but one severe repartee. Being fullen, and refusing to discover

discover any thing, the King said to him, Mr Ayloff, you know it is in my power to pardon you, therefore say that which may deserve it. Ayloff, it is said, replied, That though it be in your power, yet it is not in your nature to pardon. Mr Ayloff was nearly related to the king's children, being nephew to the old Earl of Clarendon by marriage; for Ayloff's aunt was his first wife; so that, had the consideration of this moved the King to pardon him, that, says the historian, would have been an effectual confutation of his bold repartee: but he suffered as well as others.'

On the 25th the council ordered Col. Rumbold to be executed in the following manner; that, on the morrow, on his being found guilty by the lords of justiciary, he be taken from their bar to the low-council-house, and from thence to be led down by the hangman, with his hat on, to the scaffold, and there to be drawn up the gibbet with a rope about his neck, and immediately to be let down, his heart to be cut out by the hangman, and shewn to the people on the point of a bayonet or dagger, saying, 'Here is the heart of a bloody traitor and murderer,' and then to be thrown into a fire prepared on purpose on the scaffold; after that his head to be cut off, and shewn to the people in the same manner; and then his body to be quartered, one part of it to be affixed at the port or tolbooth of Glasgow, another at Jedburgh, a third at Dumfries, the fourth at the Newtoun of Galloway, and his head on a high pole at the West-port of Edinburgh. He bore the base insults of the council with much composure, owned the crime he appeared for, and expressed his joy in his sufferings; whereupon one of them called him a confounded villain. He replied with the utmost sedateness, 'I am at peace with God through Jesus Christ, to men I have done no wrong, what then can confound me?'

On the 26th he was arraigned before the justiciary, *Rumbold* brought in guilty, condemned and executed. He was *condemned* so weak, when brought to the scaffold, that, not being *and execu-* able to walk alone, he was supported by two officers. When, in his last speech, he blessed God that it was for no ill account, but for owning and adhering to his distressed work and interest, that such a lot was carved out for him, the drums beat; at which he shook his head, and said, 'Will they not suffer a dying man
' to

1685.

‘ to speak his last words to the people?’ And then went on, declaring his confidence of the righteousness of the cause he was engaged in, and, among other things, said, ‘ I confess enemies think they have got their foot on the neck of the Protestant interest now; but I am persuaded it is as true as I am this day entering into eternity, that Christ shall be glorious in these lands, and even in poor Scotland, and that shortly: and it is like many who see me die this day may be witnesses thereof; yea, he shall govern these nations with a rod of iron, and that to the terror of his enemies.’ After this he prayed, and, when praying for the extirpation of Popery, Prelacy, and other superstitions, the drums beat again. He forgave the executioner and all men, and, when he had again prayed within himself, he gave the signal, and was executed according to the sentence.

Burnet,
p. 633.

p. 634

Thus fell Richard Rumbold. ‘ This was the person who dwelt in Rye-house, where it was pretended the plot was laid for murdering the late and present King. He denied the truth of that conspiracy. He owned he thought the prince was as much tied to the people, as the people were to the prince; and that, when the king departed from the legal measures of government, the people had a right to assert their liberties, and to restrain him. He did not deny but that he had heard many propositions at West’s chambers, about killing the two brothers; and upon that he had said, it could have been easily executed near his house; upon which some discourse had followed how it might have been managed: but he said, it was only talk, and that nothing was either laid, or so much as resolved on.’ He farther said, ‘ He did not believe that God had made the greater part of mankind with saddles on their backs, and bridles in their mouths, and some few booted and spurred to ride the rest.’ But to return to Argyll.

Argyll’s
behaviour
in prison.

His Lordship’s carriage, before his execution, was both pious and edifying. While he was abroad, after his escape, he shewed himself to be a nobleman of singular piety, his afflictions being of great service to him. He spent the 28th of June, which was the Sabbath before his death, in a most becoming way. The manner in which he took his leave of his sister, the Lady Lothian, was very moving. While in the cattle

1685.

he had these remarkable expressions in conversation with a dear friend. ' My gross compliances are now sad and grievous to me ; for these the Lord would not honour me to be instrumental in his work ; but I desire to die in the faith of a deliverance to his church and people ; and though I will not take upon me to be a prophet, yet, having strong impressions thereof upon my spirit, I doubt not but deliverance will come very suddenly, and I hope I shall be well. It is true, my family is low, and I have nothing to leave them ; but if they seek God they will be wonderfully seen to and provided for ; and if they do not, I care not what come of them. I fear some have eyed me too much as an instrument. Lean not to the arm of flesh.'

On the 29th a letter from the King was read in council, ordering them to bring the Earl to condign punishment within the space of three days after the receipt of it, and, in the mean time, to bring him to a confession of his associates and correspondents, &c. In consequence of this his Lordship was ordered to be beheaded next day, and his head to be affixed on the tolbooth of Edinburgh on an high pin of iron. Accordingly on Tuesday, June the 30th, Argyll was executed. *On the day of his execution.* This day he wrote and ordered others to write several letters to his friends, particularly to Madam Smith, to his excellent lady, and others, which the reader may see in my author. He declared, in the morning, to a friend, that he had more joy and comfort this day, than the day after he escaped out of the castle.

His Lordship dined with a grave and becoming cheerfulness in the castle. ' Mr Charteris, says bishop Burnet, happened to come in, as he was ending dinner, to whom he said pleasantly, *Sero venientibus ossa.*' And being used to sleep a little after meat, he retired to the closet, and laid himself down on a bed, and, for about a quarter of an hour, slept as sweetly and pleasantly as ever. Meanwhile an officer of state came in and inquired for him. His friends told him, that his Lordship, as usual, was taking a nap after dinner, and desired that he might not be disturbed. When he saw the Earl in that posture, he was so impressed, that he hastened from the castle to a relation's in the Castlehill, and throwing himself on a bed, discovered great distress of mind ; and, when asked the cause of

1685.

On the
scaffold.His
speech.

his trouble, said, I have been in at Argyll, and saw him sleeping as pleasantly as ever a man did within an hour of eternity; but as for me, &c. The time being come when Argyll must for ever leave the castle, he was, by the council's permission, allowed two Episcopal ministers to attend him, *viz.* Mr Annand, dean of Edinburgh, and Mr Laurence Charteris, for they would permit no Presbyterian ministers to wait on him. Their discourse with him, and prayers on this tragical occasion, were very pertinent and becoming; and his Lordship delivered a very judicious and pious discourse to the spectators, in which, among other things, he said, 'Job tells us, *Man that is born of a woman is of few days, and full of trouble*; and I am a clear instance of it. I shall not now say any thing of my sentence or escape,——nor of the ground of my return;——that which I intend mainly to say now, is, to express my humble, and, I thank God, chearful submission to his divine will, and my willingness to forgive all men, even my enemies.——I know afflictions spring not out of the dust,——are not only foretold, but promised to Christians, and are not only tolerable, but desirable;——for God chastises his own, to refine and not ruin them, whatever the world thinks.——I know many, like Hazael, 2 Kings viii. 13. go to excesses they never thought they were capable of. Let rulers and others seriously read and weigh Prov. i. 20. &c. 2 Chron. xxv. 6.——16. Prov. xxiv. 10. 11. 12. and xxviii. 10. and 11. lix. especially vers. 15. and avoid what is bad, and follow what is good. For me, I hope, by God's strength, to join with Job xiii. 15. and the Psalmist, Psal. xxiii. 4. and to trust, as Psal. cxlviii. 11. and shall pray, as Psal. lxxiv. 19. &c. cxxiii. 6. &c. and Luke i. 74. 75. and shall hope, as Psal. xciv. 15. I do hereby forgive all that directly or indirectly have been the cause of my being brought to this place,——and pray God may forgive them, &c.' When he had ended, he turned to the south side of the scaffold, and said, 'Gentlemen, I pray you do not misconstrue my behaviour this day. I freely forgive all men their wrongs and injuries done against me, as I desire to be forgiven of God.' Mr Annand repeated the words louder to the people, as he did when his Lordship spoke to the same purpose from the north side, and said,

aid, 'This nobleman dies a Protestant.' The Earl kept forward again, and said, 'I die not only a Protestant, but with a heart-hatred of Popery, Prelacy, and all superstition whatsoever.' Having taken his leave of his friends, he at last kneeled down, and embracing the * maiden, said, 'This is the sweetest * *The in-* maiden I ever kissed, it being the mean to finish my *strument* sin and misery, and my inlet to glory, for which I *for behead-* long.' Then he prayed a little within himself, *ing.* thrice uttering these words, 'Lord Jesus, receive me into thy glory;' and lifting up his hand, which was the signal, the executioner did his work.

Thus died the noble Earl of Argyll, a martyr not only to the Protestant religion, but also bearing his last testimony against Prelacy as well as Popery. His too great compliances with the managers, previous to the affair of the test, lay heavy upon him to the last: but nothing grieved him so much as the unhappy vote he gave against Mr Cargil. Passing these things, as he was executed, not on account of his late attempt, but in pursuance of a sentence passed three years before, for his explication of the self contradictory test, his death was looked upon as no better than murder.

The circumstances of Monmouth's invasion on Eng- *Cruelties* land I must leave to the English historians. On the *in the west* 6th of July his army was defeated near Bridgewater, *of Eng-* and himself soon after taken and beheaded. *the land.* The cruelties committed by Kirk and bloody Jeffries in the west are well known. Kirk ordered several of the *Burnet,* prisoners to be hanged up without so much as the form *p. 647.* of law, he and his company looking on from an entertainment they were at. At every new health a new prisoner was hung up. And they were so brutal, that, observing the shaking of the legs of those whom they hanged, it was said among them, they were dancing, and upon that music was called for. It is said, 'That Jeffries condemned above 500 persons in a few towns *Bennet's* of the west, whereof 229 were executed; some found *Memorial,* the benefit, I cannot say of the King's mercy, but of *p. 299.* the judge's avarice, who was ready enough to grant a pardon to such as could pay well for it; and it seems pardons were sold by him at all sorts of prices, from L. 10 to 14000 guineas; which last sum this judge of iniquity did not scruple to take from Mr Sp—s, and with which he bought an estate, that may justly be called

1685. called the *field of blood.* But to return to Scotland,

*Ravages
committed
on the
lands of
Argyll.*

As soon as the Marquis of Athole and Breadalbin heard of Argyll's being taken, they exercised great severity upon the Earl's friends and tenants. Four or five gentlemen of the name of Campbell, after having received quarter and protection when they surrendered, were sent to Athole by one of Argyll's near relations. The Marquis ordered them and 18 more to be put to death. He would have proceeded in that work, had not even the council discharged more lives to be taken. Parties were afterwards sent to pull down houses, break mill-stones, and burn woods, and the whole shire of Argyll was dreadfully depopulated, harassed and plundered for thirty miles round Inverary. The Earl's estate was given to strangers, his children brought to extreme necessity, his creditors defrauded, his brother Lord Neil Campbell was forced to go at the peril of his life to America, and leave his lady and family behind. In a word, the heritors and gentlemen of the name of Campbell, being generally averse to Popery and Prelacy, were universally oppressed through the kingdom.

Banished. On the 9th of July, 15 prisoners of the meaner sort, taken with Argyll, were banished to New-England.

Mr Archer. On the 13th Mr Thomas Archer was before the council, and by them referred to the justiciary; but, as his trial did not come on before the 12th of next month, I must relate the intervening transactions.

*Order for
burning on
the cheek,
&c.* On the 14th the magistrates of Glasgow presented a petition to the council, signifying that their prison was pestered with many silly old women, who were a great charge to the town; whereupon the council ordered them to be whipt and burnt on the cheek severally, who were guilty of resett and converse; and that such of them who were guilty of ill principles should be whipt, and all dismissed.

*Sir Wil-
liam Den-
holm, &c.
condem-
ed.* On the 16th Sir William Denholm of Westshiels, Mr James Stuart, son to Sir James Stuart provost of Edinburgh, and Mr Gilbert Elliot, who, with several others, were by the parliament referred to the justiciary, were tried and found guilty of being concerned with the late Earl of Argyll; and condemned to be executed when apprehended. My author tells us, that there is no more in the registers concerning the rest, whom the parliament referred to the criminal court,

court, such as the deceased Earl of Lowdon, Sir James Dalrymple of Stair, Colin Campbell of Ardkinglass, John Weir of Newton, John Hay of Park, Sir William Scot younger of Harden, Andrew Fletcher of Saltoun, Hume of Bassenden, and Walter Lockhart of Kirkcoun, who were all forfeited.

1685.

The same day David (afterwards Sir David) Stuart *D. Stuart* of Cultness, and Mr William Spence servant to the *and Mr* late Earl of Argyll, were before the justiciary, and *Will.* found guilty of being with the said Earl, and condemn- *Spence* ed to be hanged at the cross of Edinburgh on the 22d; *condemn-* but Providence interposed in their behalf, so that the *ed.* sentence was not executed.

On the 24th the council ordered between 70 and 80 *Numbers* of the prisoners in Edinburgh, Canongate, &c. to be *banished.* banished to the plantations, for refusing the oath of allegiance, and ordained Thomas Stodhart, James Wilkie, and Matthew Brice, prisoners in the tolbooth of Edinburgh, and Archibald Campbell prisoner in Paul's-work, who, as the sentence of the council bears, did misbehave when before them, to be laid in irons, and prosecuted before the justiciary.

The same day they empowered the Earls of Marshal, *Commission* Errol, Kintore, Panmure, and the lord president of *for exami-* the session, to examine the prisoners in Dunotter-castle, *ning the* and banish all of them, whether men or women, not *Dunotter* already banished, who should refuse the oaths of alle- *prisoners.* giance and abjuration. A few were set at liberty upon taking the oath of allegiance.

On the 28th the council had above 30 more of the *More ba-* prisoners at Edinburgh before them. Twenty-nine *nished.* were ordered to be banished, of whom there were four who had been with Argyll, 6 women and 19 men; the men, except those who had been with Argyll, were sentenced to have one of their ears cut off by the hand of the hangman, and the women to be burnt in the cheek, before they were sent abroad.

According to the order of time I must now speak of *Conference* the followers of Mr Renwick. My author says, that *at Kypes.* some essays were now made to bring Mr Renwick; and those who adhered to him, from their heights, in order to bring about an union between them and some of the Presbyterian ministers who were wandering up and down the country; and that, for this end, on the 29th of July, these two excellent persons, Mr Robert Langlands,

1685.

lands, and Mr George Barclay, being informed of one of their meetings, desired to come to it: accordingly they attended one of the general meetings at Kypes, in the shire of Ayr, to see what might be done to bring these people to hear and join with other suffering ministers; that a good many of the meeting were for this, and so the conference began. These two ministers were on the one side, and Mr Renwick, George Hill and others on the other. The ministers proposed the laying aside all debates about former differences and practices, and an union in those things wherein they were agreed; and moved that what they could not agree in should be referred to a competent judicatory. This was refused by the other side, who insisted, that an enumeration of public defections should be drawn up, which the ministers did not come into, as what would rather widen than heal their present breaches. Thus the conference ended, after they had been together some days. However, it produced this effect, that many discovered their inclinations to join with other suffering ministers.

But it seems necessary to give the reader the account of this conference as published in the Informatory Vindication, in their own words. 'After the defeat of 'Argyll's expedition, at the desire of some ministers '——we had a conference with them July 22. 1685. 'in which, instead of allaying differences, the proposals——made for union did heighten our breaches, 'both with them and among ourselves;——for though 'they offered an accommodation, yet, in conference '——they maintained, and did not disown that which 'bred alienation, 'to wit, a previous information they 'had sent to strangers, accusing us of heavy things; 'that we had not only cast off all magistrates, but had 'constitute among ourselves all kinds of magistrates, 'and were for cutting off all, as open enemies, who 'did not acknowledge our imaginary government; 'that our societies were only an erroneous faction, and 'had no power of calling pastors,' &c. Which information though they did extenuate, alledging that 'the copy produced was forged, yet they confessed 'some such information was written, and went on to 'prosecute, in effect, the same crimination, and said 'they excerpted all out of our public papers; and 'farther challenged us for falsely accusing them in our 'protestation

Another
account,
p. 14.

1685.

‘protestation against the Scottish congregation at Rotterdam, where they, with others, were promiscuously charged with sundry things in the gross, which they were not guilty of. We confessed it was an oversight, conjunctly to accumulate these charges without distinction; but taking them separately we offered to make out every thing there charged upon the names inserted.

‘Furthermore, in inveighing against Mr Renwick’s p. 15. ordination, they accused the church of Holland of Erastianism, and of three sprinklings in baptism, &c. to which he replied, ‘That he had received his ordination from the presbytery of Groningen; and they being foreigners, and not chargeable either with our defections, or any declining from the testimony of their own church, but—groaning under some corruptions, from which they were never reformed, would come under another consideration than the ministers of our own church, defending a course of defection.’

‘The accommodation they offered was upon terms which we thought destructive to our testimony, to lay aside all debate, and let bygones pass, and go on in the public work, which we did not think was the way to heal our sore; but we offered, if differences and exceptions could be removed, in a right and honest way, we would be most willing to join with them, which exceptions were given in in these following particulars, viz. ‘Their leaving the country, and deserting the public work, when it was so necessary to concur in the testimony, in a time of so great a famine of the gospel; and not only concurring in the testimony, but condemning it in Sanquhar and Lanerk declarations, even as to the matter of them, and not condemning the paying of the locality imposed for maintaining soldiers against the work and people of God; their countenancing the compliers with the time, and, when abroad, joining with the Scots congregation at Rotterdam, and hearing the indulged preach there; their informing against us, and aspersing us with slanders, such as these in the forementioned Information; and their concurring in the Earl of Argyll’s association, against which we had so many things to object, as above hinted.’ p. 16.
‘Which exceptions—we thought sufficient to de-
‘mur

1685.

‘mur upon, when, after many fruitless janglings, we
 ‘could receive no satisfaction about them, nor a pub-
 ‘lic testimony satisfiably stated, wherein we might
 ‘both agree and concur, albeit we made an overture,
 ‘in the end, that they and we should endeavour it in
 ‘this sort, ‘that they severally by themselves should
 ‘draw up all the sins of the time, and we by ourselves,
 ‘that so, when compared together, it might be seen
 ‘where we differed, and how far we could unite;
 ‘but though they seemed to be as much for it as we at
 ‘first, yet, in the end, when it was offered, they re-
 ‘jected it. So the conference broke up, and thereaf-
 ‘ter we were more untenderly dealt with by them,
 ‘and also deserted by several joined with us in fel-
 ‘lowship, who, from that time, began to leave off co-
 ‘ming to our general meetings, and to keep separate
 ‘ways, without respect to our former consented-to a-
 ‘greement; and also did hear, receive, and spread
 ‘false reports given forth against us, without premo-
 ‘nishing us about the same, and drew many off from
 ‘our societies by such means.’

Remarks.

The reader cannot but remember, that, ever since the unhappy indulgence, divisions increased among the Presbyterians, and no doubt both sides were guilty of excesses towards one another. But though some may think that Mr Renwick and his followers were too pressing to have the others make a public acknowledgment of their defections, yet they cannot be justified in slandering Mr Renwick and his adherents, who were now divided among themselves, so that several withdrew from them: but I chuse to leave these things with the reader, and to proceed to other matters.

More banished.

On the 30th of July the council ordered about 53 more prisoners to be banished to the plantations, of which 47 had been with Argyll; five refused the oath of allegiance and supremacy, and were to have one of their ears cut off, and one woman, Grizel Allstoun, to be burnt in the cheek. Some, who declared their willingness to comply and take the oaths, were set at liberty.

T. Stodhart, &c.

The same day the advocate was ordered to prosecute, before the justiciary, Thomas Stodhart, James Wilkinson, and Matthew Brice, &c. for treason, rebellion, and not owning the King's authority. This day the council had a letter from the King, ordering them

them to banish such a number of the meaner prisoners as they should think proper.

On the 31st a new committee for public affairs was appointed to sit during the intervals of council, and about 56, who had been with Argyll, were ordered to be banished, together with 12 others who were to have one of their ears cut off, and four women, for the alledged murder of their bastard children, and one woman, for refusing the oaths, to be burnt in the cheek. Several who complied were released, and three were remitted to the lords of justiciary.

1635.
More banished.

The same day orders were given to the magistrates of Edinburgh to command their common hangman to cut off the left ear of these following men, viz. William MacCall, John Finnison, John Kennedy, James Corbie, William Marshall, Andrew Jardin, Alexander Jamieson, Alexander Reid, John Hay, William MacIlroy, Quintin Dun, William Drennan, John MacIlvie, John Cunningham, Thomas Richard, Archibald Campbell, Alexander Mason, Matthew Hamilton, Walter Hownam, James Murray, Malcolm Bryce, James Wilkison, John Simpson, James Gavin, John Mundel, Andrew MacLean, John Elliot, Robert Edward, John Mitchel, Roger MacMichan, John Weir, Robert Muir, John Downie, — Lawson, Elisabeth Kirkwal, which was executed on Wednesday the 4th of August following.

Ears cut off.

Among others who were banished by the forementioned sentences; were Gilbert and William Milroys, in the parish of Penningham, whose sufferings, being somewhat peculiar, may be proper to be briefly related altogether in this place, as my author had them attested by the reverend Mr Robert Rowan minister there. When the test was violently pressed last year, William took it, and Gilbert compounded with the sheriff depute to get his name out of the roll: but this year, not being able to take the abjuration, they absconded with their younger brother Patrick. In the month of June or July the Earl of Hume sent his Merse militia to their houses, who plundered them, and drove away their cattle. Two days after seventy horsemen came in the night-time, and carried off what the foot had left, and tortured Gilbert's wife with lighted matches between her fingers. Next morning Gilbert Milroy and his brother William were taken, with a servant

Sufferings of the Milroys.

1685.

about 16 years of age, and carried prisoners to Monigaff, where they were brought before the Earl of Hume, and examined as to their keeping the church, converse with the Whigs, &c. and, declining to answer, were put to the torture of lighted matches between their fingers: but, omitting what they lost as to their substance, and several other circumstances of cruelty, they were, at last, imprisoned at Holy-rood-house, all the other jails being crowded. Mr James Colquhoun, the Episcopal minister at Penningham, had no small share in promoting their sufferings. At last, upon their refusing the oaths, they were sentenced to have their ears cut off, and banished for ten years. When this sentence was passed, they were confined to the iron-house. The ears of all the prisoners from Monigaff were cut off, except Gilbert Milroy, who was so fatigued and weak, that he appeared to be in a dying condition. A little after this Gilbert and the other prisoners in the iron-house were taken out, and they who could not walk were carried in carts to Newhaven, and put aboard a ship lying there, thrust under deck, two and two fettered together, to the number of 190. Through hunger, thirst, and other hardships, during their long passage of three months and three days, 32 of them died. Mr Evans the master of the ship was very cruel to them. When they landed at Port-Royal in Jamaica, they were put in an open prison, and received no small friendship from several in the island. After ten days they were sold for slaves, and the money given to Sir Philip Howard, who had a gift of them from the King, but he never had the satisfaction of enjoying the price of their liberty, for he was drowned in the Thames, as he was taking leave of his friends to go for Jamaica. Many of these captives died in their bondage; but Gilbert Milroy survived his sufferings, returned to his wife and other relations, and was alive in 1710. He kept an exact account of the providences he met with. The reader may see his remarks in my author.

*William**Marshall**banished.**Mr Arch.**Campbell**condemned.*

William Marshall, smith in Glasgow, was apprehended for wanting a pass, and was likewise banished for no other crime but nonconformity.

On the 1st of August, Mr Archibald Campbell, son to Lord Neil Campbell, was condemned to die by the justices; but appearing before the council, and declaring

ring

ing his willingness to renounce all rebellious principles, he was reprieved till December.

1685.

We are now come to the 6th of August, when, according to the justiciary records, 'Mr Alexander Shields, having signed the abjuration, owned the King's authority, but not upon oath, is remitted back to the council.' He was in imminent danger at the beginning of the parliament; for having, in a letter to John Balfour, to be by him transmitted to some of his friends in Holland, declared his sorrow for his former compliance, and his mind concerning authority, and made some reflections on the justiciary, the same fell into the hands of the persecutors, whereupon he was of new brought before the council, the lords of the articles, and the justiciary. And though much altercation, and many threatenings ensued, he openly owned the letter, and declared that he had great sorrow and grief for what he had done: That he found that he had disowned things in the complex in that declaration, which, when it came to particulars, he durst not do: That he did not think that hereditary succession was enough to make a king, and that he owned the lawfulness of defensive arms: however, he was overlooked till now, when the appearance of some of his fellow-sufferers brought his name and case again to remembrance, whereupon order was given to indict him for maintaining 'that it was lawful for subjects, upon pretence of reformation, or any pretence whatsoever, to enter into leagues and covenants, or to take up arms against the King, or those commissioned by him, or to put limitations upon their due obedience and allegiance, &c. and for disowning the King's authority, and for owning, or refusing to disown the late declaration affixed upon several parish-churches, in so far as it declares war against the King, and asserts it lawful to kill such as serve him,' &c.

*Mr Shields
again be-
fore the
justiciary.*

Mr Shields on this occasion wrote two letters, the one to the advocate, and the other to Sir William Paterson his old master, which he believed somewhat mitigated the rage of his persecutors, and drew up the following declaration of his sentiments.

I. I Do disown and abhor all war of subjects profess-
edly declared against a *lawful* king as such;
all war against *lawful* authority; all war without au-
thority

1685.

thority or indeclinable necessity; all war founded or designed for maintaining principles inconsistent with policy or piety; all war declared in that sense related in the proclamation about the declaration, or which may bear these inferences therein specified. 2. I do disown not only all such assertions, but all such thoughts, as that it is lawful to kill all such as serve the King, or any man, because they serve him, or because they differ from us in judgment or profession, or because they have injured us any manner of way. I abhor all assertions of the lawfulness of assassinations, murders, or any private killing or slaying, under colour of law, or without it, upon any pretence, or for any cause whatsoever of usurped power, revenge, rage, or enthusiastical impulse, as being against Christianity and humanity. 3. I do disown my having any hand, or being art and part in that pretended declaration, directly or indirectly, by my concurrence, counsel, knowledge, or contrivance, or any manner of way; and I disown all intentions, for my own part, to persecute or persecute; or endeavour to punish any that have served the King in any capacity, because they have injured me, even though my greatest enemies; but do think myself obliged, in Christian duty, to pray for all my enemies, and bless them, and do all offices of kindness to them. 4. But yet I humbly and conscientiously demur to take that oath for private reasons. (1.) Because I look upon it as an oath imposed with a severe penalty, which, whatever be the matter of the oath, is a thing I have no clearness about for the present. (2.) Because I humbly conceive it misrepresents the declaration itself, wherein I am not clear that such things are asserted. (3.) Because, whatever be my own thoughts of the thing, I dare not pass a judgment on the deed of others so solemnly, or take upon me to censure or condemn them, or justify any severity exercised upon some Presbyterians, who cannot or dare not disown it.

A great many things passed between the lords and him; but, when he delivered the above paper, it was handed about among them; and it was declared, that they were good things in general, and that he maintained good enough general principles, but that he drew bad conclusions from the premisses. Then they

went

1685.

went through the particulars formerly mentioned, and at last insisted that he should take the oath of abjuration; but this he refused. At the conclusion of three conferences they had with him at this time, he agreed to sign it if it was worded thus, *If so be such things are there asserted*, which, he told them, he was sure was not the case. This, with difficulty, was granted to him. As he subscribed this, he protested before them, that none were to think, that, by this, he justified the act of succession, or the abrogation of ancient laws about, or the want of security for religion and liberty, or that he acknowledged the divine approbation of it. When all this was over, he was told that he was delayed till to-morrow.

But to-morrow he was sent to the Bass. And I am *Sent to the* well informed, by my honourable friend Sir Thomas *Bass*. Gordon of Earlstoun, that he would certainly have suffered, if he had not made his escape in women's cloaths.

And, says the author of the preface to the relation of Mr Shields his sufferings, 'Though he has wanted opportunity (for what cause I cannot determine) to make the like reflections upon the last step of that his failing, as he does upon the first, yet none has cause to question his sorrow for it; for, after his enlargement out of prison, it is well known he never failed, on all proper occasions, with many tears, publicly to own his hearty resentment of it; particularly, at that solemn occasion of renewing the covenants at Lesmahago, March 3, 1689. he stood up before the minister, and, in presence of that vast confluence of people, declared his unfeigned sorrow for that his sin, to the affecting of the whole multitude, and abundant satisfaction of the consciences of the godly that had been formerly grieved therewith.'

At and after the revolution he was of great service to the army, and much esteemed by King William. In October 1690, he and other two ministers offered a large paper to the general assembly then sitting at Edinburgh, containing proposals for redressing several grievances: and, had the assembly either thought it prudent or convenient, at that time, to allow the said paper to be read, or taken the contents of it under their serious deliberation, it might possibly have produced many valuable effects; but, relying upon the report of their committee of overtures, they judged it

1685.

it inconvenient at that time to read and consider it. However, Mr Shields, notwithstanding this, joined in communion with the church of Scotland, and was settled at St Andrews, where he continued till he was prevailed with to go with his countrymen to Darien. He was perfectly depressed in his spirit on account of the fatal disappointment of that undertaking, which, he shews, had it been faithfully and well managed, would have been of great advantage, not only to the nation, but also to the Christian religion. He died in Jamaica of a short sickness after he left Caledonia. His Hind let loose, and his Treatise of church-communion, (which last was published after his death by the reverend Mr Thomas Lining), shew him to have been a man of great parts and solid judgment. But to return.

T. Stodhart, &c. executed.

The same 6th of August, Thomas Stodhart, James Wilkinson, and Matthew Bryce, were condemned by the justiciary to be hanged at the Grass-market on the 12th. They all three suffered according to their sentence. Thomas Stodhart had been sentenced to be banished, and yet he was brought before the justices, and condemned to die, for no other reason but because he owned authority only as far as agreeable to the word of God, and would not expressly disown the apologetical declaration. The only questions proposed to the other two, and their answers, were these: Q. 1. Will ye take the oath of allegiance? A. We will not take it. Q. 2. Will ye own the authority? A. We will own all authority according to the word of God. Whence Matthew Bryce inferred, that they had nothing else to charge him with, but that he spoke of the word of God. The same day these three were executed, William Cunningham, John Muirhead, and William Jackson, declaring themselves willing to be banished, the criminal process was dropt.

Prisoners disposed of.

On the 7th of August the Laird of Piltochie petitioned the council for some of those under sentence of transportation to go with him, which was granted; and the same day a considerable number was ordered to be delivered to Robert Barclay of Urie, or his order.

Testimony of some of the banished.

In an original letter, dated August 10th, John Jamieson, John Kennedy, Robert Sharp, William MacCall, Walter Hume, James Murray, William Marshall,

hall, and James Corbie, by whom it was subscribed, and who were among the banished, left their testimony against owning a Popish King, &c. and gave a great many excellent advices to their suffering friends. On the 11th four more were ordered for transportation by the council for refusing the oaths, and the case of other ten prisoners was deferred to farther consideration. On the 12th of August, Mr Thomas Archer was at last brought before the justiciary. A good deal of interest was made for him, but in vain; nay, a design was secretly formed for conveying him out of prison: but he would not comply with it, because he reckoned himself a dying person; and, as he could not serve his Master any other way, he did not think it his duty to decline a testimony for him and his truth by a public death. He was brought in guilty, and condemned to be hanged on a high gibbet on the 14th; but he was respited to the 21st, when he suffered. In his last words and testimony, which are in my author, among other things he said, 'It was al-ways my judgment, and I hope to die in it, that the obligation of the covenants is national and indissoluble, and that even the posterity renouncing them shall be found guilty of horrid perjury and apostacy before God, since in them we first engaged immediately to serve him.—I have ever opposed contentions and new differences—I take not upon me to justify the indulged ministers, neither will I rigidly condemn them; but if their separating from their ministry, and pressing the matter with such heat and violence, be good service done to Christ, I have read the scripture wrong.—I have lived, and desire to die, hoping that the Lord will yet glorify his grace and gospel in the land, and that he hath not brought us under the bond of the covenant immediately to cast us off, (though we deserve it), but that the children which are yet to be created may praise him.' He owned the King's authority, acknowledged his weakness in being a witness against several persons, and concluded with his farewell to all created enjoyments. When on the scaffold, after he had prayed and read Is. lxx. he spoke several things, and, among others, said, 'My motives were the great apprehensions I had of Popery, and my regard to the kingdom and interest of Christ here; and I wish every one were con-

Others banished.

Mr Tho. Archer executed.

His last testimony.

His behaviour on the scaffold

cerned

1685.

cerned with the evil and danger of Popery.' Here one of the magistrates interrupted him; whereupon he added, 'I shall only refer you to Rev. xiv. 9. 10. 11.' and said to the magistrate, 'You cannot deny but Popery is hazardous,' who answered, 'It is true, but there is no fear of it here, blessed be God.' Mr Archer replied, 'I wish to God it be so,' and then continued his discourse. 'What I have farther to say is, that as Christ hath a kingdom, wherein and over which he reigneth as King, so he will suffer none to usurp that power, which is his own prerogative.' — After he was again interrupted he went on thus, 'Well then, I hope none of you, who are the people of God, need stumble at our fall, as if God would let the work rest at us; — for the people of God have got many backsets, one after another; but the Lord has waited for their extremity, which he will make his opportunity — Mic. iv. 10. *I will bring them to Babylon, and there will I deliver them.* So I pray and intreat you all to be concerned for your souls interest; as for my own part, I know I have no more to do as to that. Fear of death does not fright or trouble me. I bless the Lord for my lot.' Then he prayed again, sang Psal. lxxiii. 24. to the end, and died with great cheerfulness and joy. He was about 32 years of age at his death, and, says my author, was qualified for being a professor of divinity in any university.

More banished.

On the 17th of August the council ordered about 72 prisoners in Leith to be banished to the plantations for refusing the oaths, among whom were several women. Many of them seem to be the Dunotter prisoners; for, as Argyll's invasion was now over, these prisoners were brought from thence to Leith. Quintin Dick and another were left behind as dying men. The council was pleased to come to Leith and sit in the tolbooth, and re-examine them. The few that complied with their impositions were dismissed; some who were weakly, and had friends to make interest for them, got off upon bond to appear when called; but the generality refusing the oaths, as the reverend Mr W. Frazer and others, were banished. The most of those who were ordered for transportation were made a present of to the Laird of Piltochie, who freighted a Newcastle ship, Richard Hutton master, bound

ound for New-Jersey, to whose care the banished prisoners were committed. 1685.

Mr William Hanna, one of these prisoners, got off by giving in the penalty of 5000 merks. When he was threatened with banishment, he told them, that he was now too old to work, or to go to war. Old general Dalziel bitterly replied, that he was not so old to hang; but that same day, being the 22d of August, that general died suddenly. Mr Hanna fell ill, and, being thought in a dying condition, was released, and got home, after above three years sufferings.

Mean while, on the said 17th of August, Sir John Cochran, his son, and John, called Col. Ayloff, were put a-board a yaught for London. Next day a royal letter was read, ordering to forfeit and banish Charles and John Campbells, sons to the late Earl of Argyll: accordingly they were ordered to be brought to Edinburgh to be tried by the justiciary. The same day Thomas Ruffel and John Henderson were examined on account of the death of Sharp, in which they were suspected to be concerned. They denied the fact, but refused to call it murder, and were appointed to be kept close prisoners. On the 20th Ruffel was banished, and Henderson ordered to be tried before the justiciary; but it was well for them both that they found an opportunity to break prison and make their escape.

On the 21st Charles Campbell was condemned to die for being with his father in the rebellion, but the day of his execution was left to the council's pleasure; and on the 25th his brother John received the same sentence. And thus, though the managers could not, for shame, embroue their hands in the blood of these youths, yet they did what lay in their power to leave a stain on the children and relations of this noble family of Argyll. But to return to the banished prisoners.

As they generally wrote to their friends, so, on the 28th of August, 28 of them, before they sailed, signed a conjunct testimony, bearing, 'That now being to leave their own native and covenanted land, by an unjust sentence of banishment, for owning truth, and standing by duty, and studying to keep their covenant-engagements and baptismal vows, whereby

1685.

they stand obliged to resist and testify against all that is contrary to the word of God and their covenants; and that their sentence of banishment ran chiefly because they refused the oath of allegiance, which in conscience they could not take, because, in so doing, they thought they utterly declined the Lord Jesus Christ from having any power in his own house, and practically would, by taking it, say, he was not King and Head of his church, and over their consciences; and, on the contrary, this was to take and put in his room a man whose breath is in his nostrils; yea, a man that is a sworn enemy to religion, an avowed Papist, whom, by our covenants, we are bound to withstand and disown, and that agreeably to scripture, Deut. xvii. 14. 15.' Then they bore their testimony against the defections of that day, and for preaching in the fields and houses, and sign as follow. John Kincaid, George Muir, George Johnston, Robert Young, Thomas Jackson, Andrew Paterson, John Harvey, John Ford, Christopher Strang, William Spreul, Peter Ruffel, Robert MacEwen, John Henderson, John Seton, John Gilfillan, Charles Honnyall, James Grierson, James Forsyth, Walter MacIgne, John MacGhie, Ad. Howie, James Muirhead, Annabel Gordon, Margaret Lesly, Agnes Steven, Margaret Forest, Jean Moffat, Annabel Jackson. In the same ship were Mr John Fraser, Robert MacLellan of Barmagechan, William Niven in Pollock-shaws, &c. &c.

*Their
hardships
on board,
&c.*

They sailed from the road of Leith on the 5th of September. After they turned the Lands-end a fever began to rage in the ship, especially among those who had been in the great vault at Dunotter, and in a month's time became malignant, so that few in the ship escaped; most of the crew, except the captain and boatswain, died, together with the following prisoners: Thomas Graham, Gilbert Monorgan, John Smith, William Cuningham, John Muirhead, Thomas Jackson, Katha. Kellie, Andrew MacLellan, Thomas Ruffel, John Hodge, Tho. Cray, John Ramn, John Swinton, John Kippen, Will. Spret, James Wardrope, John MacKenman, Tho. Finlater, John Hutchison of Wardlaw, Will. MacMillan, Agnes Colhalh, John Kirkland; but, notwithstanding this mortality, the Captain and others greatly abused the per-
secuted

ecuted prisoners; for when they who were under deck attempted to worship God by themselves, the Captain would throw down great planks of wood in order to disturb them. Their provisions were exceeding bad. At last they arrived at New-Jersey; but Pitlochie and his lady died on the passage. The prisoners met with harsh treatment from the people when they first came ashore; but, a little way up the country, there was a town where a minister was settled. When the inhabitants were informed of the circumstances of the banished, they invited all who were able to travel to come and live among them, sent horses for those who were not, and entertained them that winter freely, and with great kindness. Next spring Mr Johnstoun claimed the prisoners as his property, upon the death of Pitlochie his father-in-law, and got them all summoned before the court of the province. After hearing both sides the governor called a jury, who acquitted the prisoners; whereupon most of them retired to New-England, where they were very kindly entertained, and employed according to their different stations and capacities. Many of them died in the plantations, and the rest returned to their native country at the happy revolution, as Mr Riddel, William Niven, and Robert MacLellan of Barmagechan.

This last-mentioned gentleman underwent a series of sufferings during this infamous period. In February 1666, a party from Sir James Turner came and lived upon him at discretion, till he should pay those exorbitant sums imposed upon him for his nonconformity. When Mr MacLellan prayed Sir James that the soldiers might be removed, he was confined in his court of guard till he should pay his fines, and the cess for maintaining the army. At last his fine was fixed to 100 merks, and a party of horse was sent to quarter upon him, to each of whom he was obliged to give two shillings sterling a-day till he paid his fine. This heavy oppression constrained him to join those who rose at Pentland. When that party was dispersed, he fled to England, where he lived privately four years. He returned again to Scotland, and joined the party at Bothwell. Upon which he was again forfeited, his family dispersed, and forced to retire to England, where, about the end of 1684, he and several other Scotsmen were apprehended by Squire Dacres, and

*Sufferings
of Barma-
gechan.*

1685. sent prisoners to Dumfries. He lay in irons for several days in the castle there, and was, with several others, sent to Dunotter, where he did partake of the sufferings of that dismal place, and had his lot with the rest of the banished. It pleased God to preserve him and his three children, during the voyage, while his wife and other three were left in Scotland to the care of Providence. He was so weakened by sickness that he was obliged to be carried ashore. However he soon recovered, and set up a plantation at Woodbridge in New-Jersey, which he purchased, and where he had the advantage of hearing the gospel preached by the reverend Mr Archibald Riddell. This gentleman continued here from December this year, till June 1689, when he resolved to return to Britain upon his hearing the good news of the revolution. Accordingly Barmagechan, Mr Riddell, and others, sailed for England, and on the 2d of August reached the English coast; but they were taken by a French man of war, and carried prisoners to Nantz, from thence to a common jail at Rochefort, where were near 200 English and Dutch prisoners, the most of whom were sent to Thoulon. They were chained two and two by the arm, and at first each ten pair were tied with a rope, but; that retarding the journey, after the second day the ropes were no more used. Mr Riddell was chained to his son, a boy of ten years of age, for whom they were at pains to make three different chains before they could get one small enough for his wrists. Many died in this journey. When Mr MacLellan, through age and weakness, was unable to travel, he applied to the captain for the benefit of one of their carts, but was answered by many lashes of his whip on the face, by which he lost the sight of one of his eyes. After a six weeks march, they at last got to Thoulon, where they were put into a large old ship; where he continued 19 months, though all the rest, after a month's time, returned the same way they came to Rochefort, and from thence to Denain near St Malo, where Mr Riddell continued more than a year, in a vault of an old castle, with some hundreds of other prisoners. They lay on straw, and never changed but once a month, and so were over-run with nastiness and vermin. After twenty-two months, Mr Riddell and his son were exchanged for two Popish priests, which

the council of Scotland gave for them. When the prisoners at Thoulon were released, by another exchange, the French king would not suffer them to return through France; but gave them a pass, and put them on board a ship bound for Genoa, where Barmagechan got a Hamburgh vessel bound for Cadiz in Spain, from whence he came in a fleet bound for Amsterdam; but by a storm they were drove on the back of Ireland, and the ship he was in was forced into Bantry-bay there. The Irish seized the company, stripped Mr MacLellan of his cloaths, and kept him among them eleven days, so that through the hardships he met with, he fell ill; but at last he was released, and got safe home to his own house at Barmagechan, 31st October 1691. From the whole it appears, that all the sufferings of this gentleman were owing to the persecution in Scotland. But to return.

On the 11th of September, the council ordered the advocate to prosecute more that were concerned in the attempt of the Earl of Argyll; but, as I know not the issue of it, I pass it over.

On the 16th they issued a proclamation for keeping *Proclamation for* the King's birth-day, October 14th, as a solemn anniversary thanksgiving, 'and therein to commemorate *keeping the* his most conspicuous entry to his royal government, *King's* and miraculous deliverances;' and, that the reader *birth-day,* may see what solid ground there was for this, *who in-*

On the 19th a letter from the King was read in *vades the* council, requiring them to call for the magistrates of *privileges* Edinburgh, and prohibit them from proceeding to a *of the royal* ny election of magistrates or town-council, for the en- *burghs.* suing year, till his Majesty declare his pleasure to the contrary. If this was not a direct infringement of the privileges of the royal burghs, let the reader judge. Accordingly the magistrates were called, and had the King's pleasure signified to them. These infringements were as a preface to what followed in England as to corporations much of the same nature.

From some letters that passed at this time, between *Divisions* the King and council, it appears that the ministers of *among the* state in Scotland were not harmonious among them- *ministers* selves. Informations were taken from Mr John Veitch, *of state.* and accounts were said to be given by Sir John Cochran, with relation to a correspondence carried on between the Lord Register, Secretary Murray, and Lord

1685.

Sir John Cochran pardoned, Burnet, p. 634.

Lord Melvil, and some pieces of mismanagement of the advocate. Bishop Burnet tells us, that Cochran had a rich father, the Earl of Dundonald; and he offered the priests L. 5000 to save his son. They wanted a stock of money for managing their designs, so they interposed so effectually that the bargain was made; but, to cover it, Cochran petitioned the council that he might be sent to the King, for he had secrets of great importance, which were not fit to be communicated to any but to the King himself. He was upon that brought up to London; and, after he had been for some time in private with the King, the matters he had discovered were said to be of such importance, that, in consideration of that, the King pardoned him. It was said, that he discovered all their negotiations with the Elector of Brandenburg and the Prince of Orange: but this was a pretence only given out to conceal the bargain, for the Prince told the Doctor he had never seen Cochran; but the secret came to be known soon after. Passing therefore these things,

Gentlemen exorbitantly fined.

Executions being now very much over, the old trade of fines for conventicles was revived. For one gentleman was fined this month in no less sum than 60,000 l. Scots, or L. 5000 Sterling, for his own and his lady's nonconformity.

Mr John Veitch closely confined.

On the 5th of October, the above-mentioned Mr John Veitch, minister at Westruther, was made close prisoner at Edinburgh, and his keeper solemnly sworn never to suffer any word to come in to him, or go out from him, without the knowledge of the council or their committee. Two soldiers were ordered constantly to guard the door, pen and ink were taken from him, and thus he continued for 20 weeks.

Liberty of the press invaded.

The same day they made an act prohibiting the printing of any books of divinity till they were revised and licensed by the ordinary of the place, and discharging all stationers and booksellers from selling any such books, under the penalty of confiscation.

Provost chosen by the King.

The same day another letter from the King was read, wherein his Majesty recommended Bailie Kennedy, as his particular choice, to be elected provost of Edinburgh, leaving the magistrates to the usual method of electing the rest of the town-council; but one might readily think that the King might have named all as well as the chief magistrate, and taken upon himself

to nominate magistrates in all the royal burghs through the kingdom.

1685.

The council having, on the 29th, received information of two field conventicles in the parish of Camnethan, where several were present in arms, and Mr Renwick preached, Major Wedderburn of Gofford was ordered to inquire concerning those who were present, and the heritors through whose lands they passed.

Major
Wedder-
burn.

On the 12th of November a very extraordinary letter was read from the King, dispensing with an act of his very first parliament. As it is but short, the tenor of it follows.

JAMES R.

Right trusty, &c. we greet you well. Whereas, in the 12th act of our current parliament, intitled, *Act of supply*, there is a clause ordaining all the commissioners therein named to take the oaths and test appointed by law; which clause we judge fit, for our service, to require you to put vigorously in execution, excepting these in the list here inclosed, whom we have dispensed with from taking the same, and such as we shall hereafter dispense with under our royal hand. For doing whereof this shall be your warrant: and so we bid you heartily farewell. Given at our court at Whitehall, the 7th day of November 1685, and of our reign the first year.

By his Majesty's command,

MELFORD.

The list of those dispensed with from taking the test contains the Duke of Gordon, the Earls of Seaforth and Traquair, Lord Oliphant, Richard Cockburn Clerkintoun, Alexander Irvine of Drum, John Gordon of Rothemay, Patrick Lesly of Balquhain, Sir George Gordon of Gight, William Menzies of Pitfodells, James Innes of Drumgask, Adam Gordon of Auchmacoy, Francis Gordon younger of Craig, Mr Alexander Irvine of Lairny, Mr Richard Irvine of Kirkcoun, the Laird of Fetterneir, the Laird of Wartlesly, Alexander Frazer of Kinnaries, MacDonal of Binbecula, MacDonal of Largy, MacDonal of Calfiltoun, Patrick Gordon of Glastyrum, John Grant of Ballindallach, James Gordon of Camdel, John Gordon

List of
those dis-
penssed
with.

1685. Gordon of Baldorny, Alexander Gordon of Auchintoul.

It is easy to observe here that acts of parliament are no security under a Popish prince, when he takes upon him to dispense with them in this manner; for the King not only dispensed with the act as to the persons above mentioned, but reserved a power to himself to dispense with it as to others whom he should afterwards name.

Sufferings of John Nisbet of Hardhill. John Nisbet of Hardhill, in the parish of Lowdown, was apprehended about this time. This gentleman had been always active for religion, and an encourager of the gospel as at that time preached in the fields. In 1664, having a child baptized by an ejected Presbyterian minister, the curate declared from the pulpit that he intended to excommunicate him next Lord's day, but was prevented by sudden death. He was both at Pentland and Bothwell. In the former he was so grievously wounded, that the enemy left him for dead, so that he escaped. At the latter he behaved with great bravery and courage, and escaped at that time likewise, but, being known, was proscribed by proclamation, and a large reward offered for apprehending him. His estate and goods were seized, and his wife and four children stripped of all and turned out of doors.

Manner of his being taken. He suffered all kinds of distress from 1679, till November this year, when he, with three of his fellow-sufferers, were surpris'd in a house in the parish of Finwick, by Lieutenant Nisbet a cousin of his own. They defended themselves till the other three were killed on the spot, and Hardhill sore wounded and taken. The Lieutenant, having ordered him to be bound, asked him what he thought of himself now. He answered, 'I think as much of Christ and his cause, for which I suffer, as ever; but I judge myself at a loss, being in time, and my dear brethren, whom you have murdered, being in eternity.' The Lieutenant swore he had reserved him for a farther judgment. John replied, 'If the Lord stand by me, and help me to be faithful to the death, I care not what piece of suffering I be put to endure.'

Sent in to Edinburgh. He was carried that night to Kilmarnock, and next morning to Ayr, where, by intercession of friends, a surgeon was permitted to dress his wounds; and here he

he was examined, and from thence sent to Edinburgh. The Cloud of witnesses says that he was brought back to Kilmarnock, and from thence transported to Edinburgh; but that circumstance is not material. It seems, says an eye-witness, all this was done that the lieutenant might have the reward published for apprehending him. My author has given his examination before the council, which, it seems, was on the 26th of November, from a letter under his own hand, wherein he says, 'When he was brought before the council, he knew Perth, Linlithgow, and Bishop Pateron, &c. The councillors told him that they believed he was acquainted with every thing among the rebels, and would take it as a favour if he would ingenuously tell what he knew.—He told them, when they came to particulars, he should speak nothing but the truth; for he could say he was more afraid to lie than to die; but he hoped they would be so much Christians as to press him to answer nothing that would burden his conscience.'

1685.

Memoir of the church of Scotland, p. 286. 287.

His examination before the council.

'They asked him what they did in their societies and meetings? He answered, they sung part of the psalms, read some of the scripture, and prayed time about. Q. Why are they called societies? A. I am surpris'd at such a question, since the thing is plain, and is the name such meetings had in the best times of this church. Q. Where are they kept? A. In the wildest muirs and most retired places. Q. What do ye at your general meetings? (While stopping a little to consider what to say to this, one of them answered, and gave a more particular and distinct account of every part of their way than he could do.) Will you own the King's authority? A. I will not. Q. Why? Do you not own the Scriptures and Confession of faith? (naming several places; and chap. xxiii. of the Confession). A. I own both with all my heart; but the King is a Roman Catholic, and I have not only been educated a Presbyterian, but solemnly sworn against Popery. Q. What is that to you? His being Popish does not bind you to be so too, nor hinder you to live in your own religion. A. The contrary appears; for no liberty is given to hear the gospel, and we are put to the hardest sufferings for hearing it. Q. It is not so: you may have the gospel to hear when you please; but

1685.

‘ your wild principles will not suffer you to hear it.
 ‘ *A.* The contrary is well known: you have taken a-
 ‘ way Presbyterian ministers, and left none in the na-
 ‘ tion within our reach, and put such in their places as
 ‘ are profligate wretches; so that poor people neither
 ‘ care nor dare join with them. *Q.* Were you and such
 ‘ as you clear to join with Argyll? *A.* No more than
 ‘ with you. *Q.* Would you have joined with Mon-
 ‘ mouth? *A.* No. Another said in banter, it seems
 ‘ they will have no king but Mr Renwick; and asked
 ‘ him if he conversed with any other ministers than
 ‘ Mr Renwick. He answered, he did not.—As to
 ‘ praying for their king, one of them said he knew I
 ‘ was that much a Christian that I would pray for all
 ‘ men. I told them that I reckoned myself bound to
 ‘ pray for all; but prayer being institute by an holy
 ‘ God, who was the hearer of prayer, no Christian
 ‘ was obliged to pray when every profligate command-
 ‘ ed him; and that it was no advantage to their cause
 ‘ when they suffered such a thing.’ He proceeded thus:
 ‘ How it may be with me afterwards, I cannot po-
 ‘ sitively say,—but this I can say, the Lord hath
 ‘ not quarrelled with me for any thing since I was a
 ‘ prisoner; but hath always waited to supply with all
 ‘ comfort, consolation, and strength, as my necessity re-
 ‘ quired. And now, when I cannot lay down my
 ‘ head, nor lift it up without help, and the irons are
 ‘ upon my legs, yet, of all the cases I ever was in, I
 ‘ had never more contentment. I can now give the
 ‘ cross of Christ a more noble commendation than ever.
 ‘ —Under all my wanderings, in all my toilings, a
 ‘ prison was still terrifying to me; but immediately at
 ‘ my taking he so shined on me, and ever since, that
 ‘ he and his cross is to me far beyond whatever he was
 ‘ before: Therefore let none scare, or stand at a dis-
 ‘ tance from their duty, for fear of the cross; for now
 ‘ I can say from experience, that it is as easy, yea,
 ‘ and more sweet, to lie in prison and irons, than it is
 ‘ to lie at liberty. But I must break off at present.’

The council, this 26th of November, ordered him to be prosecuted before the justiciary. Two prisoners were ordered to be released, and five to be banished for conventicles, and refusing the oaths.

Arraigned and condemned. On the 30th, John Nisbet of Hardhill was arraigned before the justiciary. His own confession was the proof

proof

proof against him; in which, among other things, they said that he declared, that the reason why he and those who were in his company refused to join with Argyll, was because one Clelland told them, that the said Argyll and his party were against all kingly government. My author is of opinion, that he declared no such thing, it being very common for the clerks, in writing down the answers of the sufferers, to misrepresent them. And it is certain, that the only reason given by the societies for not joining with Argyll, was, because they could not espouse his declarations as the state of their quarrel, they not being concerted according to the ancient plea of the Scottish covenants, and because it opened a door for a sinful confederacy. We have had instances of unfair dealing this way before now. Hardhill was brought in guilty, and condemned to be hanged at the Grass-market of Edinburgh on the 4th of December next.

The same 30th of November, John Welsh of Cornley, and Edward Marshall of Kaemuir, who had been formerly forfeited, and having been apprehended, were ordered to be executed on the 4th of December. The former got off by taking the test; but the latter suffered with John Nisbet of Hardhill.

Mean while Charles Maxwell was this month summoned before some court at Glencairn-church, for collecting charity to the prisoners at Dunotter. He appeared, and, there being no proof against him, was dismissed; but that same night a party was ordered to his house to take ten pounds, or goods to the value, for his wife's absence from the court, though he knew nothing of her having been summoned, and to carry him prisoner to Dumfries. It was with difficulty he prevailed with them to take his bond, and his master surety, to appear at Dumfries when called, under the penalty of L. 1000 Scots.

On the 4th of December, John Nisbet of Hardhill, and Edward Marshall, suffered at the Grass-market of Edinburgh, according to their sentence. Their last testimonies are in the Cloud of witnesses, edit. 4th.

Edward Marshall left his testimony against all who had gone contrary to the covenanted work of reformation; owned that he was at Bothwell; but would not acknowledge it to be rebellion. They asked him if he would own James VII. as King of Britain; he told them,

1685.

them, that he owned him as far as he owned God, his cause, and people. On which some of them said, that was not at all. Then they asked if he would pray for the King of Britain. He replied, That this was not a place for prayer. Upon which they laughed, and ordered him to remove. After this account he exhorts his friends not to be discouraged with these threatenings of men for the cause of Christ; and concludes with recommending his wife and children to God, and taking a comfortable farewell of all worldly enjoyments.

Of John Nisbet.

John Nisbet, in his last testimony, which is in the Cloud of witnesses, among other things, says, ' I have always, since the public resolutions were for bringing in the malignants and their interest, thought it my duty to join with the Lord's people in witnessing against those sinful courses; and now we see clearly that it has ended in nothing less than——open doors, that are made wide, to bring in Popery, and set up idolatry in the Lord's covenanted land. Wherefore it is the——indispensible duty of all who have any love to God, to his Son the Lord Jesus Christ, ——to witness faithfully, constantly, and conscientiously against all that the enemies have done, or are doing, to the overthrow of the glorious work of reformation.——And however it be, that many, both ministers and professors, are turning their backs upon Christ and his cross, reproaching——you and testimony of the day, yet let not this weaken your hands;——for I assure you it will not be long to the fourth watch; and then he will come in garments died in blood, to raise up saviours upon mount Zion to judge the mount of Esau, and then the house of Jacob and Joseph shall be for fire, and the malignants, prelates, and Papists shall be for stubble, the flame whereof shall be great. But my generation-work being done with my time, I go to him who loved me, and washed me from all my sins. Then he goes on, declaring that he died adhering to the scriptures, and all the pieces of reformation attained to in Scotland from 1638 to 1649, and protesting against Popery, Prelacy, the indulgence and the accepters of it, and exhorting the people of God to forbear contentions and censuring one another, to keep up their fellowships and general meetings: and con-

cludes,

cludes, bidding farewell to all his dear fellow-sufferers, to his children and Christian friends, and with committing his spirit into the hands of Father, Son, and Holy Ghost.

And now I have the pleasure to acquaint the reader, that there is but one execution more of this kind at Edinburgh during this infamous period; so that from this, to the beginning of 1688, we shall find things taking another turn. Measures were concerted for repealing the penal statutes, and it was proper that the persecution of the Presbyterians should abate for a while, that the Papists might get footing, and so complete the ruin of the reformation. But I shall relate things as much in the order of time as possible,

On the 9th of December the council banished 17 more prisoners, and next day Mr John Mitchel of Balbardie was ordered to be discharged from paying any more fines for his wife's irregularities, because of the King's letter in favour of regular husbands.

Mr John Mitchel.

On the 21st a process was commenced by the advocate against the deceased Duke of Buccleugh and Monmouth, Fletcher of Saltoun, and the Lord Stair. A very long indictment was given in against them and read, but the trial was put off till January next. I shall now conclude this bloody year with some things of which I know not the dates.

Process against Monmouth, &c.

Thomas Richards in the parish of Ballantrae was last surpris'd by a party of Balquhan's soldiers while asleep, who carried him with them to Stranrawer, and brought him back to Ballantrae. His friends not being able to prevail with him to comply, the commander ordered four of his men to shoot him in the fields; but things were so concerted that his friends again surrounded him, and prayed him to comply; but he told them he was not unwilling to die even a violent death, rather than make any sinful compliances. Upon this his heroic and Christian resolution the Captain thought proper to proceed no farther. Thomas was taken to Glasgow, where, after a month's imprisonment, his ears were cropt, and he was sent with others to Jamaica, where he was sold for seven years. He died just as his time of servitude was expired.

Thomas Richards banished.

By order of the sheriff of Wigtoun, a party came to Barn-kirk in the parish of Penningham, and apprehended

1685.

*Cruel
treatment
of Sarah
Stuart.*

hended Sarah Stuart, the wife of William Kennedy, after having damaged the house and spoiled the furniture, and forced her to go with them a-foot, with a child in her arms not quite nine months old, to Wigtoun, and leave the other three children behind her, without any to look after them, though the oldest was not eight years of age. She was kept eleven weeks prisoner at Wigtoun; for though she was a conformist herself, yet, because she would not engage never to converse with her husband, nor to discover him, or inform against him, she was brought to all this trouble; for the religion and government of this period were calculated to root out the principles of nature. This was very much parallel with the practice of the most wicked of the Papiſts, who obliged some children to kindle the faggots wherewith their parents were burnt.

*Sufferings
of John
Wallace.*

A party of Balquhan's men seized John Wallace of Knockybae in the parish of New-Glenluce, spoiled his house, and took away every thing they could, because he refused the abjuration; nay, they brought in numbers of sheep to the church, where they killed and roasted them with a fire made of their pews. My author has this odd circumstance well attested under the hand of the minister of that parish.

*Many died
in prison.*

Many this year died in prisons, and in the way to them, and in their banishments; and these may all be reckoned to have suffered unto death, as James Glover of the parish of Tinwal, Andrew Fergusson in the parish of Glencairn, John Muni, James Muncie burges in Dumfries, John Muirhead bailie in Dumfries, James Carran burges in Dumfries, Andrew Hunter and John Stock burges in the same town, Elisabeth Glendowning the wife of John Panter of the parish of Durisdeer; John Renwick burges in Dumfries, Andrew MacLellan a freeman in the same town, and James Sittingtoun in the parish of Dunscore, were banished and died abroad. As all these were only from the shire of Nithsdale, what multitudes might be mentioned from other places is not hard to imagine.

*Many
scourged,
&c.*

Many honest people were scourged for their non-conformity, and then sent to the plantations. Thus two women were scourged at Dumfries by the hangman, because they would swear no oaths, and the youngest was sent to Jersey with Pitlochie. About the same time a poor woman, with a man whom they had

had prevailed with to take the test, were bound together and scourged through the said town, because he would not swear what wandering persons he had entertained. Jean Dalziel, a tenant of Queensberry's, was banished because she would not swear never to converse with her husband, who was declared a fugitive; as was Agnes Harestanes, another of Queensberry's tenants, because she would not promise to hear the curates, and discover the fugitives.

It is farther remarked at this time, that, when people were prevailed with to take the oaths, the managers likewise obliged them to promise to stand at the singing of the doxology, give all encouragement to the established clergy, apprehend all fugitives and wanderers, and, when they could not apprehend them, that they would raise the hue and cry after them for three miles.

The rage against Presbyterians was not confined at this time to Scotland, but reached even to those ministers who had retired to Holland for shelter, as Mess. James Veitch, Alexander Pitcairn, George Campbell, Patrick Warner, and others. These ministers, and other persecuted Scotsmen, had a weekly meeting for prayer. One, who called himself *Robert Smith*, attempted to be admitted among them. Mr Warner, not relishing his forwardness, and suspecting him for a spy, put a stop to it. This fellow, who pretended to have been at Bothwell-bridge, partly out of spite, and partly to get his hire, went to London, and, on the 24th of February this year, gave in an information at Whitehall, which is published by Sprat in his *copies of informations*, p. 173. &c. This paper contains a heap of lies and falsehoods: He pretends to have seen Mr Warner at the council of war at Bothwell-bridge, whereas, from Drumclog to that defeat, he was never within 40 miles of Bothwell. He also mentions Gordon of Earlstoun elder, as being at that council of war, whereas the action was over, and he was killed as he was riding to join them. I have not room to consider the said information in all its parts, neither is it material. However, it seems, this occasioned orders to be given to the English resident in Holland to insist with the states general, either to apprehend or to remove these banished ministers from Rotterdam, and their dominions. Something was done to pacify the

Oaths did not satisfy.

Scots ministers in Holland brought to trouble.

1685.

the resident; but care was taken to give these ministers notice of their danger, so that, for a little, they stept out of the way.

Thus I have, at last, got to the end of this bloody year, which has presented us with a scene of persecution that had not, at that time at least, its parallel; except in France, where Lewis XIV. revoked the edict of Nantz. The French king's edict of revocation, and other things relating to it, the reader may see at more length in my author, vol. II. p. 580. &c.

Bishop Burnet's remark, p. 655.

Bishop Burnet observes, that 'this year 1685 must ever be remembered as the most fatal to the Protestant religion. In February the King of England declared himself a Papist. In June, Charles the elector Palatine dying without issue, the electoral dignity went to the house of Newburgh, a most bigotted Popish family. In October the King of France recalled and vacated the edict of Nantz; and, in December, the Duke of Savoy being brought to it, not only by the persuasions, but even by the threatenings of the court of France, recalled the edict that his father had granted to the Vaudois.' But I must leave these things.

No more registers.

The council-registers end the 31st of December, from which time to the revolution, none of the warrants were booked. Why their actings were not recorded after this, my author does not know the reason; but we shall now soon get to the end of this history.

C H A P. XIV.

Of the proceedings of the justiciary and parliament; the King's remarkable letter in favour of the Papists; the death and character of Mr Alexander Peden; the state of Mr Renwick and his followers; the various branches of persecution and acts of indulgence, with other things to the end of the year 1687.

1686.

Persecution abated.

THE persecution, in some of its branches, was not so violent, during the three following years, as before. Most of the Presbyterian ministers were banished. The gentlemen and heritors who favoured Presbytery were either dead, forfeited, or banished. Many of the common people were cut off, transported

to the plantations, shut up in prisons, or made compliances; so that the government had but few to persecute, except Mr Renwick and his adherents. But the chief motive of abating the former severities was this: The King, and those about him, had formed the design of repealing the penal statutes against the Roman Catholics, it would therefore have been very indecent to continue the persecution against dissenting Protestants, when such favours were to be given to Papists; but then, though the acts of persecution in some measure ceased, yet the spirit still remained, and some remarkable instances of cruelty are recorded by my author.

Many were the fines and exorbitant exactions made upon poor people, of which the following is well touched from the parish of Calder. James Donaldson portioner of Ralbrefton, for a meeting for prayer at his house on a Lord's day; was fined and paid L. 200; John Baxter for ditto, L. 40; Walter Donaldson for his wife's being present, L. 36. Several other people were fined, making in all L. 816. 16 s. Scots. William Stirling, the bailie-depute of the regality of Glasgow, who imposed those fines, got them for his pains, which doubtless animated his zeal, for he had a gift of all the fines for church-irregularities in that parish below heritors. He used to threaten the poor people with present imprisonment, unless they engaged to bring a certain sum by such a day.

Fines in the parish of Calder.

Plunderings and oppressions still continued. In the parish of Dalry, three men having retired to a wood for social prayer, and, being overheard, a party came and fired upon them, but they happily escaped; which enraged the soldiers, that they plundered the neighbourhood, and brought the heritors there to much trouble.

Plunderings.

In the beginning of this year, a party came to the parish of Stonehouse, in Lanerkshire, and carried off eight men, and two women who had sucking infants at their breasts, for alledged hearing an ejected minister. The poor mothers were forced to leave their tender infants to the care of Providence. Another party, commanded by Hallyards, dreadfully oppressed the neighbouring parish of Glasford, plundered the house, and spoiled the goods of one Janet Scot a widow, because it was alledged her son had been at Bothwell.

Oppressions.

1686.

Many gentlemen who had been with Argyll, or favoured his cause, were forced to conceal themselves in dens and caves of the earth; and others were forced to pay prodigious compositions for their fines.

Presbyterian ministers preach privately.

Besides Mr Renwick, there were some Presbyterian ministers, both last year and this, who preached with the utmost secrecy, as Mess. George Barclay, Robert Langlands, George Guthrie, John Black, and Duncan Campbell.

Eighty condemned.

The lords of justiciary went on in their forfeitures and, on the 4th of January, about 80, mostly of the name of Campbell, were indicted, and sentenced to be executed when apprehended. Among others were Sir Duncan Campbell of Auchinbreck, Campbell of Barbreck, &c. &c.

Process against Monmouth, &c.

The same day the process against the deceased Duke of Buccleugh and Monmouth was put off till February, when he was forfeited, and Mr Fletcher of Saltoun was prosecuted for being with Monmouth, brought in guilty, and sentenced to be executed when apprehended. Lord Stair's process was put off from time to time, till at last a pardon was procured for him. His crimes were receiving rent from rebels and traitors harbouring Mr Alexander Lennox, Mr Alexander Ross, Mr Alexander Peden, and Mr Alexander Hamilton, who were all called vagrant preachers, suffering them to preach and baptize children in his house, and drawing a petition for, and giving his advice to some of the rebels. On the 18th Duncan Campbell of Allangreg junior, for his accession to the late Earl of Argyll, was ordered to be executed, along with his father, on the 9th of July next, but remissions were procured before that time.

Mr Peden's death and character.

On the 26th of January, the singularly pious Mr Alexander Peden died in full assurance of faith, and was privately interred in the church of Auchinleck. He was minister of Glenluce before the restoration. P. Walker tells us, from eye-witnesses, that, as he came down from the pulpit upon preaching his farewell sermon, when ejected, he knocked on the door three times with his Bible, saying, 'I arrest thee, in my Master's name, that never any enter thee but such as come in at the door as I did.' Accordingly it was remarked, that neither curate nor indulged ever entered.

ered that pulpit till after the revolution, when a Presbyterian minister preached there.

1686.

During the last year he wandered from place to place through Ayrshire and Galloway. He was indefatigable in prayer, and was one of those fearers of God's name with whom the secret of the Lord was; for he certainly foretold several things that came to pass. John Ker of Kerland, Esq; in his memoirs, speaking of Mr Peden, says, 'Abundance of this good man's predictions are well known to be already come to pass.'—Accordingly he mentions the following: 'When he was sick unto death, in the year 1686, he told his friends, that he should die in a few days; but having, said he, foretold many things, which will require some time before they be verified, I will give you a sign which will confirm your expectation that they will as surely come to pass as those you have already seen accomplished before your eyes; I shall be decently buried by you; but if my body be suffered to rest in the grave where you shall lay it, then I have been a deceiver, and the Lord hath not spoken by me; whereas, if the enemy come a little afterwards to take it up, and carry it away to bury it in an ignominious place, then I hope you will believe that God Almighty hath spoken by me, and consequently there shall not one word fall to the ground.' Accordingly, about 40 days after his interment, a troop of dragoons came, lifted his corpse, and carried them two miles to Cumnock, and buried them there under the gallows.

p. 8.

Mr Peden, through the misrepresentations of some, was much alienated from Mr Renwick, and spoke bitterly against him. This exceedingly grieved Mr Renwick, stumbled many of his followers, and confirmed his adversaries, who boasted that *now* Mr Peden also was turned his enemy; but, when he was a-dying, he sent for Mr Renwick, and asked him if he was that Mr Renwick there was so much noise about. Mr Renwick gave him a decent and proper answer, and such an account of his conversion and call to the ministry, of his principles, and the grounds of his contending against tyranny and defections, that Mr Peden was satisfied, and expressed his sorrow for giving credit to the reports that were spread against him. As for those papers which were handed about under Mr Peden's name,

*Renwick's life, p. 99.**P. Walker's remarkable passages of Mr Peden.*

1686. name, they are upon good grounds looked upon as
 spurious.

*Mr Renwick ac-
 cused.*

*Vid. his
 life by Mr
 Shields,
 p. 84.*

Mr Renwick was not only exposed to the resentment of the managers, but also suffered exceedingly from the tongues of those who had been formerly persecuted for the same cause; particularly, one of the ministers who came over with Argyll accused him, and those that adhered to him, ' 1. Of overturning Presbyterian government even to the foundation, and putting in its room a popular confusion, in committing the trial, both of the degree of scandal and censure, to persons that are not church-officers; 2. Of thrusting themselves most unhappily into the magistrate's room, making themselves a convention of estates, and managing both civil and church-affairs by the same persons and assembly; 3. Of imposing most unhappy restrictions on ministers in the exercise of their ministry, and, when they cannot own nor preach upon these terms, calling them silent and unfaithful, and requiring them to be disowned, there being now not a minister in Scotland, England, or Ireland, save one, as he (Mr Renwick) saith, in a letter to a friend in Ireland, and he no minister of that church either, and that by his own confession.'

*His answers,
 p. 85.*

His answer was in substance as follows. ' 1. That they never committed the trial, either of scandal or censure, in a judicial way, to the people, but only allowed them to judge how they themselves were to carry towards the scandalous, if the scandal might bear the weight of withdrawing from him. — Simple withdrawing is not the inflicting of a censure, but only a testifying that it should be inflicted by such as are competent, Rom. xvi. 17. 2 Thess. iii. 14. — In a broken state of the church, when church-judicatories cannot be had, there must be some such private withdrawing, else all must go into confusion; the faithful partake of other mens sins, private and popular means of reclaiming offending brethren, and the testimonies of the faithful, shall fall to the ground. This is not to overturn Presbyterian government. — 2. If declining magistrates, because tyrants, be thrusting ourselves into the magistrate's room, then every man declining a prelate, because not of Christ's appointment, thrusts himself into the prelate's room. — This is all the import of

p. 86.

' our

our declarations. How can it be instructed that we have acted as a convention of estates? The mere disowning of the present government will not infer it. — As to the expression, what needs so much fighting about it? — I wish these words had been otherwise expressed. Why are men made such offenders for words? Will such a spirit be helpful to the healing of breaches? — We hold none of these declarations, or any other things, to have been emitted by judicatories. The same persons having ecclesiastical authority, and others having civil authority, cannot concur in one action. We leave this to the tyrant's council, made up of lords spiritual and temporal, as they call them. 3. We never in the least intended any restrictions on ministers, but only desired they might declare the whole counsel of God, and would have them take a liberty to preach up all duties, and down all sin. This is no restriction or imposition. — I am against the people's desiring any thing of ministers but what is divinely bound upon them by the word of God, and ecclesiastically by our national and solemn covenants, and the acts of our general assemblies. As to that, that I should have said in a letter, that there is not a minister in Scotland, &c. faithful save one; I forgive the saying of me, but I deny the charge. — If I have written of ministers unfaithfulness in universal terms, it is a wide consequence to infer I asserted there was but one — That, by my own confession, I am not a minister of this church, I altogether deny. I said, I am a minister where-ever I have a call from the people and do embrace it. O that all those who shall agree together in heaven were agreeing upon earth! I think, if my blood could be a mean to procure that, I could willingly offer it.

There were several more letters interchanged between him and the same minister, besides some from other hands, containing many accusations, especially a large information, stuffed, says Mr Shields, with the grossest misrepresentations, all accumulated in one draught of a paper, divulged not only in Scotland, but carried over to Holland, and very industriously spread by one Alexander Gordon, once a member of these societies. Mr Wodrow says, that, in the entry of this year 1686, Robert Cathcart, a very pious and knowing

1686.

knowing Christian in Carrick, who had formerly joined with the societies, but now was now very much for union, and quitting their heights, drew up an information relating to Mr Renwick and his party, that he had no thoughts of its going abroad, but, when he had communicated it to a friend, it took air. It is in his appendix; and there he charges the societies with taking upon them the government in church and state, and the management of both civil and ecclesiastical affairs, assuming to themselves the name and title of convention of estates, imposing restrictions on ministers, making canons, &c. Whether such an information as this was a proper mean for union must be left with the reader.

*General
meeting at
Friermin-
ion.*

On the 28th of January a general meeting of the societies was held at Frierminion, to which the above-mentioned Alexander Gordon, John Dick, and some others, came, who were, says my author, for uniting with and hearing other suffering ministers as well as Mr Renwick. There was a long conference with the last mentioned persons about many things which he does not insert, but tells us, that, after they had owned their hearing of Mr Barclay, when he had satisfied them in conversation, and because they would not absolutely disown Argyll's declaration, and promise to do nothing for the future without the allowance of the meeting, they debarred them in time to come from their meeting, and would have no more fellowship with them.

When they returned to their constituents there was a large meeting of those who were for union with the other suffering ministers, to which an account was given of the conference at Frierminion, and R. Cathcart's information was read, and a copy of it sent to several Presbyterian ministers for their judgment. My author says farther, that this step of the general meeting at Frierminion, in breaking fellowship with such as were for hearing other honest ministers, and endeavouring to make up breaches among sufferers, did them much harm in the eyes of sober onlookers.

*Renwick's
life, p. 88.*

The reverend Mr Shields tells us, that there were with Mr Gordon several others who followed the informing trade; especially, in Carrick, one Robert Cathcart, John Dick, and others, who never left off, with their clamorous tongues and scribbling pens, to spread their accusations against Mr Renwick: and that
Cathcart,

Cathcart, in a particular manner, accused him and his adherents, 'as such whom the Lord had given up, in a great measure, to the delusions of their own deceitful hearts, to believe lies, &c. and persevere in the breach of our known covenants in two points.

'I. In that of error and heresy; for, 1. With the Papists, they would have their church infallible; their practice testifies this, in declining a minister, be he never so faithful, for the least alledged personal failing;—2. With the Independents, upon the least failing of a minister they take upon them the power to depose. I think, said he, they needed not to have troubled the church at Groningen with the ordination of their rabbi Mr Renwick, they might as well have ordained him themselves, ordination being as much in their power as deposition; 3. In very little they differ from the separatists.

p. 89.

'II. In that of church-discipline and government; —as, 1. Their sending over a youth, scarce read in the common heads of divinity, to Groningen, a most corrupt church,——having declined the faithful ministers of the church of Scotland, and set him up in their room, as Jeroboam the son of Nebat did when he made idol-calves, crying, *Behold thy gods, O Israel!*—2. By their meddling with things which only belong to a church-judicatory, and the highest church-judicatory; not only, being laick men, they examine faults, yea, absolve the guilty, but also constitute laws and make acts, which none but a general assembly could do.—Must the gospel live and die with Mr Renwick, suppose he was a minister of the church of Scotland, which he is not?—For the church of Groningen had no more power to ordain a minister of the church of Scotland, than the clergy of England had, long ago, to consecrate Sharp arch-bishop of St Andrews.' This was a severe accusation of being given up of God to believe lies, &c. &c. But I shall abridge Mr Shields's account of the answers given to the above, and the rather that my author Mr Wodrow has entirely concealed these.

p. 90.

Mr Renwick, and those with him, lamented their breach of covenant, and wished their brethren, with whom they contended, were sensible of theirs in all its parts and articles, for which they were obliged to discountenance them, as in complying with, and con-

Mr Shields's answers, ibid. p. 91.

niving

1686. niving at many things everſive of the covenanted re-
 formation, viz. the ſupremacy in the former indul-
 gences, &c. their having many of them made their
 peace with Papiſts; all have owned the head of
 Papiſts, the great pillar and promoter of Popery,
 &c. &c.—But then, though themſelves confeſ-
 ſed many breaches, yet they denied theſe mention-
 ed by this accuſer, who, ſays Mr Shields, believ-
 or ignorantly miſrepresents thoſe with whom he
 would compare Mr Renwick and his followers. ‘ For,

p. 92.

‘ 1. The Papiſts never pretended that every one of
 ‘ their doctors or laicks were infallible, —and the
 ‘ men he accuses have been ſo far from pretending to
 ‘ infallibility, that they have not declined to publiſh
 ‘ their reſentments and confeſſions of their miſtakes
 ‘ to the world; —but that error they will not con-
 ‘ feſs, —that ever they declined a faithful miniſter
 ‘ for the leaſt alledged perſonal failings. —2. He be-

p. 93.

‘ lies the Independents, in alledging they take upon
 ‘ them to depoſe miniſters for the leaſt failing; they
 ‘ will diſown that. Mr Renwick did ever abhor that
 ‘ people ſhould take upon them to depoſe miniſters
 ‘ for any failing, the leaſt or the greateſt, nor did he
 ‘ ever allow people ſo much as to withdraw from mi-
 ‘ niſters upon the leaſt failing, but upon ſuch ſcandals
 ‘ as did bear the weight of withdrawing according to
 ‘ ſcripture rules. They had reaſon and neceſſity to
 ‘ trouble the church at Groningen, not to make a rab-
 ‘ bi of him, but —to ordain him a miniſter of the
 ‘ New Teſtament, ſeeing they could neither have
 ‘ clearneſs in point of duty, nor confidence in point of
 ‘ ſucceſs, to ſeek or obtain ordination for him from
 ‘ miniſters at home; —and they did always diſclaim
 ‘ all power either of ordaining or depoſing of them-
 ‘ ſelves. 3. He does not ſay wherein they either a-
 ‘ gree or differ from the ſeparatiſts. There were ne-
 ‘ ver ſeparatiſts who depoſed miniſters for the leaſt

p. 94.

‘ failing. —4. If he had been a youth, ſcarce read
 ‘ in the common heads of divinity, he diſcovers him-
 ‘ ſelf very ill read, when he calls this a breach of
 ‘ church-government, to ſend ſuch a youth to a fo-
 ‘ reign univerſity to be fitted for ordination, —and
 ‘ then, after trial —to be ordained by a reformed ſiſter-
 ‘ church, found in their own, and not contradicting
 ‘ our teſtimony, when ordination could not be had

‘ at

at home, without the breach of several standing constitutions of the government; yea, without yielding to several corruptions threatening the dissolution and perversion of the whole of it, yea, without bowing to some of the calves Jeroboam had set up; for, without—subjecting himself, either to the idol of Prelacy or supremacy, or something equivalent thereunto, he could not have got ordination in Scotland at that time.—5. They whom he accuses never examined faults, nor absolved the guilty, in a way belonging to any church-judicature, nor in a way not competent to the meanest private person—in the kingdom;—nor did they ever make any laws or acts, but such as any two or three in society might make, by common consent, to determine one another; nor did they ever say, or dream, that the gospel should live and die with Mr Renwick; but that they were content to live and die with him, in partaking of gospel-ordinances,—whom they esteemed a faithful minister of the church of Scotland, and worthy to sit as member of any church-judicatory therein. The church of Groningen did not make him a minister of the church of Scotland, but ordained him a minister of Christ,—a minister of the church-universal, (which is the primary relation of all ministers), a minister in any church; and, as a persecuted people in Scotland called him to be their minister, so he came to have as good right to be a minister of the church of Scotland, as Mr Rough, Mr Knox, and several reformers, who were not ordained by the ministers of Scotland—and therefore the difference between the church of Groningen's ordaining Mr Renwick, &c. and the clergy of England's consecrating Sharp—is as great, as between a reformed church ordaining a faithful officer of Christ's kingdom, and a deformed church consecrating a knave, no officer of Christ's, but of Antichrist's kingdom.

Thus I have laid before the reader the substance of these unhappy debates, in the very words of the contending parties, and shall leave him to judge for himself, and proceed to other things of a more public nature, when I have observed that these things put Mr Renwick and his followers to publish their *Informatory Vindication*, which took up several months before it was ready for the press.

1686.

*A tumult
at Edin-
burgh,
p. 678.*

About the end of January, or beginning of February, there were some tumults in Edinburgh, by whom the Lord Perth the chancellor was much affronted. Bishop Burnet gives the following account of it: 'Affairs in Scotland went on much in the same way as in England. Some few profelytes were gained:—The Earl of Perth prevailed with his lady, as she was dying, to change her religion, and, in a very few weeks after her death, married, very indecently, a sister of the Duke of Gordon's.——The Earl set up a private chapel in the court for mafs; which was not kept so private but that many frequented it. The town of Edinburgh was much alarmed at this; and the rabble broke in with such fury that they defaced every thing in the chapel; and if the Earl of Perth had not been conveyed away in disguise, he had very probably fallen a sacrifice to popular rage. The guards, upon the alarm, came and dispersed the rabble. Some were taken, and one that was a ringleader in the tumult was executed for it. When at the place of execution, he told Mr Malcolm, one of the ministers of the town who attended him, that he was offered his life if he would accuse the Duke of Queensberry of having set on the tumult, but he would not save his life by so false a calumny. The incautious minister did not call any to bear witness of this, but went from the execution to the Archbishop of St Andrews, and told him what had past. The Archbishop acquainted the Duke with it, and he wrote to court and complained of it. The King ordered the matter to be examined; so the poor minister, having none to witness what had been said to him, was declared the author of that calumny, and turned out: but how severely soever those in authority may handle a poor incautious man, yet the public is apt to judge true.' Thus far the Bishop.

*King's
letter.*

A letter from the King, dated the 9th of February, came to the ministers of state, declaring his resentment of the affront given to his chief minister, and ordering those concerned to be brought to condign punishment.

*Bond for
the stu-
dents.*

Great care was taken at this time to corrupt the youth. And among other things a bond was devised, to be signed by the students of the college of Edinburgh, declaring their abhorrence of all tumults, and engaging for the future to discourage and discountenance

nance

nance them. How far the students complied with this bond, my author does not know.

-1686.

But it is well known that a storm of Popery and slavery was ready to destroy the three nations; and the poor Protestants in Ireland lay most open to the impending deluge, from the multitude of Papists who were ready to act over again their former bloody massacres. Some ministers there, and others, had therefore the justice and courage to warn their fellow Protestants of the danger they were in, which was very displeasing to the Earl of Tyrconnel the lord-deputy, who therefore emitted a proclamation, on the 21st of February, against treasonable speeches; for, it seems, it was reckoned treason to preach or speak against Popery, or the danger the King's Protestant subjects were in from the designs then evidently formed against them: but, as the affairs of Ireland are out of my way, I shall not trouble the reader with them. About this time the King wrote to the archbishops of Canterbury and York, commanding them to enjoin their clergy not to preach upon controverted points, *i. e.* against Popery, according to the directions given by the late King 1662. But to return to the affairs of Scotland.

Proclamation by the Earl of Tyrconnel.

On the 1st of March David Robertson writer in Coupar was declared fugitive. And in this month Mr Renwick, desiring to see his old acquaintances, went with some of his fellow-wanderers, to Carrick, where says Mr Shields, 'they were unexpectedly rencountered with the forementioned Robert Cathcart, and others, who challenged him for coming and offering to preach there; and told him that the people in Carrick were neither for meeting nor conversing with him. After some debate about the breach of former communion, they conversed concerning Cathcart's letter and information, which he owned he had wrote, and intended to explain; but that he had wrote of them not as they were, but as they would be; and that he conversed with Mr Renwick as a minister of the gospel, but not as a minister of the church of Scotland, and defended his accusations against the church of Groningen as Erastian, and holding three sprinklings in baptism. Mr Renwick replied, that many in that church called it a persecution to term them Erastian, and that, though they were for three sprinklings in baptism, yet

Mr Renwick in Carrick. See his life, p. 97.

1686.

without superstition, since they looked upon it as indifferent. Upon this Mr Renwick was exclaimed against, as if he defended the practice of three sprinklings in baptism.' But I shall not trouble the reader with these debates farther than to observe, that, if Mr Renwick and his adherents were too stiff and rigorous in points which some may look upon as indifferent, they who contended with him do not seem to have acted a proper part for bringing about a reconciliation. But these things I must leave with the reader, and go on to things of a more public nature.

*The King's
design in
the parlia-
ment.*

It was known in March that the parliament was to meet next month, and the King's design to repeal the penal laws was made no secret of, and no method was left unattempted to bring the members to a compliance. The Earl of Moray was sent down commissioner; but, according to the Bishop of Sarum, two accidents happened before the opening of the parliament, which made great impressions on the minds of many.

p. 679.

*Whitford's
last
thoughts of
Popery.*

Whitford, son of one of their bishops, before the wars had turned Papist. He was the person who killed Dorislaus in Holland, and, to get out of Cromwel's reach, had gone into the service of the Duke of Savoy, and was there when the last massacre was committed on the Vaudois. He had committed many barbarous murders with his own hands, and had a small pension given him after the restoration. He died a few days before the parliament met, and called for some ministers, to whom he declared his renunciation and abhorrence of Popery for its cruelty, and owned his having been guilty of some execrable murders in Piedmont, both of women and children, which had pursued him with an intolerable horror of mind ever after. He had gone to priests of all sorts, who had justified him in all he had done, and given him absolution: but his conscience pursued him so, that he died, as in despair, crying out against that bloody religion.

*Sir R. Sib-
bald's re-
santation,
p. 680.*

The other was more solemn. Sir Robert Sibbald, a doctor of physic, and the most learned antiquary in Scotland, who had lived in a course of philosophical virtue, but in great doubts as to revealed religion, was prevailed on by the Earl of Perth to turn Papist, in order to obtain that certainty which he could not find upon his own principles. But he was ashamed of his conduct almost as soon as he made his compliance,

went

went to London, and for some months retired from all company. and, after close application to study, came to be so convinced of the errors of Popery, that he returned to Scotland some weeks before the parliament, and could not be easy in his own mind till he made a public recantation. The bishop of Edinburgh was so much a courtier, that, apprehending many might go to hear it, and that it might be offensive to the court, he sent him to do it in a church in the country; but the recantation of so learned a man, upon so much study, had a great effect upon many.

1686.

Many of the most noted of the established clergy were brought over to the measures of the court, or at least to be silent at this juncture. Vast numbers of them were become Arminians, and several were running headlong into Popish tenets. The bulk of the inferior clergy through the country were grossly ignorant, negligent, and many of them scandalous and profane; so that no stand against Popery could be expected from them. The bishops were a mixed company, and some of them did appear at this time against the measures of the court: but the only appearance made by the rest of the clergy, against repealing the penal laws, was from the synod of Aberdeen, who, after some struggle with time-servers, agreed upon an address to Mr George Haliburton their bishop, in which they most pathetically intreated him not to give his consent to the taking off or weakening the force of the penal statutes, which they looked upon as one of the hedges of the Protestant religion. Bishop Burnet says, 'The nation, which was become very corrupt, and both ignorant and insensible in matters of religion, began now to return to its old zeal against Popery. Few profelytes were made after this. The Episcopal clergy were in many places so sunk into sloth and ignorance, that they were not capable of conducting this zeal. Some of them about Edinburgh, and in other places, began to mind those matters, and recovered some degrees of credit by the opposition they made to Popery. But the Presbyterians, though they were now freed from the great severities they had long smarted under, yet expressed, on all occasions, their unconquerable aversion to Popery.'

*State of
the Episcopal
clergy.*

*King's letter
to the
parliament.*

The parliament sat down on the 29th of April, and the King's letter was read, wherein, after thanking them

1686.

them for the services they had done in the last session, and signifying how much he had considered their interest, and sent down an indemnity for all crimes committed against his royal person and authority, he adds, 'And, whilst we shew these acts of mercy to the enemies of our person, crown, and royal dignity, we cannot be unmindful of others our innocent subjects, those of the Roman Catholic religion, who have, with the hazard of their lives and fortunes, been always assistant to the crown, in the worst of rebellions and usurpations, though they lay under discouragements hardly to be named; them we do heartily recommend to your care, to the end, that, as they have given good experience of their true loyalty and peaceable behaviour, so, by your assistance, they may have the protection of our laws, and that security under our government which others of our subjects have, not suffering them to lie under obligations which their religion cannot admit of. By doing whereof you will give a demonstration of the duty and affection you have for us, and do us most acceptable service. This love we expect you will shew to your brethren, as you see we are an indulgent father to you all——.'

Remarks.

We need be at no loss to understand whom the King means by his *enemies*. But it seems the favours designed for them were to depend upon those he expected for his innocent Popish subjects; but how far they assisted the crown in the worst of rebellions is not so easy to conceive, since, generally speaking, they have been continually plotting against it since the reformation. No doubt they were hearty wellwishers to King James, and therefore we need not be surpris'd at his heartily recommending them to the care of this parliament. 'This love,' says he, 'we expect to your brethren, as we are an indulgent father to you all.' Upon which my author, who has made many excellent remarks on this letter, well worth the reader's perusal, says, They were mightily oblig'd to their father's indulgence, for bringing in his butchering children, their bastard brethren, and making them heirs and portioners with the bairns of the house.

Commissioner's
Speech.

The commissioner seconded this letter with a particular account of the many advantages the King intended for Scotland with respect to trade, and endeavour-

ed

ed to persuade them that his Majesty's desires were as much calculated for promoting their interest as his own satisfaction, and concluded with saying, ' By this you will shew yourselves the best and most affectionate subjects, to the best, the incomparable, and most heroic prince in the world.'

But, notwithstanding all these fine speeches, the *Parliament's answer* parliament was not so forward as usual in returning an answer to the King's letter; neither did they chuse at this time to embarrass themselves with their compliments to the throne. Accordingly it was the 6th of May before they agreed on an answer; in which, as to what was desired in favour of the Papists, they expressed themselves in these terms: ' As to that part of your Majesty's letter, relating to your subjects of the Roman Catholic religion, we shall, in obedience to your Majesty's commands, and with tenderness to their persons, take the same into our serious and dutiful consideration, and go as great lengths therein as our conscience will allow, not doubting that your Majesty will be careful to secure the Protestant religion established by law.' This is the first time, says my author, that he remembers that the parliament speaks of their conscience since the restoration.

The commissioner was at no small pains, during the first month of the session, in closeting the members, after the example of his royal master in England; and in using both threatenings and promises, in order to bring them to a compliance, but could not prevail with the most of the nobility and gentry, who continued in their opposing the desired repeal. *Members closeted.*

No stone was left unturned in electing the lords of the articles, that the King's favourite scheme might meet with no opposition there. It was the 27th of May before any draught of an act was agreed to. When it was laid before the house, it was warmly opposed, and the courtiers were glad to have it remitted to the lords of the articles: but, instead of bettering it, they made it more disagreeable to the court; for, after all their debates, they only came into the following draught of an act.—' The estates of parliament, taking to their serious consideration his Majesty's desire, — for granting ease and relief to his subjects of the Popish persuasion, — and as they are fully resolved to adhere to the Protestant religion, — which is,

1686.

‘ is, and always shall be dearer to them than all their
 ‘ worldly concerns; yet, so far as their religion and
 ‘ conscience will allow, to yield a humble and dutiful
 ‘ compliance to his Majesty’s desires, therefore his Ma-
 ‘ jesty, with advice, &c. statutes and ordains, that
 ‘ those of his Majesty’s subjects, who are of the Ro-
 ‘ miss religion, are and shall be under the protection
 ‘ of his Majesty’s government and laws for their pri-
 ‘ vate and civil interests; and shall not, for the exer-
 ‘ cise of their religion in their private houses, (all pu-
 ‘ blic worship being hereby excluded), incur the dan-
 ‘ ger of sanguinary and other punishments contained
 ‘ in any laws or acts of parliament made against the
 ‘ same. It is always hereby declared, that this im-
 ‘ munity—to Papists, for the exercise of their reli-
 ‘ gion in their private houses allenary, shall not im-
 ‘ port any allowance or approbation of their religion,
 ‘ or any ways evacuate, infringe, or prejudge the laws
 ‘ and acts of parliament made against Popery, or in
 ‘ favour of the Protestant religion,—particularly
 ‘ —the 6th act, parl. 3. of King Charles II. &c.’

*Motion
dropt.*

The chancellor, finding that this would not satisfy the King, and being uncertain whether it would pass in the house, thought proper to drop it entirely, so that it was never brought into parliament. What debates were in the house, were when the first draught was laid before them.

*Conduct of
the bishops,
p. 680.*

Bishop Burnet tells us, ‘ That the Dukes of Hamil-
 ton and Queensberry were silent in the debate, the
 former having promised not to oppose the motion, and
 the King was made to believe that the latter secretly
 managed the opposition. Ross and Paterfson so entire-
 ly forgot what became their characters, that they used
 their utmost endeavours to persuade the parliament to
 comply with the King’s desire. The Archbishop of
 Glasgow opposed it but fearfully. Bruce Bishop of
 Dunkeld did oppose it openly and resolutely, as did
 likewise Atkin Bishop of Galloway.’ But the most of
 them fell in with the King’s design, and the chief of
 them were active for the repeal. Bishop Burnet says
 farther, That ‘ Ross and Paterfson, the two govern-
 ing bishops, resolved to let the King see how com-
 pliant they would be. Accordingly they procured an
 address to be signed by several of their bench, offering
 to concur with the King in all that he desired with re-
 lation

lation to those of his own religion, (for the courtly stile was now, not to name Popery any other way, than by calling it *the King's religion*), provided the laws might still continue in force, and be executed against the Presbyterians. With this Paterfon went up; but the Earl of Middleton, to whom he shewed it, persuaded him to go back without presenting it.' My author does not know how the Bishop of Aberdeen acted on this occasion. Ramsay Bishop of Ross used great freedom with the commissioner, for which he was brought into trouble. 'The Archbishop of Glasgow, and the Bishop of Dunkeld, were both turned out by express order from the King. Paterfon Bishop of Edinburgh was translated to Glasgow, and one Hamilton, noted for profaneness and impiety, that sometimes broke out into blasphemy, obtained the see of Dunkeld. The King, being disappointed, ordered his commissioner to prorogue the parliament.' I must refer my reader to my author's appendix for what was said for and against the repeal of the penal laws at this time. Only I cannot but observe, that great care was taken that nothing might be published against the King's favourite design, or in defence of the standing laws; whereas papers on the other side of the question were industriously dispersed, and many Popish books and pamphlets were spread for corrupting the nation.

Burnet,
ibid.

On the 2d of June Lord Pitmedden was turned out of the justiciary. His steady attachment to the Protestant religion, and his opposition to Popery, procured him this. And on the 16th the council emitted a proclamation against slanderers and leasing-makers, because several ministers, and others, had, in sermons, and other discourses, alarmed the people, &c.

On the 14th of July Gavin Weir and William Mac-Millan, who had been in prison for Bothwell, were released; the former because there was not evidence against him, and the latter upon making satisfying compliances. But, not to insist now on these things,

When the King's project was defeated in this parliament, he fell upon other methods for bringing in Papists to places of profit and trust, and overturning the Protestant religion. Accordingly his Majesty made use of a dispensing power, and had a party about him that would have us to believe, 'That power in the King to dispense with laws, was law.' To main-

The King acts by a dispensing power,
Welwood,
p. 171
172.

1686.

tain this there were not only mercenary pens set a-work, but a set of judges found out, that, to their eternal reproach, did all that was possible for them to compliment the King with the liberties of their country. For these gentlemen gave it for law,——‘ That the kings of England are sovereign princes; that the laws of England are the king’s laws; that therefore it is an inseparable prerogative in the kings of England——to dispense with penal laws in particular cases, and upon particular necessary reasons; that of those reasons and those necessities the king himself is the sole judge; and that this is not a trust invested in, or granted to the king by the people, but is the ancient remain of the sovereign power and prerogative of the kings of England, which never yet was taken from them, nor can be.’——In consequence of this a new court of inquisition was erected, under the name of a *commission for ecclesiastical affairs*, which was against an express act of parliament: but, as the King was pushing his design with great vigour in England, as the reader may see in the English historians, so he acted in the same arbitrary manner in Scotland: for, though he could not get the consent of the parliament there to the repeal of the penal statutes, he did it without them by his own dispensing power.

which is declared legal by the English judges.

Ecclesiastical commission.

Protestants turned out.

Accordingly he first turned the best Protestants out of the council, and supplied their place with Papists. Thus the Earls of Mar, Lothian, Dumfries, &c were made to give place to the Duke of Gordon, Earls of Traquair and Seaforth, and other Papists. The council being thus modelled to his mind, he sent them a most remarkable letter, of which the following is a short abstract.

King’s letter dispensing with the penal laws.

Right trusty, &c. It was not any doubt we had of our power, in the putting a stop to the unreasonable severities of the acts of parliament against those of the Roman Catholic religion, that made us bring in our designs to our parliament, but to give our loyal subjects a new opportunity of shewing their duty to us, &c in which we promised ourselves their hearty and dutiful concurrence, as what was founded on that solid justice we are resolved to distribute to all, and consequently to our Catholic subjects;——for, when

when unnatural rebellions have been raised against our royal father, brother, and us, by Protestant defenders of those laws,——the Roman Catholics have still adhered to the royal interest,——supported the crown, died for the peace of their persecutors, and thought nothing too dear to buy the generous character of *religious towards God, and loyal towards their sovereigns*. When all this had appeared,——we could do no less than secure the innocent Catholics from these pains.——

We have also thought fit to let you know, that, as we have performed our part, in supporting those of the Protestant religion, so we are resolved to protect our Catholic subjects against all the insults of their enemies, and severity of the laws made against them heretofore; notwithstanding all which, we hereby allow them the free private exercise of their religion in houses, in which we——require you to support and maintain them.——

And to the end the Catholic worship may, with the more decency and security, be exercised at Edinburgh, we have thought fit to establish our chapel within our palace of Holy rood-house, and to appoint a number of chaplains, and others, whom we require you to have in your special protection and care.——You are likewise to take care that there be no preachers, nor others, suffered to insinuate to the people any fears or jealousies, as if we intended to make any violent alteration; and if any shall be so bold, you are to punish them according to law;——for it is far from our thoughts to use any violence in matters of conscience, consistent with our authority and the peace of our ancient kingdom.——

The rest of this plain letter contains the King's resolutions to maintain the bishops and inferior clergy, and all his subjects, in their rights and privileges, and therefore he hopes that all compliance and concurrence will be given to these things; so that, upon the whole, what his Majesty could not get done by the parliament, he was resolved to do by his own authority; and indeed it must be owned, that, since the restoration, the parliaments of Scotland, which should have preserved the liberties of the subject, complimented the King with an absolute authority. It is easy

Remarks.

1686.

here to observe with what contempt he speaks of the laws for the security of the Protestant religion against the wicked designs of the Papists; how mightily he extols their loyalty to his father, brother, and himself; how he brands the Protestants as seditious and rebellious; and how he had already performed his part in supporting those of the Protestant religion; and consequently his resolutions, from this time forward, to support his innocent Catholic subjects, do not seem consistent with his promises to maintain the bishops and inferior clergy. These and other things cannot but furnish the Protestant reader with proper reflexions.

Indemnity.

In September the council emitted a proclamation containing the King's indemnity to the common people in the shires of Argyll and Tarbet; but then this indemnity regarded only their lives; their goods and chattels were exposed to every one who should be pleased to attack them.

*William
MacHut-
chison's
protesta-
tion.*

I have given a pretty full account of the state of Mr Renwick and his followers, and how he was deserted and accused by several who had formerly adhered to him. Notwithstanding all the discouragements he met with, he continued preaching, catechising, and baptizing; but, as he travelled through Galloway, a protestation was given to him by William MacHutchison, in the name of all the professors between Dee and Cree, of which the following is the substance.

• We underscribers,——considering——the woful
• effects of division,——especially among ourselves,
• ——proceeding partly from some paying cess, hear-
• ing curates, taking the late abjuration-oath, and
• partly from others condemning these things, and ad-
• hering to the late declaration on the church-doors
• ——and to Mr J. Renwick, without the consent
• and approbation of the remnant godly and faithful
• ministers——we do hereby refer and submit our-
• selves, in all these, to an assembly of faithful mini-
• sters and elders,——the only competent judges of
• such debateable principles and practices,——and pro-
• mising, on the one hand, to give satisfaction to the
• church,——as we shall be found guilty——of any
• thing done by us to the scandal of our dear brethren;
• and, on the other, to forbear to join with Mr J.
• Renwick, till——his ordination be seen and appro-
• ved of by a competent number of the faithful ministers
• of

of the church of Scotland,——and are willing, upon his submission to his brethren, to receive him into our bosom;——but if he, at the desire of strangers, or any of our brethren dividing from us, intrude himself on our labours——till——we have the mind of faithful ministers, we will protest against all such dealing, as horrid and abominable usurpation. Subscribed, in the name of the whole, by William MacHutchison

1686.

As Mr Renwick told his mind to the two men that brought this paper, which, according to Mr Wodrow, was on the 22d of October; so, on the Thursday following, he read it over at a public meeting in the fields, and animadverted upon it, as a paper that overturned many pieces of the reformation, in calling hearing of curates, paying the cess, and swearing the abjuration-oath, debateable principles; and exhorted them, if there were any there that concurred in it, to retract the same, and those who were innocent to protest their innocence before the Lord, as in his letter to Earlston 1687. *Renwick's life, p. 101.*

One Welsh of Cornlee gave in likewise a verbal protestation against him; but soon after this, as his work daily increased, and his difficulties multiplied, Mr David Houston from Ireland, and the reverend Mr Alexander Shields, took part with him, and were received by him with great chearfulness; by which it appeared that it was an unjust reflexion upon him, that he never desired to join with another minister. How far Mr Shields was against some of the heights, as my author expresses himself, that Mr Renwick, and some of his followers, ran into, I know not; but this is certain, that he concurred with him in the Informatory Vindication, defended the chief points in controversy, in his Hind let loose, and vindicated the heads of his dying testimony, in the history of his life; but these things I must leave, and conclude this year with some things of which I have not the dates, when I have observed, that, on the 9th of December, a proclamation was issued, offering a reward of L. 100 sterl. to any who should bring in Mr Renwick dead or alive.

Some time this year Mess. William, Patrick, and Duncan Cumings were forced to retire to Ireland. Mr William Cuming, after the year 1660, was unani-
Sufferings of Mr Will. Pat. and D. Cumings.

1686.

mously chosen humanity-professor in the college of Edinburgh, having no other recommendation but his bright parts, in which he outshone six other competitors, and, a few years after, was admitted, without trial, professor of philosophy there. Sharp understanding that, before this, he had been licensed to preach by Presbyterian ministers, so harassed him that he was obliged to demit his office, notwithstanding the intercession of several noblemen and gentlemen, to whom his usual answer was, that he would pervert the nation with whiggish and fanatical principles. Mr Cuming then went abroad tutor to Lord Lorn, afterward the first duke of Argyll. When he left that nobleman he passed his time in Holland and France till the death of the late king; when he went to Ireland, where he died. His brother Mr Patrick, who was educated under his care, was fixed, while but 18 years of age, at the school of Irvine, where, by his pregnant genius and close application, he raised a school so renowned, that not only the most of the noblemen and gentlemen's sons in the west of Scotland, but some from England, Ireland, and France, were educated there. After he had continued 12 years remarkably useful, and in great esteem, notwithstanding his being frequently pushed at for his principles, he was discharged to teach any longer; however, at the pressing solicitations of the inhabitants, he continued another half year, his school being the chief support of the place. Then, a warrant being granted for apprehending him dead or alive, he was obliged to retire to Holland and France; and at last, this year, he followed his brother to Ireland, where he preached the gospel, as colleague with Mr J. Boyse, till after the revolution, when he returned to Scotland, and was fixed minister at Ormistoun, where he died 1732. Mr Duncan Cuming, a younger brother, was governor to a young gentleman who was taught at Irvine school, and was for some time one of his brother's assistants. At last he was persuaded by Mr George Hutchison, Mr Wedderburn, and other indulged ministers, to commence a preacher. This coming to the government's ears he fled with his brother to Holland, where he studied physic. After that he followed his brothers to Ireland, where he acted as a physician in Dublin. Such was the reputation he gained in that country, that he was employed by the

Protestant

Protestant dissenters there to go to Holland with their address to the Prince of Orange 1688, which his highness graciously received, and by whom he was afterwards promoted to be one of his physicians to his army in Ireland. He was, like his brethren, eminent for piety, a father to the poor, and a great promoter of the dissenting interest in that kingdom, till his death in September 1727. Mr Boyse preached his funeral sermon, and gives his character at large.

1686.

In December this year, David Steil, in the parish of Lesmahago, was surpris'd in the fields by Lieutenant Crichton, and, after he had surrendered upon quarters. was most barbarously shot, and lies buried in the church-yard there. I now go on to the year 1687.

D. Steil murdered.

It is easy to see, from the former proceedings, what quick advances were making towards Rome. The King's promises to the English council, to preserve the Protestant religion, were entirely forgot, and none was so bold as to remind him of them. It was even dangerous to speak of these things in public conversation, for fear of some mischievous consequences. Protestants were turned out, and Papists succeeded them, and none but Papists, or Protestants, who were not attached to their own religion, could pretend to any employments; nay, matters were carried on so openly, that some of the principal Catholics could not forbear representing to the King, that his proceedings were more dangerous than advantageous to their religion; but James was deaf to all councils which were not violent; these only were agreeable to his temper and zeal.

1687.

Progress of Popery. Rapin.

A Jesuit of Liege, in a letter to a Jesuit of Fri-
 bourg, dated the 2d of February, gives a clear repre-
 sentation of this, saying, among other things, 'It is
 wonderful to see King James's great affection to our
 society.—Upon father John Keynes's return to
 England, he gave him a most gracious reception,
 (while earls and dukes were commanded, for some
 hours, to wait for admittance)—and ordered
 that the candidates for orders should be all exercised
 in the art of preaching; for now, says he, England
 has need of such.—Father Clare being arrived
 at London—the King forbid him to kneel and kiss
 his hand,—saying, 'Reverend father, you have
 indeed once kissed my hand; but if I had known
 then,

Letter from a Jesuit at Liege.

1687.

then, as I do now, that you were a priest, I would rather myself, father, have kneeled down and kiss'd your hand; and told him that he would either convert England, or die a martyr.'—Finally, he called himself a son of the society, 'of whose good success, he said, he was as glad as of his own.'—Not long since one of the lords objected that they thought he made too much haste to establish the faith. To whom he answered, 'I am growing old, and must take large steps, else, if I should happen to die, I might perhaps leave you in a worse condition than I found you.' When they asked him, 'Why then he was so little concerned about the conversion of his daughters, who were the heirs of the kingdom?' He answered, 'God will take care of that. Leave the conversion of my daughters to me. Do you, by your example, convert your tenants and others to the faith.' The rest of this well-known letter shews what progress the King had made in favour of Papists, which I need not here repeat. Therefore I shall briefly relate the affairs of Scotland this year, the most remarkable of which was the Toleration.

*J. Cuning-
ham, &c.
banished.*

The artillery of the government was chiefly directed against Mr Renwick and his followers. Accordingly, as James Cuningham merchant in Glasgow, and John Buchanan cooper there, were returning from hearing a sermon in the fields, they were sent prisoners to Edinburgh, and banished to Barbadoes.

*Sir D.
Dalrym-
ple made
advocate.*

On the 11th of February Sir David Dalrymple was admitted king's advocate in the room of Sir George Mackenzie, who was turned out, because, as my author thinks, he had not been hearty in the repeal of the penal statutes.

The same day James Sloss merchant in Glasgow, and a great many country people from the parish of Kilbride, who had been confined for alledged accession to Bothwell, were released: but things of a more public nature require our consideration.

*King's let-
ter and
proclama-
tion.*

As all methods were used, that the present circumstances could permit, for establishing Popery in England, so the like attempts were made for promoting the same cause in Scotland. The King, by his royal prerogative, had last year established a Popish chapel at Holy-rood-house, and allowed the Papists the ex-
ercise

ercise of their religion in private houses; and multitudes of seminary priests having come from abroad, and not a few of the nobility and gentry, and the most active persecutors during the former years, having professed Popery, on the 17th of February the council received a letter from the King, with a remarkable proclamation inclosed. In the letter, he tells them, among other things, that, while he thinks fit to give ease to tender consciences, he, at the same time, expressed 'his highest indignation against those enemies of Christianity; as well as government and human society, the field-conventiclers, whom he recommends to the council to root out with all the severity of the laws, and the most vigorous prosecution of the forces, it being equally his and his people's concern to be rid of them.' The King, in the proclamation, among other things, says,

'We have thought fit to grant, and, by our sovereign authority, prerogative royal and absolute power, which all our subjects are to obey without reserve, do hereby give and grant our royal toleration to the several professors of the Christian religion after-named, and under the several conditions, &c. after-mentioned. In the first place, we——tolerate the moderate Presbyterians to meet in their private houses, and there to hear such ministers as either have or are willing to accept of our indulgence allenary, and that there be not any thing said or done contrary to the well and peace of our reign, seditious or treasonable, under the highest pains their crimes will import; nor are they to presume to build meeting-houses, or to use out-houses or barns——It is our royal will and pleasure, that field-conventicles, and such as preach at them, or who shall any way assist or connive at them, shall be prosecuted according to the utmost severity of the laws made against them——In like manner we tolerate Quakers, &c. and by the same absolute power, we suspend, stop, and disable all laws, or acts of parliament, customs or constitutions against any of our Roman Catholic subjects;——so that they shall in all things be as free, in all respects, as any Protestant subjects whatsoever, not only to exercise their religion, but to enjoy all offices, benefices, &c. which we shall think fit to bestow upon them, in all time coming,——and——do cass, annul, and discharge

1687.

all oaths whatsoever, by which any of our subjects are—disabled from holding places, &c. and all laws enjoining the said oaths,—and, in place of them, the following oath only is to be taken. ‘I A. B. do acknowledge, testify, and declare, that James VII. by the grace of God, King of Scotland, England, France, and Ireland, defender of the faith, &c. is rightful King, and supreme governor of these realms, and over all persons therein; and that it is unlawful for subjects, on any pretence, or for any cause whatsoever, to rise in arms against him, or any commissioned by him; and that I shall never so rise in arms, nor assist any that shall so do; and that I shall never resist his power or authority, nor ever oppose his authority to his person, as I shall answer to God; but shall, to the utmost of my power, assist, defend, and maintain him, his heirs and lawful successors, in the exercise of their absolute power and authority against all deadly. So help me God.’

And by our authority foresaid—we give our ample and full indemnity to all the foresaid sorts of people,—and think fit to declare, that—we will never suffer violence to be offered to any man’s conscience, nor will we use force or invincible necessity against any man on account of his persuasion, but will protect our bishops in their functions, rights, and properties, &c.—and employ indifferently all our subjects of all persuasions,—so long as we find unity and charity maintained.’

Remarks.

This proclamation, called K. James’s first indulgence, speaks for itself. Here he not only sets himself above all laws, by claiming an unreserved obedience to his absolute power and authority, but requires all his subjects to swear to maintain him in it; but though he requires obedience without reserve, yet he has a very evident reserve in his promises to use no invincible necessity to force his subjects to change their religion. In short, this was so glaring a subversion of the liberties of mankind, that it was disregarded by all, except most of the councillors, who, having published the proclamation with all solemnity at the cross of Edinburgh on the 18th, returned an answer to the King’s letter on the 24th, acquainting him with their ready obedience to his commands, and their resolution to pursue the ends of his royal proclamation,

and

and signifying their approbation of Papists being put into places of trust, and thanking him for his royal word for maintaining the Protestant religion, as the best security they could have. This obsequious letter was signed by the chancellor, the two archbishops, and others; but the Duke of Hamilton, the Earls of Panmure and Dundonald, had the honour to refuse to subscribe it. Wherefore the King, in a letter of the 1st of March, ordered the two last of these noblemen to be put from the council-board, and declared, that, though he was displeas'd with the conduct of Duke Hamilton, yet he suspended his resentment for the present. In the same letter he charged them to suffer no Presbyterians to preach without their allowance, and until they had taken the oath enjoined by proclamation; so that the Papists were the only persons that had the benefit of his Majesty's favour at this time, unless it was the Quakers, whose affirmation would, I suppose, be accepted. And thus matters stood till the end of March.

Mean while, on the 4th of March, the lords of *Campbell* justiciary pass'd sentence of death on Campbell of *Oab, &c.* Oab, Campbell of Drumfunish, Campbell of Dalton, and Campbell of Ulva, and order'd them to be executed when apprehended. And on the 8th they pass'd the like sentence on Lawmont of Meandrynan, Campbell of Aitarich, MacFun of Invernydan, MacCallum of Reanlochtean, MacFun of Dryp, and Campbell of Sonachan. All these for their accession to Argyll.

This month of March the Informatory Vindication *Informatory Vindication* of the societies, written conjunctly, as the title bears, by Mr Renwick and Mr Shields, was agreed to. It was printed in Holland, and they took care to disseminate *published.* as many copies of it as they could. It has been several times reprinted since, and therefore I refer the reader to it.

For reasons best known to the court, the King, on the 31st of March, wrote another letter to the council, *Second indulgence.* called the second indulgence, with an appearance of mitigating some things in the former, in which he says, 'It is now our will and pleasure, and we do hereby authorise and require you, to grant * them, * *the Presbyterian* or any of them, our said indulgence, without being *preachers.* obliged to take the oath, with power unto them to enjoy the benefit of the said indulgence, (during

1687.

our pleasure only) or so long as you shall find they behave themselves regularly, or peaceably, without giving any cause of offence to us, or any in authority of trust under us, in our government.'—None of the Presbyterian ministers accepted of this indulgence.

*Proceed-
ings of the
council not
the sense of
the nation.*

Mr Rapin, upon the first proclamation, says justly, The council of Scotland blindly obeyed the King, not only by publishing his proclamation, but even by thanking him for it as a signal favour; and adds, this ought not to appear strange, because the council wholly consisted of men entirely devoted to the King, nor was there any person in public office, who was not, or at least pretended not to be, of the same principles. And a little farther, it is not therefore to the whole Scots nation that this blind obedience is to be imputed, but to their governors, who were but a small part of the people; but if Mr Rapin, who was but a stranger, had traced this matter to its true original, he would have landed it in Prelacy; for it is well known that the first parliament after the restoration vested the King with a power to order all things relative to the external government and policy of the church.

*Liberty of
conscience
in Eng-
land.*

The King, finding matters go so well in Scotland, called a council in England, and declared his resolution to issue out a declaration for a general liberty of conscience to all persons of what persuasion soever; and, among other things, said; 'That it was his opinion, as most suitable to the principles of Christianity, that no man should be persecuted for conscience sake; for he thought conscience could not be forced; and that it could never be the true interest of a king of England to endeavour to do it.' Accordingly, on the 4th of April, he caused his declaration for liberty of conscience to be published; only he took care to soften his expressions with respect to his absolute power; but this I leave to the English historians. Matters continued much on the same footing in Scotland till July, when a most ample indulgence was published.

*Twenty-
one banish-
ed.*

Mean while, in the month of April, 16 men and 5 women were banished to America, because they would not own the present authority to be according to the word of God, nor disown the Sanquhar declaration, nor engage not to hear Mr Renwick. Their testimony against the evils of the times is signed thus: James Hamilton, James Douglass, John Brown, George White,

White, Alex. Baily, Gil. MacCulloch, Thomas Brown, John Wight, John Russel, Will. Hanna, John Stuart, James Richart, John White, John Aitkin, Robert Mitchel, Will. Howie, Isabel Cassils, Agnes Keir, Isabel Steil, Margaret Weir, Bessie Weir.

1687.

On the 4th of May a long process against many country people, for their accession to Bothwell, commenced before the lords of justiciary, who, after all the pains that were taken, were obliged to acquit the prisoners for want of sufficient evidence. On the 7th of May others were indicted for hearing Mr Renwick, but the process, for ought appears, came to nothing.

*Prisoners
acquitted.*

In this month Mr Spreul, who had been prisoner in the Bass for near six years, gave in a petition to the council, craving to be set at liberty. Accordingly, on the 13th of May, the council made an act empowering Charles Maitland the governor of the Bass to release him, in regard of his Majesty's late proclamation, upon his finding bail to appear before them next June. Mr Spreul signified to the governor, that he did not chuse to accept of liberty upon any terms that signified his approbation of the said proclamation, and therefore was continued in prison till a letter came requiring the governor to set open the doors to him, and tell him he might go or stay as he pleased: wherefore, after so long confinement, he came out, protesting against what he took to be wrong in the orders and proclamation, went to Edinburgh, waited on the councillors, thanked them for his liberty, and verbally renewed his protest against the said proclamation and orders. Thus ended the troubles of this good man.

*Mr Spreul
released.*

On the 30th of June several were indicted for accession to Bothwell, but the process was dropt.

During these things a process was carrying on against Dr Gilbert Burnet, afterwards bishop of Sarum. He tells us, 'That his continuing at the Hague made the King conclude that he was managing designs against him.' Some papers printed in Holland, and dispersed through all parts of England, reflecting on the proceedings there, most of them wrote by the Doctor, inflamed the King the more against him. But that which gave the crisis to the King's anger was, that he heard of his going to be married to a considerable fortune at the Hague. So a project was formed to break off the match, by charging him with high treason

*Process a-
gainst Dr
Gilbert
Burnet.
Hist. of
his own
times,
p. 726. &c.*

1687.

treason for conversing with Argyll and other outlawed persons. The King therefore ordered a letter to be wrote, in his name, to the advocate in Scotland, to prosecute him for some probable thing or another; which was intended only to make a noise, not doubting but that would break the intended marriage. The Doctor, getting timely notice of this, petitioned the States to be naturalized in order to his intended marriage; which being complied with, he wrote several letters, in his own vindication, to the Earl of Middleton, which the reader may see in Mr Wodrow's history, Vol. II. p. 609, 610, 611. In the first of these, dated at the Hague, May 3. 1687. he said, That, his being now naturalized in Holland, his allegiance, during his stay there, was transferred from his Majesty to the sovereignty of these provinces, and that he would be sorry if any judgment that should pass in Scotland against him, should oblige him, in his own defence, to appear in print, and make a recital of the share he had in affairs for twenty years past, and therein mention many particulars that he was afraid must be displeasing to his Majesty. The Doctor's first citation or indictment, dated April the 19th, had not then reached him, containing his converse with Argyll, &c. as above; but, when it did, he wrote his second letter to the secretary, and, in a most distinct and particular manner, shewed the falshood of every thing laid to his charge: but, his adversaries willing to make a handle of every thing, the first citation was dropt, and another indictment was drawn up against him, founded upon his saying that his allegiance was transferred from his Majesty to the States. He gave a most distinct answer to this in a third letter to the secretary; but no regard was paid to any thing he offered in his own justification, however just and equitable: so that, at last, in the beginning of July, a sentence of outlawry was given against him; upon which Albeville said, that, if the States would not deliver him up, he would find such instruments as would carry him away by force. It must be owned that the Doctor had shewn no small zeal against Popery: and therefore, as things were then, the reader cannot be surpris'd though he was singled out as one of the objects of the resentments of a Popish king and his complying courtiers. But, to proceed to things of another nature,

At length, on the 5th of July, the council received another proclamation from the King, for liberty of conscience, which they ordered to be published with all due solemnities, and of which the tenor follows.

1687.

Third indulgence or toleration.

JAMES II. &c.

WE now taking into our royal consideration the sinistrous interpretations which either have, or may be made of some restrictions, (mentioned in the last), have thought fit, by this,—farther to declare, that we protect our archbishops, &c. in the free exercise of their Protestant religion.—And we do likewise, by our sovereign authority, prerogative royal, and absolute power, suspend, stop, and disable all penal and sanguinary laws made against any for nonconformity to the religion established by law in that our ancient kingdom.—And to the end that, by the liberty thereby granted, the peace and security of our government, in the practice thereof, may not be endangered, we—hereby strictly charge all our loving subjects, that, as we do give them leave to meet and serve God after their own way, be it in private houses, chapels, or places purposely hired or built for that use, so that they take care that nothing be preached or taught, which may anyways tend to alienate the hearts of our people from us or our government; and that their meetings be peaceably and openly held, and all persons freely admitted to them, and that they do signify and make known, to some one or more of the next privy-councillors, sheriffs, &c. what place or places they set apart for these uses, with the names of the preachers,—and that no disturbance of any kind be made, or given them, under the pain of our royal displeasure:—provided always that their meetings be in houses, or places appointed for the purpose, not in the open fields, for which now, after this our royal grace and favour, (which surpasses the hopes, and equals the very wishes of the most zealously concerned), there is not the least shadow of excuse left, which meetings in the field we do hereby prohibit,—against all which we do leave our laws and acts of parliament in full force and vigour, notwithstanding the premises; and do farther command all our judges and magistrates, and officers

A proclamation.

of

1687.

‘ of our forces, to prosecute such as shall be guilty
 ‘ of field-conventicles, — for we are confident none
 ‘ will, after this, — presume to meet in these assem-
 ‘ blies, except such as make a pretence of religion to
 ‘ cover their treasonable designs against our royal per-
 ‘ son, and the peace of our government — .’

*Accepted
 by Presby-
 terian mi-
 nisters.*

This liberty was accepted by the generality of the Presbyterian ministers in the kingdom. For, though they were persuaded that it was not granted from any regard to them, or their adherents, but rather for introducing Popery; yet they considered that they had a right to it, and that their right had been unjustly invaded for many years, and that it would have been a strange thing if they should have been backward to preach and hear the gospel, when a door was opened for it, because some men had a design against the gospel in their opening it. Besides, if they had peevishly refused this liberty, that would never have hindered the Papists from reaping the benefit of it, but, on the contrary, would have strengthened Popery, by putting themselves out of capacity to oppose it, and the Papists would have had the fairest occasion imaginable to mislead the people: and therefore they looked on themselves as bound to make the best use of it, because it brought, for the present, a great and singular relief to thousands, who had for so many years been groaning under heavy oppressions, and gave an opportunity to most of the ministers, who had either retired, or been banished, to return to their native country, as Mr J. Veitch, Mr G. Campbell, afterwards professor of divinity in the college of Edinburgh, Mr P. Warner, Mr Alexander Pitcairn, a person of singular abilities, Mr James Kirkcoun, Mr Alexander Hastie, Mr Thomas Hog, Mr John Harroway, Mr Andrew Cameron, Mr William Moncrief, Mr Patrick Cowpar, and others.

The Presbyterian ministers, from different parts of the country, met at Edinburgh about the 20th of July, and agreed to accept the benefit of this toleration; and, after some reasoning upon addressing the King, which several were averse to, a considerable number of them agreed to the following address.

May it please your Majesty,

*Their ad-
 dress of
 thanks.*

WE your Majesty's most loyal subjects, the ministers of the Presbyterian persuasion in your an-
 cient

cient kingdom of Scotland, from the deep sense we have of his Majesty's gracious and surprising favour, in not only putting a stop to our long sad sufferings for nonconformity, but granting us the liberty of the public and peaceable exercise of our ministerial function, without any hazard; as we bless the great God who hath put this into your royal heart, do withal find ourselves bound in duty to offer our most humble and hearty thanks to your sacred Majesty, the favour bestowed being to us, and all the people of our persuasion, valuable above all our earthly comforts, especially since we have ground, from your Majesty, to believe that our loyalty is not to be questioned upon the account of our being Presbyterians, who, as we have, amidst all former temptations, endeavoured, so are firmly resolved still to preserve an entire loyalty in our doctrine and practice, (consonant to our known principles, which, according to the holy scriptures, are contained in the Confession of faith, generally owned by Presbyterians in all your Majesty's dominions), and, by the help of God, so to demean ourselves, as your Majesty may find cause rather to enlarge than to diminish your favours towards us, though roughly persuading ourselves, from your Majesty's justice and goodness, that, if we shall at any time be otherwise represented, your Majesty will not give credit to such information until you take due cognition thereof; and humbly beseeching that those who promote any disloyal principles and practices (as we disown them) may be looked upon as none of ours, whatsoever name they may assume to themselves. May it please your most excellent Majesty graciously to accept this our most humble address, as proceeding from the plainness and sincerity of loyal and thankful hearts, much engaged by this your royal favour to continue our fervent prayers to the King of kings for divine illumination and conduct, with all other blessings, spiritual and temporal, ever to attend your royal person and government; which is the greatest duty can be rendered to your Majesty by

your Majesty's
most humble,
most faithful,
and most obedient subjects.

1687. Subscribed in our name, and in the names of the rest of the brethren of our persuasion, at their desire.

This meeting of ministers, says my author, was but an occasional meeting, wherein every one acted as he saw good, and withdrew when he was not satisfied, and was not by delegation from the rest in Scotland, nor any judicatory; and, if that was the case, one would be apt to think they took by far too much upon them. About this time many of the Presbyterians in and about Edinburgh drew up an address still more florid than the above.

A synod at Glasgow. The meeting of ministers at Edinburgh, having thus agreed to address the throne, laid down several rules in order to make the best of the liberty now granted them. And looking upon themselves as now freed from bonds and fetters, they set up, says my author, not only worship, but also discipline and government; their judicatures met, and every thing was done as far as circumstances would permit. And, at a synod that met in a house at Glasgow, Mr William Violant was chosen moderator, and the care of students of divinity was committed to the reverend Mr James Wodrow, under whom great numbers had their education, and became very serviceable to the church of Christ in Scotland, and elsewhere. In short, the friends of liberty, by this toleration, had access to be together, and to strengthen one another's hands. The Prince of Orange, on this occasion, had these words to the reverend Mr Patrick Warner before he returned to Scotland: 'I understand you are called home upon the liberty granted there; but I can assure you that liberty is not granted from any favour or kindness to you, or your party, but from favour to Papists, and to divide you among yourselves; yet I think you may be so wise as to take the good of it, and prevent the evil designed, and, instead of dividing, come to a better harmony among yourselves, when you have liberty to see one another, and meet freely together.'

Mr Renwick, &c. did not comply. But Mr Renwick and his followers paid no regard to this toleration, and were much offended with those who complied with it, and addressed the King on account of it; and indeed, notwithstanding all this shew of clemency, they were as much exposed as ever. And, as I have shewn the grounds upon which the accepters

accepters of the toleration went, I cannot but in justice shew likewise the principal reasons why the others did not comply.

1687.

1. They considered the granter as a person with whom they could not communicate in any transaction of this nature, being bound by his principles to keep no faith with Heretics, and having in his practice discovered, in several instances, his treachery and dissimulation. 2. They considered that accepting a toleration from him was a bargaining with an apostate, bigotted, excommunicated Papist, and, as such, under the Mediator's malediction, yea, and heir to his own grandfather's imprecations, who wished the curse of God to fall upon such of his posterity as should, at any time, turn Papists; and therefore they could not be at peace, associate, or bargain with him. 3. They considered that they could not own him in the relation of a magistrate, because they had not only renounced him, but, by the laws of the land, he was incapable of government, having neither given, nor could give the oath and security indispensibly required; whereas, did they accept of his toleration, they owned his magistratical authority. 4. They considered this toleration as flowing from his absolute power, a power which all were to obey without reserve, which cannot be limited by laws, &c. and therefore they could not accept of it, without acknowledging a power inconsistent with the law of God and liberties of mankind. 5. They considered that they could not accept of this toleration, without giving a virtual approbation of the dispensing with the penal laws against Papists. 6. They considered that the proper tendency of it was to introduce a lawless loyalty, establish the King's tyranny, unite the hearts of Protestants to Papists, who are called their neighbours. 7. They considered the effects already produced by it. Papists were encouraged, their numbers increased, the executive power was put into their hands, &c. 8. They considered the nature of this pretended liberty as most dishonourable to the cause of Christ: for, though nothing is more desirable than when true liberty is established by the government, yet nothing can be more vile than when the true religion is tolerated under the notion of a crime, and when the exercise of it is only allowed under such and such restrictions. 9. They considered

*Their reasons.**Hind let loose, p. 172. &c.*

1687.

the extent of it, as taking in not only the archbishops, bishops, but all Quakers and Papists, and so opening a door to idolatry, blasphemy, and heresy. 10. They considered the terms as what they could not comply with, especially because they were forbid to speak any thing contrary to the well and peace of his reign, or which may any way tend to alienate the hearts of the people from him and his government, which they looked upon as a prohibition to preach against Popery or Prelacy. 11. They considered that the acceptance of it was a scandal, and could not but offend the generation of the righteous. 12. They considered the addresses of thanks, made on this occasion, as a train of fulsome and blasphemous flatteries, to the dishonour of God, the reproach of his cause, the betraying of the church, the detriment of the nation, and the exposing themselves to contempt. As to the address formerly mentioned, they say, among other things, that there never was an address of this strain from Presbyterian hands, seeing the contents of this address were so contrary to their known principles. Thus, say they, ' It is contrary to Presbyterian principles to congratulate an Antichristian usurper, for undermining religion and overturning laws and liberties. It is contrary to Presbyterian principles to justify the abrogation of the national covenants, in giving thanks for a liberty whereby all the laws are called and disabled therein confirmed. It is contrary to Presbyterian principles to thank the King for opening a door to bring in Popery, which they are engaged to extirpate by the solemn league and covenant, &c. &c.' The reader may see all these things enlarged at considerable length in the treatise quoted on the margin. I shall make no remarks, but only acquaint him, That Mr Renwick and his adherents were not the only persons who were against King James's toleration; for though many of the Protestant dissenters in England were pretty forward to congratulate the King for the English declaration, yet Mr Coke says, That it was so drawn in the sight of every bird, that (of his knowledge) many of the sober thinking men did both dread and detest it. And Dr Calamy tells us, that there was not many that could be charged, [*viz.* with addressing], and that, among the rest, Mr Baxter had no concern in addressing, but set himself at Rutland-house

Mr Baxter, &c. not concerned in addressing.

house in Charter-house-yard, where he exercised his ministry in conjunction with Mr Sylvester, to make a peaceable improvement of the liberty afforded, so as to do all the good he could. The like did his brethren in other places. But to proceed to other things.

1687.

On the 25th of July, John Anderson younger of Westertoun was indicted before the justiciary for speaking in favour of defensive arms, and, being found guilty by the jury, was condemned to die, only the time and place were left to the King. Though it does not appear that the sentence was executed, yet nothing could be a clearer evidence of cruelty than a sentence like this. *J. Anderson condemned.*

On the 5th of October the council published a proclamation against field-conventicles, * declaring, that * *Proclamation against field-conventicles.*
 ' not only all such persons, whether preachers or hearers, that shall presume to be at any conventicle in the open fields, but also all dissenting ministers, who shall take upon them to preach in houses, without observing such directions as are prescribed by our said late proclamation,——shall be prosecuted with the utmost rigour and severity of the laws,' &c. This proclamation was occasioned by the complaints which the Archbishop of St Andrews made of great meetings of people without doors in his diocese, and by the Bishop of Glasgow's representing Mr Renwick's frequent field-conventicles in the west country.

On the 14th, while the King's birth-day was observed at Glasgow with great demonstrations of joy, a narrow search was made in the town, and several were taken, and brought to no small trouble. *Search.*

Mr Renwick still went on preaching, notwithstanding the hazard he ran from the persecutors on the one hand, and the reproaches wherewith he was loaded by many, even of Presbyterians, on the other; but these I shall entirely pass over, since the reader may have recourse to the history of his life written by Mr Shields, who tells us, that, in less than five months after the toleration, there were fifteen most desperate searches, particularly for him, both of foot and horse; and that all encouragement might be given to any who should apprehend him, a proclamation was issued, dated October the 18th, 'authorising all officers, civil and military, to apprehend and secure, in firmance, his person, with some others; and, for encouragement,

1687.

*J. Sum-
mer.*

ment, ensuring the sum of a hundred pounds Ster-
ling for taking him or them dead or alive.'

Some time this month of October, John and Robert Summers, two brothers, together with William Speir, all in the parish of Cambuslang, were taken out of their beds and imprisoned at Glasgow, on suspicion of being at some field-conventicle; and, after ten days confinement there, they suffered a month's imprisonment at Edinburgh, and were brought to great charges, though nothing could be proved against them.

*Fagel's
letter.*

On the 4th of November Pensionary Fagel wrote from the Hague to Mr Stuart, in answer to several letters which that gentleman had wrote to him, in order to know the sentiments of the Prince and Princess of Orange concerning the taking away the penal laws, in which he told him, 'That it was the opinion of the Prince and Princess, that no Christian ought to be persecuted for his conscience, or be ill used because he differs from the established religion, and therefore they could consent that the Papists in England, Scotland and Ireland, should have as much liberty as is allowed them in Holland. And as to Protestant dissenters, they heartily approved of their having an entire liberty for the full exercise of their religion, without any trouble or hindrance; and that if his Majesty desired their concurrence in repealing the penal laws, their Highnesses were ready to give it, provided that those laws still remained in force, by which the Roman Catholics were excluded out of both houses of parliament, and out of all public employments, ecclesiastical, civil, and military, and likewise those other laws which confirm the Protestant religion, and secure it against all the attempts of the Roman Catholics; but that they could not consent to the repeal of the test, and the other laws that tended to the security of the Protestant religion,' &c. And thus King James and his ministers were exceedingly disappointed by this full declaration; for, had they only got the opinion of the Prince and Princess according to their mind, they doubtless would have made a great handle of it.

*J. Boyle
condemn-
ed.*

On the 7th of November, James Boyle was condemned to be executed at the Grass-market; on the 7th of December, for having been at Bothwell, and for

for hearing Mr Renwick; but it does not appear that the sentence was executed.

1687.

There is nothing more material that occurs during this year, only, in the beginning of it, the soldiers continued their ravages, till some regiments were called up to England; and, among others that suffered by them, the family of Mayfield was greatly oppressed.

And, as an evidence that the persecuting spirit still continued, Alexander Keir, sometimes bailie of Stranraer, was imprisoned some time this year for alledged irregular baptisms, as were William Mactyre and Nathaniel Johnston for being present. But I now go on to

C H A P. XV.

Of the proceedings of the justiciary; the execution of Mr James Renwick; the acts and proclamations of council, and other remarkable things to the ever memorable revolution; with some account of the proceedings of the convention of estates.

IT is now with pleasure I am come to the year 1688,

1688.

which will ever be famous in the annals of Great Britain, on account of the glorious revolution, brought about by divine providence; by which these nations were rescued, not only from oppressive tyranny, but also from a destructive storm of Popery, devastation, and blood, that was just ready to break in upon them; and Scotland, in particular, was freed from the bloody hands of Prelatists and their abettors.

The Romish priests at this time bestirred themselves to propagate their faith, filled the country with their catechisms and manuals of devotion. Popish schools were erected up and down England, and, in a particular manner, at the Abbey of Holy-wood-house, which was not only contrary to law, but an open insult on the reformation. The better to gain their ends, the scholars were to be taught *gratis*; and it was pretended, that no regard was to be had to differences in religion, and no less title was given to this Popish seminary than that of the *royal college*.

Notwithstanding the toleration last year, all methods were taken to hinder many from reaping the benefit of it. When people hired barns or other houses for places of worship, they were, upon some pretence or another, greatly vexed and harassed; and they

1688.

they who would not go to church were brought to no small trouble, and quarrels were continually picked with Presbyterians; so that, had it not been for the revolution, even this toleration had been rendered of no service. Mr Alexander Auchmoutie and Mr Alexander Orrock were discharged from preaching any more at Dundee. The latter had once prayed, that the Lord would purge the King from heart-idols; which words were misrepresented, as if Mr Orrock had said the King was an idolater. In a word, all occasions were sought against Presbyterians; but,

Thanksgiving for the Queen's pregnancy.

The grand design of the court was to establish Popery on the ruins of the Protestant interest; but here was the great bar in the way, the apparent heirs of the crown were Protestants, and all attempts to induce them to change their religion, or even to approve the taking off the penal laws, had been in vain; and therefore a proclamation was published on the 2d of January 1688, to notify the Queen's being with child, and to order public thanksgiving to God, on the 15th, in the cities of London and Westminster, and on the 29th in all other places in England.

Form of prayer. Calamy.

In the form of prayer appointed for the occasion were these expressions. 'Blessed be that good Providence, which has vouchsafed us fresh hopes of royal issue by our gracious Queen Mary. Strengthen her, we beseech thee, and perfect what thou hast begun; command thy holy angels to watch over her continually, and defend her from all dangers and evil accidents, that what she has conceived may be happily brought forth; to the joy of our sovereign Lord the King, the farther establishment of his crown, the happiness and welfare of the whole kingdom, and the glory of thy great name.'

Thanksgiving in Scotland.

The privy council of Scotland appointed the 29th of January to be observed as a thanksgiving for the diocese of Edinburgh, and the 10th of February for the rest of the kingdom. There were, however, very few of the tolerated Presbyterians that paid any regard to this; and indeed there was no particular mention of them in the act enjoining this thanksgiving.

This, says Mr Neal, struck all the Protestant part of the nation with consternation, except a few ranting Tories, whose religion was at the service of the King whenever he should please to call for it; and though the

the Jesuits looked upon the conception as miraculous, and as the effect of a vow the Queen had made to the lady of Loretto, and prophesied that it would certainly be a prince, yet the Protestants sighed in secret, and suspected a fraud; the grounds of which are related at large by the historians of these times.

On the 17th of January Mr James Renwick, with *Mr Ren-* the consent of others concurring, delivered into the *wick's te-* hands of Mr Hugh Kennedy, a reverend and learned *stimony.* minister, whom he supposed to be the moderator of the meeting at Edinburgh, a testimony which he had drawn up against the toleration, and for the covenants, and the expediency of preaching the gospel in the fields.

The strength of what is therein said against that toleration being exhausted in what is borrowed from Mr Shields, a few pages before this, I shall not here resume what they say upon that head, but shortly deduce the substance of the other two.

‘ In the next place, considering (say they) how our covenants are slighted, the obligations of them forgotten, and they like to be buried in oblivion, we judge we are necessarily called to speak a word of our covenants;—desiring to bless the Lord, who put it in the hearts of his people,—to enter into holy covenants,—and we do testify our cordial approbation of, and real adherence unto these memorable engagements;—and we are also no less convinced in our consciences, that the obligation of our covenants is perpetual, and binding upon posterity;—these engagements are national promises, laying in pledge the public faith. Certainly that of the Jewish nobles, not to exact usury of their brethren, would have brought their posterity under the curse, if they should have done it, Neh. v. 12. 13. They are national vows, whereby they devoted themselves and their posterity to be the Lord’s people;—the Rechabites were bound to observe the vows of their forefather Jonadab. They are national oaths, and these do oblige posterity. Joseph took an oath of the children of Israel to carry up his bones to Canaan, Gen. l. 25. which the posterity—found themselves straitly sworn to observe, Exod. xxx. 19.—They are national covenants, wherein king, parliament, and people, do covenant with each other to perform their several and respective duties as

1688.

‘ to religion and liberty;—these oblige posterity, as Israel’s covenant with the Gibeonites, Josh. ix. 15. 19. for the breach whereof, many ages after, the posterity was plagued, 2 Sam. xxi. 1.’ Several other things are advanced to the same purpose; and then they go on, saying, ‘ We cannot but profess the sorrow of our hearts, and testify the abhorrence of our souls against all the breaches, injuries, or affronts, that have been, or are offered, or done to our covenants, national and solemn league, which now (alas) are like to be despised and buried in forgetfulness.—Particularly, we testify against the sinful, shameful, and scandalous defections of many ministers in this point, by their laying by these sacred covenants, forbearing to preach plainly the obligation of them, to discover particularly the breaches of them, and to mention them in the engagements which they require of parents when they present their children to baptism.—

‘ In the last place, because field-meetings for gospel-ordinances—are now, by wicked and sanguinary laws,—interdicted and discharged under pain of death, therefore we must testify our abhorrence of this cruelty, when others are silent, and signify also our reasons of endeavouring to maintain these interdicted meetings—1. It is necessary, at all times, that Christians should meet together for gospel-ordinances, whether the magistrate will or not,—if they cannot get the gospel in houses, they must have it where-ever they can.—2. These meetings must be as public as may be with conveniency and prudence, especially—when wickedness is encouraged, and a witness for truth suppressed;—for then the call of God is—for public and solemn humiliation, which cannot be done in private; the nature and end of meeting for gospel-ordinances is for a public testimony for Christ against all sin, and every dishonour done to the Son of God.—The nature and business of the gospel-ministry is such, that it obliges them that exercise it to endeavour all publicness, without which they cannot discharge the extent of their instructions.—3. Keeping of field-meetings now, is not only most convenient for testifying, but a very significant testimony, in itself, against the Popish toleration,—against that wicked law

‘ law that discharges them as criminal :—It is a testimony for the headship, honour, and princely prerogative of Jesus—since, in these meetings, there is a particular declaration of our holding our ministry, and the exercise thereof, from Christ alone, without any dependence on, subordination to, or licence from, his usurping enemies.—It is a testimony for our covenants,——the owning whereof is declared criminal by the same law that discharges these meetings.—4. To give over field-meetings altogether, at this time, would be very stumbling to friends,——and to enemies prove very hardening and encouraging in their wicked design of banishing all meetings out of the land.’—They conclude with the epilogue of the ministers of Lancaster, used by them in their testimony against the toleration.

Thus the reader may judge for himself, whether Mr Renwick and his followers, or those who accepted the forefaid toleration, acted most consistent with their principles.

I shall only add, that this worthy minister was in a little time called to seal his testimony with his blood, of which I shall give an account, when I have observed, that, on the 3d of February, Mr David Williamson, who had a numerous congregation in the West-kirk parish, was, without being ever told the cause, apprehended, and kept a fortnight in prison at Edinburgh, and in July brought before the council, at the malicious accusation of one Musket, for not praying for the pretended Prince of Wales; but nothing could be made appear. Sir Patrick Nisbet of Dean, who countenanced Mr Williamson’s ministry, was fined in L. 300 Sterling, for words Musket declared he had spoke disrespectfully of the government.

The order of time leads me now to relate the last part of the sufferings of Mr Renwick, who still continued preaching and catechising. At last, after he delivered the above testimony, he went to Fife, where he continued preaching till the last of January, when he returned late at night to Edinburgh, and lodged at a friend’s house on the Castle-hill, who dealt in English goods. One Thomas Justice, a customhouse-officer, getting notice of a stranger’s being there, came next morning, with some other officers, on pretence of searching for prohibited goods. Mr Renwick, up-

1688.

on hearing the noise, came out of his room. Justice, standing at the door, My life for it this is Mr Renwick. Upon this Mr Renwick went to another door, and, finding it guarded, discharged a pistol, by which he got out, and, had it not been for a blow he received in the breast, he would have made his escape; but, as he was running, he fell several times, and at last was taken and carried directly to the court of guard; from thence before a committee of the council, who ordered him to be laid in irons. Then he had an opportunity of spreading his case before God, and of praying for grace to enable him to bear what he might be called to suffer, and that his enemies might be restrained from torturing his body.

*examined
at the Vis-
count Tar-
bet's.*

Before he received his indictment, he was taken to the Viscount of Tarbet's chamber, and there examined concerning his owning the authority of King James VII. the cefs, and carrying arms at field-meetings, and delivered himself with freedom and boldness to the astonishment of all present. He was the first that was examined concerning the cefs. A pocket-book was found about him, in which were the notes of two sermons he had preached on these points, which he owned. There were also some capital letters in the same book, such as, AS. MS. JW. AW. PR. PA. MM. at G. where a hat was left. The committee was very urgent to know these names; and Mr Renwick, partly to avoid torture, and partly because he could not make them more obnoxious than they were, ingenuously declared that they were the names of Mess. Alexander Shields, Michael Shields, James Wilson, Archibald Wilson, Peter Rayning, Peter Aird, who were all out of their reach. He made some demur as to the last, till he was assured that she should come to no trouble, and then he told that it was one Mrs Miller at Glasgow. This openness greatly softened the rage of his enemies. Being asked what persuasion he was of? He answered, of the Protestant Presbyterian persuasion, adhering to the old Presbyterian principles, which were once generally professed by the church and nation from 1640 to 1660.

*received
his indict-
ment.*

On the 3d of February he received his indictment, in which it was said, 'That, having shaken off the fear of God, and regard to his Majesty's laws and authority, and having entered into the society of re-
' bels

'bels of most damnable and pernicious principles and
 'disloyal practices, he had taken upon him to be a
 'preacher to these traitors, and had become so despe-
 'rate a villain, as openly to preach in the fields, de-
 'claming against the King's authority, asserting that
 'he was an usurper, and that it was unlawful to pay
 'cess, but lawful for subjects to rise in arms and make
 'war against him, and those commissioned by him;
 'for which crimes he had been denounced and inter-
 'communed, and a reward of L. 100 Sterling offered
 'to any that should apprehend him; but, notwith-
 'standing all this, he still persisted in his obstinacy,
 'keeping conventicles in the fields, and requiring his
 'hearers to come armed to these rendezvous of re-
 'bellion.—And, being apprehended within the ci-
 'ty of Edinburgh, he did desperately fire upon the of-
 'ficers that came to take him; and, being brought
 'before the Lord Chancellor, did openly deny and
 'decline the King's authority, asserting him to be an
 'usurper, and owning that he had preached these
 'things, and had traiterously declared at the Viscount
 'of Tarbet's, that he could not in conscience acknow-
 'ledge the King to be his lawful sovereign, and that
 'the lineal succession did not give a right to govern,
 'and that it was unlawful to pay cess, because it was
 'imposed for maintaining of forces to suppress the go-
 'spel; and that all who paid the cess were involved
 'in that guilt, and adhered to his preaching-book,
 'declaring the same to be his hand-writ.' To all
 which he was to answer on the 8th of February. To
 the indictment was added a list of 45, out of which 15
 were to be chosen to be the jury, with a list of the
 witnesses to be brought against him, for which I must
 refer the reader to the history of his life.

After receiving his indictment, his pious mother, *Interview*
 Elisabeth Carsan, was permitted now and then to see *with his*
 him. He frequently declared his grief on account of *mother, &c.*
 his leaving his flock; but on Sabbath, February 5.
 he declared that, if it was his choice, he could not
 without terror think of continuing much longer in his
 conflicts with a body of sin and death; and yet he durst
 not vary in the least from his testimony. In a letter
 February 6. he desired that the persons whose names
 he had deciphered might be acquainted with it, and
 concludes, 'I desire none may be troubled on my be-
 'half,

1688.

‘ half, but rather rejoice with him, who, with hope and joy, is waiting for his marriage and coronation-hour.’ Another time his mother asked him how he was. He answered he was well; but that, since his last examination, he could hardly pray. At which, when she seemed to be surpris’d, he added, ‘ I can hardly pray, being so much taken up with praising, and ravish’d with the joy of the Lord.’ When she farther expressed her fears, saying, ‘ How shall I look to that head, and these hands set up among the rest upon the ports of the city? I have so much of self, that I shall never be able to endure it.’ He smiled, telling her that she should not see that; for, said he, ‘ I have offer’d my life to the Lord, and have sought that he may bind them up, that they may do no more; and I am persuas’d that they shall not be permitted to torture my body, nor touch one hair of my head farther.’ He was always afraid of torture; but now his fears were all over. Some other friends were allowed to visit him, whom he exhorted to make sure their peace with God, and to study steadfastness in his ways: and when they were regretting their loss of him, he said, ‘ That they had more reason to bless the Lord, that he should now be taken away from these reproaches which had broken his heart, which could not otherwise be wiped off, even though he should get his life without yielding in the least.’ He told them also, that, when he was first taken and brought before the council, he intended to wave them, and not be positive in his answers; but that he was so filled with darkness of spirit, that he durst not continue in these resolutions, but found himself oblig’d to be plain and free, as he had always been in his sermons, in which he had found great peace.

*before the
justiciary.*

On Wednesday the 8th of February he appeared before the justiciary, and, when his indictment was read, the justice-clerk asked him, if he adhered to his former confession, and acknowledged all that was in his libel. He answered, ‘ All, except where it is said, I have cast off all fear of God; that I deny; for it is because I fear to offend God, and violate his law, that I am here standing ready to be condemn’d.’ Then he was interrogated if he owned authority, and King James VII. to be his lawful sovereign. He replied, ‘ I own all authority that hath
‘ its

' its prescriptions and limitations from the word of
 ' God; but cannot own this usurper as lawful King,
 ' seeing, both by the word of God, such an one is in-
 ' capable to bear rule; and likewise by the ancient laws
 ' of the kingdom, which admit none to the crown of
 ' Scotland until he swear to defend the Protestant re-
 ' ligion, which a man of his profession could not do.'
 They urged, Could he deny him to be king? Was
 he not the late King's brother? Had the late King a-
 ny children lawfully begotten? Was he not declared
 to be successor by act of parliament? He answered,
 ' He was, no question, king *de facto*, but not *de jure*;
 ' that he was brother to the other, he knew nothing to
 ' the contrary. What children the other had he did
 ' not know; but from the word of God, that ought
 ' to be the rule of all laws, or from the ancient laws
 ' of the kingdom, it could not be shewn that he had,
 ' or ever could have, any right.' Then they asked,
 if he owned, and had taught it to be unlawful to pay
 cesses and taxes to his Majesty. He replied, ' For
 ' the present cess, exacted for the present usurper, I
 ' hold it unlawful to pay it, both in regard it is op-
 ' pressive to the subjects, for the maintenance of ty-
 ' ranny, and because it is imposed for suppressing
 ' the gospel. Would it have been thought lawful for
 ' the Jews, in the days of Nebuchadnezzar, to have
 ' brought every one a coal to augment the flame of
 ' the furnace to devour the three children, if so they
 ' had been required by that tyrant? And how can it
 ' be lawful, either to oppress poor people for not bow-
 ' ing to the idols the King sets up, or for their bre-
 ' thren to contribute to what may help forward their
 ' oppression?' Next, they inquired if he owned that
 he had taught his hearers to come armed to their
 meetings, and, in case of opposition, to resist. He
 answered, ' It were inconsistent with reason and reli-
 ' gion both to do otherwise. Yourselves would do it in
 ' the like circumstances. I own that I taught them to
 ' carry arms to defend themselves, and to resist your
 ' unjust violence.' Farther, they asked if he owned
 the note-book with the two sermons in it, and that he
 had preached them. He said, ' If you have added
 ' nothing, I will own it, and am ready to seal all the
 ' truths contained therein with my blood.' All his
 confessions being read over, he was required to sub-
 scribe

1688.

scribe them. He said he could not do it, since he looked upon that as a partial owning of their authority. After several times refusing, he said, with protestation, 'I will subscribe the paper, as it is my testimony; but not in obedience to you.'

condemned.

Next, those of the jury were called in by fives and sworn, against whom he made no objection, but protested, 'That none might sit on his assize that professed Protestant or Presbyterian principles, or an adherence to the covenanted work of reformation.' He was brought in guilty, and sentence was passed, that he should be executed in the Grass-market on the Friday following. Lord Linlithgow, justice-general, asked if he desired longer time. He answered, that it was all one to him; if it was protracted, it was welcome; if it was shortened, it was welcome; his Master's time was the best. So he was returned to prison.

Lenity of the justiciary.

Though none who suffered in the former part of this dismal period spoke with greater freedom and openness than Mr Renwick, yet none were treated with so much moderation. The lenity of the justiciary was much admired beyond their ordinary; for they admitted him to say what he pleased, without threatenings or interruptions, even though he gave none of them the title of Lord but Linlithgow, who was a nobleman by birth.

Mr Renwick reprieved,

It is farther remarkable, that, without his knowledge, and against his will, nay, after his open refusing to the advocate to desire it, he was reprieved till the 17th day, which gave occasion to several to renew their reproaches.

visited by Bishop Paterson.

Though Mr Renwick's friends (which was not usual after sentence) were denied access, yet both Papists, Episcopalians, and others, were permitted to see him. Bishop Paterson often visited him; nay, he sought another reprieve for him, which would easily have been granted, had he only petitioned for it. The Bishop asked him, 'Think you none can be saved but those of your principles? Will you kill yourself with your own hands, seeing you may have your life upon so easy terms?' He answered, 'I never said nor thought that none could be saved except they were of those principles; but these are truths which I suffer for, and which I have not rashly concluded on, but

but deliberately, and of a long time have been confirmed that they are sufficient points to suffer for.' The Bishop took his leave, declaring his sorrow for his being so tenacious, and commended him for a youth of parts. The night before he suffered he signified his readiness to serve him to the utmost of his power. Mr Renwick thanked him for his civility; but knew nothing he could do, or that he could desire. Mr MacNaught, one of the curates, made him a visit in his canonical habit, which Mr Renwick did not like. The curate, among other things, asked his opinion concerning the toleration, and those that accepted it. Mr Renwick declared that he was against the toleration: but as for the men that embraced it, he judged them to be godly men. Sir D. Dalrymple the advocate, several Popish priests, and some of the gentlemen of the guard, together with some of the tolerated ministers, were permitted to converse with him. The priests, at leaving him, were overheard, saying that he was a most obstinate heretic. All the time he was in prison after his sentence, he was kept so close, that he could get nothing wrote. His begun testimony, which he was writing, was taken from him, and pen, ink, and paper refused. However, he got a short paper wrote the night before he suffered, which is in the Cloud of witnesses.

On Tuesday the 14th he was brought before the council on account of the Informatory Vindication; but what passed there cannot be learned, farther than their signifying how much kindness they had shewn him, in that they had reprivied him without his supplication, a thing never done before. He returned with extraordinary cheerfulness, rejoicing that he was counted worthy to suffer shame for the name of his Master. He was much in observing the goodness of God in restraining the persecutors from putting him to torture. Being asked what he thought God would do with the remnant left behind him; he answered, 'It shall be well with them; for God will not forsake nor cast off his inheritance.'

On the day of his execution, the chief jailor begged, that, at the place of his execution, he would not mention the cause of his death, and would forbear all reflections. Mr Renwick told him, that what God would give him to speak, that he would speak, and

1688.

nothing else, and nothing less. The jailor told him, he might still have his life if he would but sign that petition which he offered him. He answered, 'That he never read in scripture, or history, where martyrs petitioned for their lives when called to suffer for truth, though they might require them not to take their life, and remonstrate against the wickedness of murdering them; but, in the present circumstances, he judged it would be found a receding from the truth, and declining a testimony for Christ.'

*with his
mother and
sisters.*

At last his mother and sisters had liberty to see him. He took a refreshment with them, and, in returning thanks, said, 'O Lord, now thou hast brought me within two hours of eternity, and this is no matter of terror to me, more than if I were to lie down in a bed of roses; nay, through grace, to thy praise I may say, I had never the fear of death since I came to this prison, but from the place I was taken I could have gone very composedly to the scaffold. O! how can I contain the thoughts of this, to be within two hours of the crown of glory.' He exhorted them much to prepare for death, expressing his own joyful assurance of endless glory; and, perceiving his mother weep, he exhorted her to remember, 'that they who loved any thing better than Christ were not worthy of him. If ye love me, rejoice that I am going to my Father, to obtain the enjoyment of what eye hath not seen, ear hath not heard, nor hath it entered into the heart of man to conceive.' Then he went to prayer, wherein he run out much into praises, and pleaded, in behalf of the suffering remnant, that the Lord would raise up witnesses that might transmit the testimony to succeeding generations, and that the Lord would not leave Scotland; asserting, with great confidence of hope, that he was strengthened in the faith of it, that the Lord would be gracious to Scotland.

*His beha-
viour in
the low
council-
house.*

When the drum beat he fell into a transport, saying, 'Yonder the welcome warning to my marriage, the Bridegroom is coming, I am ready, I am ready.' Then, after having in a moving way parted with his mother and sisters, he was taken, as usual, to the low council-house, where they desired he would speak what he had to say there. He told them, I have nothing to say to you, but that which is written in Jer.

xxvi. 14. 15. *As for me, behold I am in your hand,* &c. He was told that the drums would beat at the scaffold all the time, and therefore they advised him to pray there, which he refused, and declared that he would not be limited in what he would say; that he had premeditated nothing, but would speak what was given him. They offered him any minister to be with him; but he chose to be attended by one friend who was then in company.

1688.

He went to the place of execution, with great *and on the* cheerfulness, in the midst of an innumerable multitude, *scaffold.* which was the greater, that executions had not been so frequent of late. There was a curate near the scaffold who tempted him, saying, Mr Renwick, own our King, and we shall pray for you. He replied that he wanted none of his prayers, since he was come to bear his testimony against him, and such as he was. The curate said, Own our King, and pray for him, whatever you say against us. His answer was, I will discourse no more with you. I am, within a little, to appear before him who is King of kings, and Lord of lords, who will shortly pour shame, contempt, and confusion on all the kings of the earth who have not ruled for him. He sang Psal. ciii. read Rev. xix. and then prayed, recommending his soul to God through the Redeemer, and his cause to be vindicated in his own time. He declared that this was the most joyful day he ever saw, a day he had greatly longed for, and blessed the Lord who had honoured him with the crown of martyrdom, an honour which the angels are not capable of. He complained of his being disturbed in worshipping God; but, said he, 'I shall be above those clouds; then shall I enjoy thee, and glorify thee without interruption or intermission for ever.' Prayer being ended, he spoke to the people, and what was remembered is as follows.

Spectators, (or, if there be any of you auditors), *His last*
 I must tell you, I am come here this day to lay *speech.*
 down my life for adhering to the truths of Christ, for
 which I am neither afraid nor ashamed to suffer;
 nay, I bless the Lord that ever counted me worthy,
 or enabled me to suffer any thing for him; and I
 desire to praise his grace that he hath not only kept
 me free from the gross pollutions of the time, but al-

1688.

‘ so from the many ordinary pollutions of children ;
 ‘ and for such as I have been stained with, he hath
 ‘ washed and cleansed me from them in his own blood.
 ‘ I am this day to lay down my life for these three
 ‘ things. 1. For disowning the usurpation and tyran-
 ‘ ny of James Duke of York. 2. For preaching that
 ‘ it was unlawful to pay the cels expressly exacted for
 ‘ bearing down the gospel. 3. For teaching that it
 ‘ was lawful for people to carry arms for defending them-
 ‘ selves in their meetings for the persecuted gospel or-
 ‘ dinances. I think a testimony for these is worth ma-
 ‘ ny lives ; and if I had ten thousand I would think
 ‘ it little enough to lay them all down for the same.

‘ Dear friends, spectators, if any of you be audi-
 ‘ tors, I must tell you I die a Presbyterian Protestant.
 ‘ I own the word of God as the rule of faith and man-
 ‘ ners. I own the Confession of Faith, Larger and
 ‘ Shorter Catechisms, Sum of saving knowledge, Di-
 ‘ rectory for public and family worship, Covenants na-
 ‘ tional and solemn league, Acts of general assemblies,
 ‘ and all the faithful contendings that have been for
 ‘ the covenanted reformation. I leave my testimony
 ‘ approving the preaching in the fields, and the de-
 ‘ fending the same by arms. I adjoin my testimony
 ‘ to all those truths that have been sealed by blood-
 ‘ shed, either on scaffolds, fields, or seas, for the
 ‘ cause of Christ. I leave my testimony against Popery,
 ‘ Prelacy, Erastianism, &c. against all profanity, and
 ‘ every thing contrary to sound doctrine and the power
 ‘ of godliness ; particularly against all usurpations
 ‘ and encroachments made upon Christ’s rights, the
 ‘ Prince of the kings of the earth, who alone must
 ‘ bear the glory of ruling his own kingdom the church ;
 ‘ and, in particular, against this absolute power usurp-
 ‘ ed by this usurper, that belongs to no mortal, but
 ‘ is the incommunicable prerogative of Jehovah, and
 ‘ against his toleration flowing from this absolute
 ‘ power.’

Here he was ordered to have done. He answered,
 I have near done ; and then said, ‘ Ye that are the
 ‘ people of God, do not weary to maintain the testi-
 ‘ mony of the day in your stations and places ; and,
 ‘ whatever ye do, make sure an interest in Christ ; for
 ‘ there is a storm coming that shall try your founda-
 ‘ tion. Scotland must be rid of Scotland before the
 ‘ delivery

' delivery come. And you that are strangers to God, break off your sins by repentance, else I will be a sad witness against you in the day of the Lord.' 1688.

Here they stopt him, and made him go up the ladder, where he prayed; and this expression was distinctly heard, ' Lord, I die in the faith that thou wilt not leave Scotland, but that thou wilt make the blood of thy witnesses to be the seed of thy church, and return again and be glorious in our land. And now, Lord, I am ready, the bride, the Lamb's wife, hath made herself ready.' When the napkin was tying round his face, he said to his attending friend, ' Farewell, be diligent in duty, make your peace with God, through Christ; there is a great trial coming. As to the remnant I leave, I have committed them to God. Tell them from me not to weary, nor be discouraged in maintaining the testimony. Let them not quit or forego one of these despised truths. Keep your ground, and the Lord will provide you teachers and ministers. And when he comes he will make these despised truths glorious in the earth.' Then he was turned over with these words in his mouth, ' Lord, into thy hands I commit my spirit: for thou hast redeemed me, Lord God of truth.'

Thus died Mr James Renwick, the last that sealed the testimony for religion and liberty, and the covenanted work of reformation, against Popery, Pielacy, Erastianism, and tyranny in this persecuting period, a young man and minister, being just turned his 26th year, but a ripe Christian and martyr of Christ.

After his death the reverend Mr Alexander Shields succeeded and preached in the fields, and in April had a very numerous field-meeting upon Distinkcorn-hill, which occasioned many searches to be made by the soldiers for those who were present. But to return.

On the 13th of February the reverend Mr John Hardy, minister at Gordon, was tried before the justiciary for high treason; but the process was dropt. The great crime was his preaching against Popery, and warning his hearers of the danger they and the whole nation were in. This was constructed to be high treason.

On the 17th Sir George MacKenzie was restored to his place of being Lord advocate, and Sir John Dalrymple was made justice-clerk and a lord of session.

1688.

In March some country-people were brought in prisoners, and examined by Sir George about owning the King's authority; but though they owned it only with limitations, yet the new advocate was more easy with them than he had been with others in former years. But to proceed to things of a more public concern.

*Liberty of
conscience
for Eng-
land,
p. 182.*

On the 27th of April King James issued out another declaration for liberty of conscience in England, which the reader may see in the English historians. This declaration, says Dr Welwood, was of a much higher strain than the former, and in it the Roman Catholics were chiefly included, and indeed it was for their sake alone it was granted. However, the King not being satisfied with having this published in the usual method, emitted an order of council, enjoining the bishops to cause it to be sent and distributed throughout their several and respective diocesses, to be read at the usual time of divine service in all churches and chapels. Though 'some of the bishops,' says Burnet, 'carried their compliance to a shameful pitch,' the generality of the clergy refused to obey so unjust a command, and seven of them, on account of a petition they presented to his Majesty, praying that he would not insist upon their distributing and reading the said declaration, were committed to the tower, where we must leave them for some time.

*Bishops
sent to the
tower.*

*Fourth in-
dulgence.*

Mean while, that matters might correspond in Scotland with those in England, on the 15th of May a new proclamation was published there, called the 4th indulgence, in which he pleads several acts of parliament, especially the 2d act of his parliament there for acting by virtue of absolute power; so that he pretended to law in dispensing with the standing laws of the nations. Then he repeats his former proclamations, and signifies that he has dissolved all judicatories and magistrates in royal burghs, and declares that he will maintain all his former proclamations, and threatens those who would not comply with his measures.

*Mr Cob-
ham's suf-
ferings.*

But, notwithstanding all this pretended liberty of conscience, yet in many places all methods were taken to hinder Presbyterian ministers from reaping the benefit of it, as appears not only from some instances already given, but also from the case of the reverend Mr Thomas Cobham, who was born in Dundee, and came thither on the 23d of May to see his friends. He performed

performed family-worship at his cousin's, for which he was brought before one of the magistrates, on pretence of his keeping a conventicle; but was presently bailed, else he must have gone to prison. Next day, the information being found false, his bail-bond was given up, and he gave in his name to the magistrates, and preached the Sabbath following; but the Saturday after he was called, at ten at night, before some of the magistrates, and ordered to find bail, though they had nothing to lay to his charge; and, because his friend Mr Smith took upon him to speak in his favour, and remonstrate against this illegal proceeding, he was sent along with him to prison. Though Mr Smith was let out, yet Mr Cobham was kept a prisoner till July, when he was sent to Edinburgh, where, after some farther confinement, he was released by the council, they finding nothing against him.

On the 10th of June, while the bishops were in the tower, and the Princess Anne at the Bath, the Queen was said to be delivered of a Prince of Wales; but there were so many circumstances that rendered this birth suspicious, that the nation in general looked upon it as an imposture, and as the last effort of the Papists to ruin the reformation in these lands. The illustrious Prince of Orange, in his declaration for Scotland, speaks of this in the following terms: 'But, to crown all, there are great and violent presumptions inducing us to believe that those evil counsellors, in order to their carrying on of their ill designs, and to the gaining to themselves more time for the effecting of them, for the encouraging of their accomplices, and the discouraging of all good subjects, have published that the Queen hath brought forth a son, though there have appeared, both during the Queen's pretended bigness, and in the manner in which the birth was managed, so many just and visible grounds of suspicion, that not only we ourselves, but all the good subjects of those kingdoms, do vehemently suspect that the pretended Prince of Wales was not born by the Queen. And it is notoriously known to all the world, that many both doubted of the Queen's bigness, and of the birth of the child, and yet there was not one thing done to satisfy them, or put an end to their doubts.'

*Birth of
the Pre-
tender.*

*Prince of
Orange's
sentiments
of it.*

1688.

A thanksgiving for the Pretender's birth.

On the 14th the council of Scotland, considering that 'it having pleased the Almighty God, by whom kings reign, to bless his sacred Majesty, our august and glorious monarch, and in him us, his dutiful and happy subjects, with the birth of the most serene and high-born Prince, the Prince and Stuart of Scotland, &c. by his royal consort our gracious Queen Mary,'—made an act appointing the 21st of June for the diocess of Edinburgh, and the 18th for the rest of the kingdom, to be observed as days of solemn thanksgiving. The day was observed at Edinburgh with all solemnity.

Mr Houstoun rescued.

About the 20th of June they of the united societies, having been informed that Mr David Houstoun, who had joined with Mr Renwick, had been apprehended, a good number of them assembled in arms, attacked the soldiers who were carrying him to Edinburgh, and after killing some, and wounding others, rescued the prisoner; and, if they had not, it is very probable he would have suffered as Mr Renwick had done. The societies afterwards, having informations against him, turned him out from amongst them.

Proclamation.

The news of this rescue coming to Edinburgh, the council issued a proclamation on the 22d, ordering the nobility, freeholders, heritors, and indulged ministers, in the shires of Ayr, Lanerk, Renfrew, and Nithsdale, to be assembled on the 29th instant, and those of Wigtoun on the 6th of July, in order to find out those concerned in the said rescue: but, after all the inquiry that could be made, few or none concerned were found out, though the country was brought to no small trouble on account of those meetings.

George Wood shot in the fields.

Some time in June, John Reid a trooper, once belonging to Craigie's troop, finding one George Wood, a youth of about 16 years of age, shot him on the place. When Reid was challenged for this, he said, he knew him to be a Whig, and these ought to be shot wherever they were found.

Search.

In June or July Claverhouse and Col. Douglass made a most violent search in Edinburgh. Every private soldier had power to examine, upon oath, all suspected persons, and whoever refused to renounce the covenants were forced to prison.

General meeting.

The followers of the late Mr Renwick still kept up their

their societies. Accordingly, at a general meeting on the first of August, they collected near L. 240 Sterling in order to ransom several of their brethren who were sold for slaves to Barbadoes. Accordingly James Douglass, Thomas Brown, John Buchanan, Alexander Baily, George Paton, John White, Gilbert MacCulloch, R. Mitchel, John White, George White, Agnes Keir, James Baxter, and another, were, in consequence of this, actually relieved. But it is proper to take a short view of what was transacting at this time in England.

The assurance of a Popish successor filled the King with hopes of accomplishing his designs, and, in order to get a parliament to his mind, clofeting was once more put in practice, promises and threatenings were made use of, some entire regiments were ordered from Ireland, and many vacancies in the English regiments were filled up with Irish and Popish officers; and, during the public rejoicings for the birth of the pretended Prince of Wales, the Archbishop of Canterbury, the Bishops of St Asaph, Bath and Wells, Ely, Chichester, Peterborough, and Bristol, were brought to their trials at the King's-bench bar on the 15th of June; but, upon a motion for a delay, the matter was put off till the 29th, and in the mean time they were set at liberty upon their recognizance. On the said 29th Westminster-hall was crouded with great numbers of lords, gentlemen, and others. The bishops were tried, and the trial lasted ten hours; then the jury withdrew, and, after sitting up all night, brought in their verdict, next morning, Not guilty.

Upon this the Marquis of Hallifax, waving his hat over his head, cried, Huzza! The lords and gentlemen took the shout from him. It in an instant filled the whole hall with the loudest acclamations of joy, which were immediately taken by the crouds waiting in Palace-yard and in Westminster, from whence it was carried through the city of London and places adjacent, and, as fast as it could fly, over the whole kingdom. The soldiers encamped on Honslow-heath gave such an universal shout, that it startled the King, then at an entertainment in the Earl of Feversham's tent, whom he sent to know what was the matter. Feversham coming back, told the King it was nothing but the soldiers shooting upon the news of the bishops being acquitted.

The seven bishops brought to their trial. Rapin.
Acquitted. Acclamations of joy. Hist. of Stuarts, p. 739.

1688.

quitted. The King stamped with his foot, and said, Do you call that nothing? But so much the worse for them. A Protestant roar like this could not be agreeable to his Majesty.

*Applica-
tion made
to the
Prince of
Orange.*

All true Protestants, being now convinced that they were on the very brink of ruin, had no other expedient but to apply to the Prince of Orange. Accordingly several great men, upon sundry pretences, both from England and Scotland, repaired to the Hague to confer with his Highness; and in July, one flight brought over to England about 80 letters from persons of quality and credit, and carried back answers to the Hague. Many of the bishops and clergy of England began now to forget the principles of passive obedience and non-resistance. The Prince readily embarked in the quarrel, and the States cheerfully agreed to give their assistance, for they were equally concerned in the affair with the English themselves, because the ruin of Holland would doubtless have soon followed the slavery of Great Britain.

*Proclama-
tion against
prohibited
books.
Wodrow.*

While matters were thus concerting for rescuing the nation from Popery and slavery, the managers in Scotland did what they could to oppose them. Accordingly, on the 15th of August, the council published a proclamation against the following books and pamphlets, *viz.* all translations of Buchanan *de jure regni*, *Lex Rex*, *Jus populi*, Naphtali, the Cup of Cold Water, the Scots Mist, the Apologetical Relation, Mene Tekel, the Hind let loose, the treasonable proclamations issued out at Sanquhar, and those issued out by the late Duke of Monmouth and the late Earl of Argyll. All were ordered to bring in these books by a limited time, under severe penalties. At Edinburgh several went in the council's name through the booksellers shops, and not only seized these, but also whatever books were wrote against Popery, alledging that the vending of these tended to alienate the people's minds from his Majesty. Either the advocate, or some other of the counsellors, went to the shop of a firm Whig, and asked him if he had any prohibited books. The bookseller desired him to search; which having done, and found nothing, he asked him if he had any books against Popery; he answered he had a great many. The counsellor told him that was the King's religion, and that subjects ought not to be alienated

nated from him on that account, and desired to see them. Upon which the bookfeller directed him to the place where his Bibles lay; and he, taking up one after another, said, These are Bibles. 'They are so,' said the bookfeller, 'and from the one end to the other are all against Popery.' This was reckoned such a high crime, that the bookfeller in the afternoon was summoned before the council, and brought to some trouble.

The preparations making in Holland being by this *K. James* time pretty much talked of, and the King receiving *amuses the* repeated advices of them, he judged it convenient to *public.* flatter the people with the expectation of a parliament. *Rapin.* Accordingly, on the 24th of August, he declared in council his intention to call a parliament for the 27th of November; and the Chancellor had orders to issue forth writs on the 5th of September. But that was not done, the King only designing to amuse the public. In the mean time the Marquis of Albeville, at the King's command, presented a memorial to the States, to demand what they meant by their warlike preparations at this time; to which they gave such an answer as made James begin to think of taking such measures as were necessary for his own defence.

The council in Scotland, being composed of men *Proclama-* hearty in his service, on the 18th of September pu- *tion for* blished a proclamation for rendezvousing the militia in *rendezvou-* several shires, setting up of beacons in several places, *sing the mi-* to give notice when any number of ships were seen on *litia, &c.* the coasts, and for ordering the heritors, liferenters, *Wodrow.* and others, to be ready, with their best horses and arms, to attend the King's host when desired.

Though the King had promised to issue out writs *An ambi-* for a new parliament, yet he was not so good as his *guous pro-* word; however, he still continued to amuse the people *clamation.* with the hopes of it. Accordingly, on the 21st of September, he emitted a proclamation, wherein 'he thought fit to declare, that it was his royal purpose to endeavour a legal establishment of an universal liberty of conscience for all his subjects, as was also his resolution inviolably to preserve the church of England, by such a confirmation of the several acts of uniformity, that they should never be altered any other ways than by repealing the several clauses which inflict penalties upon persons not promoted, or

1688. to be promoted, to any ecclesiastical benefices within the meaning of the said acts. — And that, for the farther securing not only the church of England, but the Protestant religion in general, he was willing the Roman Catholics should remain incapable to be members of the house of commons. —

Remarks. But this proclamation was too obscure and ambiguous to produce any great effect; for his repealing the penal laws, and at the same time preserving the acts of uniformity, implied a contradiction. Besides, the King only spoke of excluding Papists from the house of commons, but not from the house of lords.

King turns pale. At last the King had unquestionable assurances that the preparations making in Holland were against him; upon which he turned pale, and for a while remained speechless; and, says a modern historian, may not one now imagine the injured ghosts of Ruffel, Sidney, Bai-ly, Cornish, and the hecatombs in the west, and in Scotland, haunted his dreams amidst the extremity of his distress and despair, &c.

Applies to the bishops. In this fright he applied to the bishops then in town for advice. They desired time to consult what was proper to be done in such circumstances. Mean while, on the 28th, he issued a proclamation, setting forth the advices he received of the Prince's intended invasion to conquer these kingdoms, and subdue them to a foreign power, which obliged him to recal his writs for electing members of parliament. A most unaccountable step! for, had he known his own interest, he should rather have hastened the meeting of his parliament.

Published an indemnity. About this time he published his indemnity, out of which were excepted, Mr Andrew Fletcher, Col. Rumsey, Titus Oates, Dr Gilbert Burnet, &c. This pardon, it is said, was drawn up by Jeffries; and, in the mean time, by several clauses, it excepted the whole nation; but none regarded it; for the thunders of Whitehall were no more minded now than those of the Vatican.

Advice of the bishops. On the 3d of October the bishops advised the King to put the management of the government into the hands of qualified persons, to annul the ecclesiastical commission, to set aside all faculties and licences for Papists to keep schools, to desist from his dispensing power, to inhibit the four pretended vicars apostoli- cal

cal invading the ecclesiastical jurisdiction, to fill up the vacant bishoprics, to restore the charters, to call a free and regular parliament; and, above all, that his Majesty would be pleased to permit his bishops to offer such motives and arguments, as they trusted might, by God's grace, be effectual to persuade his Majesty to return to the communion of the church of England.

1688.

The same day the bishops gave the King this good *Proceed-* advice, the Scots council sent up an offer of their lives *ings in* and fortunes, and asked advice how to behave on this *Scotland.* occasion; for which they had the royal thanks, and *Wodrow.* were desired to imprison all suspected persons; and, since he had ordered the regular forces there to repair to England, he left it to them to raise such as they should think fit, and to augment the garrisons, and to do all other things as they should judge convenient. The same day the council ordered all the heritors to get ready their best horses and men, and to assemble them at the time and in the places appointed in the proclamation; and on the 19th made an act concerning the deserters from the militia, which I shall not trouble the reader with.

About this time the reverend Mr Charles Gordon *Sufferings* was brought to no small danger for not owning the le- *of Mr* gitimacy of the pretended Prince of Wales. This Mr *Charles* Gordon was then minister at Campvere in Zealand, *Gordon.* and after the revolution minister first at Dalmenie, and after that at Ashkirk, a gentleman of unaffected piety and solid learning. He came to Scotland in August to see his friends in the north. He repaired to Edinburgh, in his way to Campvere, in September. In the beginning of October, when there was great noise about the Prince of Orange's intended expedition, the council emitted a proclamation, discharging all subjects to leave the kingdom without a licence from the council, or one of their number. Mr Gordon therefore applied, by a friend, to the register for a pass. The register engaged to use his interest with Lord Perth the Chancellor, and, on the 12th of October, desired Mr Gordon to attend in the parliament-house. When attending there the register came out, and told him that he had quite forgot his affair, but promised to mind it when he met with the Chancellor at three o'clock in the treasury.—Mean while Mr Gordon

1688.

Gordon went to the castle, and got the Duke of Gordon to use his interest likewise. Both the Duke and the register spoke to the Chancellor. Mr Gordon, all of a sudden, was called in, and examined before the lords of the treasury, and, among other things, he was interrogated as follows. *Chancellor.* Do you own the King's authority? *Gordon.* Yes, my Lord. *Ch.* Have you preached since you came to the country? *G.* Yes! *Ch.* Do you pray for the Prince of Wales? *G.* No. *Ch.* Why not for the Prince of Wales? *G.* There is no particular order for praying for him, and I have not used to pray for all the particular branches of the royal family by form. *Ch.* It is no limiting the Spirit to pray for all the branches of the royal family by form. *G.* My Lord, I have not been used to pray by forms. *Ch.* Whom do you mean when you pray for the royal family? *G.* All the Princes and Princesses of the family. *Ch.* Do you not include and intend the Prince of Wales? *G.* My Lord, I do not exclude him. *Ch.* But do you not include him? Mr Gordon was silent, and the Chancellor proceeded, saying, There is the matter. Sir, I perceive I have not been mistaken nor misinformed concerning you; what for a man you are. *G.* I am sorry if your Lordship apprehend ill concerning me. *Ch.* Do you not think that the King hath a son, or that the Prince of Wales is heir to the crown? Mr Gordon was silent. *Ch.* Why do you not answer? Do you doubt of such a thing? *G.* My Lord, I do not meddle in these matters, nor am I a competent judge of them. After a few more questions Mr Gordon was dismissed, and in an hour called in again, and required to sign the following paper. 'I Mr Charles Gordon, minister of the gospel at Campvere, do own and acknowledge the King's son, Prince of Scotland and Wales, as apparent heir of the crown, and promise to pray for him as such.' He refused to comply with this, saying, he could not in conscience sign it. *Ch.* What, do you pretend conscience in refusing to own the King's son as apparent heir? *G.* I cannot help my weakness; conscience cannot be constrained. *Ch.* Whether or not, failing the Prince of Wales, would you acknowledge the Princess of Orange as apparent heir of the crown? *G.* Yes, my Lord. *Ch.* And why not the Prince of Wales now? Mr Gordon was silent. In short,

short, they were very pressing upon him to give his reasons, but he still declined. He was then removed, and, in a little, sent up under a guard, and committed prisoner to the castle. However, it was not thought proper to keep him confined, and therefore, upon his begging to be set at liberty, and declaring, that if in any thing he was mistaken, or had offended his Lordship, he was sorry for it, for he desired to give no offence to Jew, nor Gentile, nor to the church of God, he was released, and returned to his charge the best way he could. I shall only observe here, that had Mr Gordon been before the managers some time ago, he had not got so easily off; but now their power was near a period.

By this time every body almost beginning to be taken with the proposals made by his Highness the Prince of Orange, published in his excellent declaration for England, the King found it his interest to retract some of his arbitrary and despotic proceedings. Accordingly the Bishop of London's suspension was taken off, the ecclesiastical commission was dissolved, the city-charter and the fellows of Magdalen-college were restored, and other illegal practices renounced; but, upon the news of the Prince of Orange's fleet being dispersed by a storm, his Majesty put a stop to all farther redress of grievances.

The King alters his conduct.

But the Prince, having repaired his damages, put to sea a second time, on the 1st of November; and, after a remarkable passage, in which the wind almost miraculously favoured him, he landed at Torbay on the 5th, with about 14,000 men. What passed in England on this remarkable occasion is particularly recorded by the English historians, and therefore I shall not insert it here.

The Prince lands at Torbay.

While these things were a-doing, the Scots bishops, on the 3d of November, sent a letter of a peculiar stile to the King, from whence the reader may see the difference between the English and Scots bishops; the substance of it is as follows.

Wodrow.

May it please your most sacred Majesty,
 WE prostrate ourselves to pay our most devout thanks and adoration to the sovereign Majesty of heaven and earth, for preserving your sacred life and person, so frequently exposed to the great
The bishops letter to the King.
 est

1688.

est hazards, and as often delivered, and you miraculously prospered with glory and victory, in defence of the rights and honour of your Majesty's august brother, and of these kingdoms; and that, by his merciful goodness, the raging of the sea, and the madness of unreasonable men, have been stilled and calmed, and your Majesty, as the darling of Heaven, peaceably seated on the throne of your royal ancestors, whose long, illustrious, and unparalleled line, is the greatest glory of this your ancient kingdom. We pay our most humble gratitude to your Majesty for the repeated assurances of your royal protection to our national church and religion, as the laws have established them.—We magnify the divine mercy in blessing your Majesty with a son, and us with a prince, whom we pray Heaven may bless and preserve to sway your royal sceptres after you; and that he may inherit, with your dominions, the illustrious and heroic virtues of his august and most serene parents. We are amazed to hear of the danger of an invasion from Holland, which excites our prayers for an universal repentance from all orders of men, that God may yet spare his people, preserve your royal person, and prevent the effusion of Christian blood, and to give such success to your Majesty's arms, that all, who invade your Majesty's just and undoubted rights,—may be disappointed and clothed with shame; so that on your royal head the crown may still flourish.' They conclude with professions of unshaken loyalty, and with wishing the King the hearts of his subjects, and the necks of his enemies; and they received a proper answer, which needs not be inserted.

A proclamation.

In consequence of a letter from the King, dated November 5. the council issued a proclamation against spreading of false news, with a design to prevent the spreading of the Prince's declarations; but it had now but little weight, the people being the more fond to see these excellent papers.

The Prince of Orange's declaration for Scotland.

The Prince, in his declaration for Scotland, among other things, says,——'The lamentable effects of an arbitrary power, and of evil counsels, are so manifest, in the deplorable state of the kingdom of Scotland, that both our reason and conscience do prompt us to an abhorrence of them. For when we consider

consider the sad condition that nation, though always affectionate to the royal family, and governed, for many ages, by laws made by the authority of their kings and of the estates of parliament, and by common customs, is reduced to, by endeavours—— to change the constitution of the monarchy regulated by laws, into a despotic or arbitrary power, which doth evidently appear, not only by the actings of evil counsellors in power, but by——public declarations, bearing that the King is an absolute monarch, to whom obedience ought to be given in all things without reserve, thereby to make way to introduce what religion they please.——Whilst we consider these things, as we cannot but be touched with a tender sense of these miseries, so the giving such a remedy to them, as may——answer the expectation of all good men and true Protestants, is the great thing which we propose to ourselves in this undertaking.——

It is well known that the laws, privileges, and rights of the kingdom have been overturned,—— and——what have been the arbitrary procedures of an encroaching privy-council; for——these evil counsellors have ordered or suffered young noblemen to be taken from their relations, and to be sent abroad to be instructed in Jesuits colleges, and have likewise caused schools to be erected under the conduct of Popish priests, and that in the capital city of the kingdom.

In an open contempt also of the known laws of the kingdom, the Papists are put into places of highest trust, both civil and military, and entrusted with all the forts and magazines. The rights and privileges of royal burghs, the third estate of parliament, having as many deputies in it as all the shires of the kingdom, are taken away, and they hindered in the free election of their magistrates,——to the manifest violation of their charters established by law and immemorial possession; and all this done by mere arbitrary power, without any citation, trial, or sentence.

And whereas no nation can subsist without the administration of good and impartial justice,——yet those evil counsellors have subjected these to an absolute and despotic power, having turned out jud-

1688.

ges, who, by law, ought to continue during life, or their good behaviour,——and put others in their place——without any regard to their abilities.——

* Circuit-courts.

By the influence of the same evil counsellors hath a most exorbitant power been exercised, in imposing bonds and oaths,——in permitting free quarters to the soldiers,——in imprisoning gentlemen without any so much as alledged reason, forcing many to accuse and witness against themselves, imposing arbitrary fines, frightening and harassing many parts of the country with intercommuning and * justice-airs, making some incur forfeiture of life and fortune for the most general and harmless converse, even with their nearest relations outlawed,——impowering officers and soldiers to act upon the subjects——the greatest barbarities, in destroying them, by hanging, shooting, and drowning them, without any form of law, or respect to age and sex, not giving some of them time to pray to God for mercy; and this for no other reason, but because they would not answer or satisfy them in such questions as they proposed to them, without any warrant of law, and against the common interest of mankind, which frees all men from being obliged to discover their secret thoughts; besides a great many other violences and oppressions to which that poor nation hath been exposed, without any hope of having an end put to them, or to have relief from them.

The rest of his Highness's declaration, which is no mean confirmation of the preceding part of this history, relates to their design of abolishing the penal laws, and then to take away the toleration to dissenters, to the imposture of the Pretender, and his Highness's intention to redress all their grievances; and therefore it is no wonder though it had a great influence on the most part of the nobility, gentry, and common people in Scotland, who very soon heartily declared themselves for the Prince.

Prince of Orange's declaration proclaimed.

After this there is very little concerning the proceedings of the managers in Scotland. The body of the nation hated them, and the surprizing progress of the Prince in England threw them into such a consternation, that they began to think how to provide, in the best manner, for their own safety. In several places

ces the Prince of Orange's declaration was publicly proclaimed, as at Glasgow, Irvine, and Ayr, and most other burghs. The reverend Mr Liring, in his preface to Mr Shields's tract on church-communion, says, 'that the western people encouraged this proclamation at Glasgow before it was published in any other place in the kingdom, and that these people prayed publicly for the success of his enterprise, even before he landed in England.' On the last of November the Earl of Lowdown, and several other young gentlemen, at that time students in the university of Glasgow, burnt the Pope's effigy, together with the effigies of the archbishops of St Andrews and Glasgow, without any opposition.

In the beginning of December, the mob shewed a *Mob at E-* keeness of resentment against Popery at Edinburgh. *dinburgh.* When a Popish meeting in the Canongate was dismiss- *Wodrow.* ing, some apprentices and others affronted them; information being given against them on Monday, some soldiers were ordered to apprehend them, and accordingly two servants of the bakers, with a woman, were taken up, and cruelly whipt from the tolbooth to the Abbey, then remitted to prison, and afterwards banished.

While the soldiers apprehended the last-mentioned *Keith a* person, a struggle was made by the apprentices, and *fencing* one Alexander Keith, a fencing-master, happened to *master* cry out to the young men, Lads, have you no swords? *hanged.* Next night he was taken out of bed, and, for these or the like words, was, a very few days after, hanged at the cross. This, and some other things, exasperated the people in such a manner, that, to prevent risings, guards were kept in twenty or thirty places of the town: and, as there were no regular forces, but an independent company under Capt. Wallace at the Abbey, the reports of massacres and the like were spread, and the people greatly alarmed.

On Sabbath, December the 9th, some idle persons, *Proceed-* after walking in the park and St Anthony's gardens, *ings of the* came to the Abbey to pass that way as the nearest *mob.* road, but found all the avenues shut, and cannon placed at every gate, and were charged by the centinels not to come near. This, with the report that the court was full of armed men, increased the jealousies of the populace, and the fears of the more inconfide-

1688.

rate. In the evening some young men got together, and began to huzza; upon which the students and apprentices gathered at the college. The magistrates ordered all the gates of the city to be shut, and the keys to be delivered to Provost Prince. The youths surrounded his house, and threatened to burn it if he refused the keys. From thence they marched to the cross, broke open the doors, and proclaimed an offer of L. 400 Sterling to any who should bring Perth or Melford dead or alive.

*Several
killed.*

Next day, in the forenoon, the magistrates issued a proclamation against tumults. It was no sooner read than the mob tore it in pieces. The Chancellor and his family, seeing how matters were like to go, thought proper to retire. Matters continued quiet till towards the evening, when the mob gathered at the Cowgate, and marched down to the Netherbow; and, finding the Canongate guard friendly, they proceeded, and at the Canongate cross took down the Earl of Perth's picture; and carried it with them to the Abbay. Capt. Wallace advanced with some soldiers. This made them halt: however, they sent to demand access to the court; and, upon his refusing, beat their drum, and, with a cry, run in upon him. He ordered his men to fire, by which some were killed, and several wounded. The apprentices, and the rest, after sustaining his fire, rushed in upon him, killed two of the soldiers, and forced the rest to flee to the Abbay; the gates of which being presently shut, they could get no farther at that time.

*The mob
assisted by
the trained
bands,*

Upon this they retired a little, and sent a detachment to take care of the dead and wounded, and to require farther assistance. This party carried with them some of the arms and hands of the dead and wounded, and shewed them to some gentlemen then at a vintner's in the city, who immediately applied to the magistrates for help, but were refused. This so exasperated these commissioners from the apprentices, that they threatened to burn the town. At last, by the interest of the said gentlemen, a quorum of the council ordered the magistrates to raise the trained bands, and sent two heralds with them to require Capt. Wallace to surrender, and to use force if he should refuse.

The

The Captain was summoned to surrender the Abbey in the council's name; but, not thinking proper to yield, the town-guard and trained bands, commanded by Captains Macgill and Graham, attacked him; and, after some firing on both sides, Captain Graham broke in by a back-passage, which being observed by those in the Abbey, they fled, and thirty-six were taken prisoners.

1688.

*became
masters of
the Abbey,*

The youths, observing this, rushed in and killed all the soldiers they met with, to the number of about fourteen. Then they rifled the chapel and schools, brought the timber-work, library, and whatever they could lay their hands on, and burnt them in the court. &c.

*killed 14
soldiers,
and rifled
the chapel,*

In like manner they served the images, after carrying them in procession through the streets. They razed the new work in the church, turned up the marble pavement, rifled the Chancellor's apartments, and committed every thing to the flames. Next day, for there was no power to restrain them, they went through all the houses of Papists they could hear of, and required their books, beads, crosses, and images, which they solemnly burnt in the streets. Next day a mob of common thieves got up and plundered several houses, but that was soon over.

On the 14th of December the council met, and made an act, ordering the sheriffs and other magistrates to search the houses of Papists within their jurisdictions, and secure all arms and ammunition they should find there; recommending to them to protect their persons and houses from public tumults and private insults. On the 24th they made their last act, wherein they required all Protestant subjects to put themselves in a posture of defence, for securing their religion, lives, liberties, and properties, and all heritors to repair to the head-burghs of their respective shires and stewartries, to be rendezvoused under proper persons mentioned in the act; and now the reader cannot but observe a great alteration. The council had been harassing and persecuting the subjects for 28 years past for that very thing which now they call them to; but the truth is, the managers had now lost their power; they had no army to support them, and, to use the words of a noted enemy to the revolution, (the Earl of Balcarras), 'they were forced to overlook what they had not force to suppress;' for, during the whole

*Last acts
of the
council.*

whole

1688. whole administration of the party, things were carried on by force.

*Tumults in
the west,*
p. 804.
805.

The people in the western counties ran immediately to arms. They thought (says Bishop Burnet) that the time has now come, not only to procure themselves ease and liberty, but to revenge themselves upon others. They generally broke in upon the Episcopal clergy with great insolence and much cruelty. They carried them about the parishes in mock procession, tore their gowns, and drove them from their churches and houses; nor did they treat those of them who did appear zealously against Popery with any distinction. These mobbing doings began on Christmas-day 1688, and continued for several weeks; and it is certain the Prelatical clergy suffered not a little. However, they have aggravated the matter beyond all the bounds of truth and modesty, by representing the outrages of those western tumults as such, that even the French dragooning could not equal them: But the many lies and falsehoods they published upon this point have been sufficiently exposed by the reverend Doctor Rule, and others.

Remarks.

I shall not pretend to vindicate what was done by mobs and tumults; but then I cannot help offering these following things to the consideration of the reader. 1. The people who did these things were under the highest provocations, considering the sufferings they had endured. How many of them had lost fathers, mothers, children, husbands, and wives, during the period of the late tyrannical administration? 2. Those ministers, or curates, as they were called, who now felt a little of their resentment had not only been intruded on the people without their consent, but were the chief instruments of the most horrid persecutions and barbarities that people had endured: And, as *oppression makes a wise man mad*, was it any wonder though it made a provoked mob rush into some practices that are not to be justified in any civilized Christian nation? It is rather surprising that they did not carry their resentments much higher. 3. These things were acted in an *interregnum*, when there was neither civil nor ecclesiastical government. One king had run away, another was not yet established, matters were all in confusion; and, the poor people being now able to shake off the intolerable yoke they had long groaned under,

under, can we think it strange that they relieved themselves, when there was none else that either could or would? But suppose unjustifiable violences were committed by these tumults, what is that to the church? It was done by no act either of church or state. But, not to insist farther on this,

1688.

While these things were a-doing in Scotland, the King withdrew to France; the Prince of Orange was put in possession of the government of England; the Chancellor the Earl of Perth had resigned; several Scots noblemen and gentlemen had gone to London to desire a free parliament. On the 7th of January 1689, his Highness assembled such of the Scots lords and gentlemen as were there, and asked their advice what was to be done for the securing the Protestant religion, and restoring their laws and liberties according to his declaration. The Prince then retired, and they went to the council-chamber at Whitehall, and, having chose the Duke of Hamilton their president, agreed upon an address to his Highness. As they were going to break up at that time, the Earl of Arran, son to the Duke of Hamilton, proposed that they should move the Prince of Orange to desire the King to return and call a free parliament; however it was unanimously rejected, and by none more than by his own father. Next day they met in the same place, and agreed upon an address, thanking his Highness for his pious and generous undertaking, and desiring him to take upon him the administration of the government of Scotland, and summon a convention of estates to meet at Edinburgh on the 14th of March next; and that the electors and members of the said meeting be Protestants, without any other exception or limitation whatsoever. The address was subscribed by above 30 lords and about 80 gentlemen. The Duke of Hamilton presented it to the Prince, who thanked them for it, and, on the 14th, signified his compliance with it, assuring them that they should always find him ready to concur in every thing that may be found necessary for securing the Protestant religion, and restoring the laws and liberties of the nation. The Earls of Crawford and Lothian, who came to town after the address was presented, waited on the Prince, and desired that they might be allowed to subscribe it, which was granted.

1689.

Prince of Orange accepts the administration of the government of Scotland. Tindal's continuation, p. 61. &c.

In the mean time the lords and commons of England,

1689.

land, having finished their debates as to the vacancy of the throne, declared the Prince and Princess of Orange King and Queen of England, France, and Ireland; and they were accordingly proclaimed on the 13th of February, to the universal joy of all true and hearty Protestants.

*National
covenant
renewed.*

On the 3d of March the people of the western shires had a large meeting at Lesmahago, where they renewed the national covenant, and, in a solemn manner, swore to stand to the defence of his Highness the Prince of Orange, his person and authority, when lawfully chosen and established as king, or supreme magistrate over them; so that however they were enemies to tyranny, yet they were hearty friends to legal government.

*Convention
of estates.
Memoirs
of N. Brit.
p. 29. 37.*

On the 14th of March the convention of estates sat down at Edinburgh; and it is well known that the members of it were of the best families and fortunes in the kingdom, and generally of as great piety and virtue as could be reasonably expected after such a debauched period. In the author quoted in the margin the reader may see a list of them. There was a very small party among them that adhered to the interest of King James, as will presently appear. The Bishop of Edinburgh said prayers, and, being of the Tory stamp, he prayed for the safety and restoration of King James. The house then proceeded to chuse a president; the Tory party were for the Marquis of Athole, the Protestant party for the Duke of Hamilton, who carried it by 40 votes; so that the Whigs had a great majority before the bishops and malecontent peers left the house.

*Duke of
Gordon
summoned.*

As the Duke of Gordon, a Papist, was in possession of the castle of Edinburgh, the convention gave a warrant to the Earls of Lothian and Tweeddale to summon the Duke to surrender. All the bishops and discontented lords concurred in this vote, as they did in another next day, that he should be proclaimed traitor, and the castle blocked up. And now, as the Duke had King James's commission in his pocket, the reader is to judge, whether these passive-obedience gentlemen did not act inconsistent with their principles, and the interest of their abdicated master; however, this is, and has always been the way of Jacobites. But I must hasten to a conclusion.

The

The meeting had a letter from King James delivered to them two days after they met; and the Earl of Leven brought them another letter from King William. Then it was debated which should be read first; but King William's carried it by a great majority; and, before the other letter was read, it was enacted, That, notwithstanding any thing contained in it, they should proceed, till they had settled the Protestant religion, the government, laws, and liberties of the kingdom. This was signed by seven or eight of the bishops, and all the Jacobite and Tory members, six or seven only excepted. How inconsistent this was with the Scots bishops letter to King James, (p. 431.), must be left with the reader. Not a member of the house moved for an answer to King James's letter, so little did they regard his threatenings, of which it was full; but, on the 23d, they returned a dutiful answer to that of King William, in which they congratulated his Majesty for the success of his undertakings, thanked him for taking upon him the administration of public affairs, and assured him that they would come speedily to proper resolutions for establishing the government, laws, and liberties, upon solid foundations, and agreeable to the general good and inclinations of the people.

1689.

King William's letter preferred to King James's.

On the 26th of March a committee was named for settling the government, consisting of nine lords, nine knights, and nine gentlemen. The bishops were excluded; for the house was so jealous of them, that they ordered them not to insinuate in their prayers any thing against their acts and proceedings; for they had justly offended the generality of the state by their former compliance with King James's arbitrary government, by their prayers at the beginning of the session, and other things that discovered their dissatisfaction to King William, and the settlement now to be made.

Committee for settling the government.

During the consultations of this committee, some Scots regiments, under the command of Gen. Mackay, came from England; whereupon the convention, on the 28th of March, agreed that the Earl of Leven, who was one of those noblemen that came over with the Prince of Orange, should return their thanks to the people, who came upon their own charges from the west to guard the convention, and to dismiss them, and suffer them to return to their re-

West-country people dismissed.

1689.

pective habitations with their arms. It appears, from the act of the convention, that these people, after they came to Edinburgh, were under the command of the said Lord Leven.

Petition of the people of the west to the convention. As these people, however reproached by their enemies, as the wild, antimonarchical, enthusiastic, lumatic Cameronians, were among the first in Scotland who took up arms for the Prince of Orange, so they were the first men in Scotland that addressed or petitioned the convention of estates to place the crown of Scotland on the head of their deliverer King William; from which it appears, that, though they were enemies to tyranny and arbitrary power, yet they were not enemies to legal government, or the constitution of their country. The tenor of their petition is as follows.

To the meeting of the estates of the kingdom of Scotland, viz. the noblemen, barons, and burgeses, lawfully called and chosen, now assembled at Edinburgh for establishing the government, restoring and securing the true religion, laws, and liberties of the said kingdom,

The humble petition of the poor people who have suffered grievous persecution for their religion, and for their revolt from and disowning the authority of King James VII. pleading for devolving the government upon the Prince of Orange, now King of England,

Sheweth, &c.

Here they rehearse the sufferings of Scotland under the tyranny of King James VII. and proceed thus:

WE prostrate ourselves, yet under the forrowing smart of our still bleeding wounds, at your honours feet, who have a call, a capacity, and, we hope, a heart to heal us; and we offer this our petition enforced, and conjuring your honours to hearken to us.

By all the formerly felt, presently seen, and, for the future, feared effects and efforts of Popery and tyranny, by the cry of the blood of our murdered brethren, by the sufferings of the banished free-born subjects

jects of this realm now groaning in servitude, being sold into slavery in the English plantations of America; by the miseries that many thousands forfeited, disinherited, harassed and wasted houses have been reduced to; by all the sufferings of a faithful people, for adhering to the ancient covenanted establishment of religion and liberty; and by all the arguments of justice, necessity, and mercy, that ever could join together, to begin communication among men of wisdom, piety, and virtue.

Humbly beseeching, requesting, and craving of your honours, now, when God hath given you this opportunity to act for his glory, the good of the church, of the nation, your own honour, and the happiness of posterity; now, when this kingdom, the neighbouring, and all the nations of Europe have their eyes upon you, expecting you will acquit yourselves like the representatives of a free nation, in redeeming it from slavery, otherwise inevitable, following the example of your renowned ancestors, and the pattern of the present convention and parliament in England; that you will proceed, without any delay, to declare the wicked government dissolved, the crown and throne vacant, and James VII. whom we never have owned, and resolved, in conjunction with many thousands of our countrymen, never again to own, to have really forfeited, and rightly to be deprived of all right and title he ever had, or could ever pretend to have thereto, and to provide that it may never be in the power of any succeeding ruler, to aspire unto, or arise to such a capacity of tyrannizing. Moreover, since anarchy and tyranny are equally to be detested, and the nation cannot subsist without a righteous governor, as also that none can have a nearer right, or fitter qualifications, than his illustrious Highness the Prince of Orange, whom the Most High has singularly owned, and honoured to be our deliverer from Popery and slavery; we cry therefore to your honours, and crave that King William, now proclaimed King of England, may be chosen and proclaimed also King of Scotland; and that the legal authority may be devolved upon him, with such necessary provisions and limitations as may give just and legal securities for the peace and purity of religion, the stability of our laws, privileges of parliament, and liberties of the people, civil and ecclesiastic,

1689.

ecclesiastic, and may thereby make our subjection both a clear duty and a comfortable happiness. [Here they enlarge upon the King's being obliged to profess and preserve the pure religion and the work of reformation, and conclude thus:] Upon such terms as these we render our allegiance to King William, and hope to give more pregnant proofs of our loyalty to his Majesty, in adverse, as well as in prosperous providences, than they have done, or can do, who profess implicit subjection to absolute authority, so long only as Providence preserves its grandeur.

Remarks.

Here the reader may see how willing these people were to submit to legal government, in opposition to tyranny and arbitrary power; and though they were accused of going heights and lengths, in disowning the tyranny of the royal brothers, yet now the whole nation concur with them: nay, so hearty were these people, that, in one day, without the beat of drum, or expence of levy-money, they raised the Earl of Angus's regiment of 800 men, and offered to complete two or three regiments more, if his Majesty should have occasion for them. The reverend Mr Lining says, that they mustered in one day 1140 men; and it is well known what service this regiment did both in Scotland and in Flanders. But I now return to the convention.

*The throne declared vacant.**Mem. of N. Brit.*

The committee above mentioned having come to a resolution among themselves, after a few days sitting, reported it to the house. After the debate was over, the question was put, whether the house agreed with the committee. It was carried in the affirmative by a great majority, there being only eight or nine negative voices, of whom seven were bishops, and 13 or 14 *non liquets*, of whom two lords, one knight of the shire, and the rest burgeses; so that the house came to the following resolution.

‘ The estates of the kingdom of Scotland find and declare, that King James VII. being a professed Papist, did assume the royal power, and acted as king, without ever taking the oath required by law, and hath, by the advice of wicked and evil counsellors, invaded the fundamental constitutions of this kingdom, and altered it from a legal limited monarchy, to an absolute and despotic power, and hath exerci-

‘ fed

1689.

‘ sed the same to the subversion of the Protestant religion, and the violation of the laws and liberties of the nation, inverting all the ends of government, whereby he hath forfeited the crown, and the throne is become vacant.’ The reasons for declaring the throne vacant, containing 15 articles, were read and debated article by article, and were explained by Sir John Dalrymple and Sir James Montgomery, with so much learning, that they gave almost general satisfaction, none speaking against them but the Archbishop of Glasgow, and Mr James Ogilvie, afterwards Earl of Findlater.

The convention having thus far proceeded, immediately ordered a bill to be brought in, ‘ to settle the crown on King William and Queen Mary, and to consider the terms of the destination of the heirs of the crown, and to prepare an instrument of government for securing the people from their grievances.’ When this vote was passed, and the bill ordered to be drawn, the Bishop of Dundee offered to say prayers. Upon this a member moved, that, King James being no more their king, he must pray for him at his peril. The cautious prelate thought proper to say only the Lord’s prayer. Their Majesties were accordingly proclaimed King and Queen of Scotland on the 11th of April, the same day they were crowned in England.

The instrument of government, or claim of right, the reader may see among the acts of that convention, and in my author’s appendix, No. 154. in which, among other things, it is declared, ‘ That by the laws of this kingdom no Papist can be king or queen of this realm, nor bear any office whatsoever therein; nor can any Protestant successor exercise the regal power until he or she swear the coronation-oath. — 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, and therefore ought to be abolished.’

The act of settlement being thus passed, the convention ordered a dutiful letter to be drawn up, and sent with it, in which a clause was put, at the motion of the Earl of Crawford, of an humble request to the King to

K. William and Q. Mary proclaimed at Edinburgh. Ibid.

Claim of right.

Convention turned into

a parliament.

Tindal’s continuation.

1689.

turn that meeting of the estates into a parliament. In consequence of this the Duke of Hamilton acquainted the convention, that his Majesty had been pleased to appoint him his commissioner, and that he was empowered to give his consent to an act for turning the meeting of the estates into a parliament, and that the Earl of Crawford was to preside. This act was accordingly passed the same day, and the parliament was prorogued to the 17th.

*Act abolishing
Prelacy.*

The parliament sat down on the 17th, and in July passed an act abolishing Prelacy, which is as follows:—

‘ Whereas the estates of this kingdom, in their claim of right of the 11th of April last, declared that Prelacy, &c. Our sovereign Lord and Lady, the King and Queen’s Majesties, do hereby abolish Prelacy, and all superiority of any office in the church above Presbyters in this kingdom; and hereby rescind, cass and annul the 1st act of the 2d session of the 1st parliament of King Charles II. and the 2d act of the 3d session of the 2d parliament of King Charles II. and the 4th act of the 3d parliament of King Charles II. and all other acts, statutes, and constitutions, in so far only as they are inconsistent with this act, and do establish Prelacy, or the superiority of church-officers above Presbyters. And the King and Queen’s Majesties do declare, that they, with the advice and consent of the estates of parliament, will settle, by law, that church-government in this kingdom which is most agreeable to the inclinations of the people.’ And thus the great grievance of the nation was removed.

*Acts of the
next session.*

The next session of parliament, to which the Earl of Melvil was his Majesty’s high commissioner, carried this farther: For, by their first act, they rescinded act 1. parl. 2. Charles II. viz. the act asserting his Majesty’s supremacy, as inconsistent with Presbyterian government, and what ought to be abrogated. By their 2d act they restored Presbyterian ministers thrust from their charges since 1661. By their fifth act they ratified the Confession of faith, and settled Presbyterian government. By their 23d act they abolished patronages. By their 27th and 28th they repealed the laws for conformity, and several other unjust acts during the two last reigns: And, in one word, they reversed all the acts by which so many had been forfeited. And thus

thus an end was put to a most cruel and bloody persecution, and the church of Scotland restored to the freedom of her government, by general assemblies, synods, presbyteries, and church-sessions, as she was settled by the 114th act, Ja. VI. parl. 12. 1592.

From the whole, it appears that all the true members of the church of Scotland, nay, and all true hearty Protestants, have unspeakable reason to bless God for the remarkable interposition of his providence at this revolution. Must not the hand of God be owned in preserving a people even in the furnace, to be instrumental in bringing about such a glorious event? By this an end was put to persecution on the one hand, and slavery on the other; by this the religious and civil rights of the people were restored, nay, and the Protestant succession established for transmitting these things to posterity. But then it is but too evident that due care was not then, nor has to this day been taken to improve those invaluable blessings then bestowed upon us. May a good and gracious God give all ranks and degrees of persons a sense of their departures from him, revive a work of reformation, and appear glorious in these islands.

A GLOSSARY, or explication of Scoticisms used through the foregoing history.

A dmuniculate. <i>Supported.</i>	Conform. <i>According.</i>
Advocate (his Majesty's)	Contravene. <i>Transgress.</i>
<i>The same as attorney-general.</i>	Cottars. <i>Cottagers.</i>
Albeit. <i>Although.</i>	Criminal court. <i>For capital cases, or matters of life and death.</i>
Allenarly. <i>Only, or wholly and entirely.</i>	Dared. <i>Threatened.</i>
Anent. <i>Concerning, about.</i>	Deborded. <i>Departed.</i>
Affize. <i>Jury.</i>	Defalcations. <i>Deductions.</i>
Ay. <i>Until.</i>	Deigned. <i>Condescended.</i>
Bailies. <i>Aldermen.</i>	Demit simpliciter. <i>Absolutely to resign.</i>
Caution. <i>Surety.</i>	
Cod and bobbins. <i>Lace-cushion.</i>	
	Depone.

- Depone. *Swear.*
 Diets. *Times of meeting.*
 Dittay. *Indictment.*
 Fanatics. *A name given in derision to the Presbyterians.*
 Fensible men. *Men able to bear arms.*
 Forasmeikle. *Forasmuch.*
 Gear. *Goods.*
 Goes cleanliest. *Goes with the clearest conscience.*
 Goodman. *He that rents the farm.*
 Horning. *A kind of outlawry.*
 Ilk. *Each.*
 Indictment was found relevant. *Was sustained.*
 Interlocutor. *A judgment, so called quia judex interim loquitur.*
 Intromit with. *Seize upon.*
 Justice-airs. *Circuit-courts.*
 Justiciary power. *A power of judging in matters of life and death.*
 Kend. *Known.*
 Kything. *Shewing.*
 Libel. *Indictment.*
 Liferenters. *Widows who have the rents of their husbands lands.*
 Lug. *Ear.*
 Macer. *Usher, or cryer.*
 Maiden. *The instrument for beheading.*
 Messenger. *Bailiff.*
 Mosses. *Marshy grounds.*
 Moveables. *Goods and chattles.*
 Netherbow. *Chief gate of the city of Edinburgh.*
 Obtested. *Intreated.*
 Opponed. *Brought against.*
 Overtures. *Proposals.*
 Pasch. *Easter.*
 Pannel. *Prisoner at the bar.*
 Pannel me. *Arraign me.*
 Perquire. *Exactly.*
 Port. *Gate.*
 Portioner. *Parcener, or coparcener.*
 Purge himself of malice. *According to the law of Scotland, in criminal cases, before a witness be admitted, he must swear that he has no malice against the defendant.*
 Regality. *A precinct with some royal prerogatives.*
 Relevant. *Sufficient.*
 Reprival. *Reprive.*
 Reset. *Receive, or harbour.*
 Rock. *Distaff.*
 Rue. *Repent.*
 Side gowns. *Long gowns.*
 Slighting. *Dismantling.*
 Strong waters. *Spirituous liquors.*
 Tack. *Lease.*
 Thir. *Those.*
 Timeously. *In due time.*
 Transported. *Translated.*
 Trysted. *Appointed.*
 Vaik. *Become vacant.*
 Vaking. *Vacant.*
 Wadsetters. *Mortgagees.*
 Wave of. *Slight view of.*
 West port. *West gate.*
 Wynd. *Lane.*
 Yule. *Christmas.*

T H E I N D E X

OF VOLUME SECOND.

- A
- Abercrombie, Thomas, 253.
290.
- Aberdeen, ministers of, their queries about the test, 112. synod of, address to their bishop, 381
- Abjuration-oath, 256. 271
- Adam, William, shot in the fields, 290
- Ayloff's repartée to the king, 335
- Air, magistrates of, chosen by the council, 210 236
- Aird, James, of Miltoun, 91
- Airshire, process against the heritors of, 91. 126. how treated by the circuits, 241
- Airsmoss, skirmish there, 61. 62
- Aitkins, Lord Chief Baron, his declaration concerning King James's taking the coronation-oath, 286
- Algie, James, executed, 283
- Alison, Archibald, 62. executed, 66
- Alison, Colin, imprisoned, 238
- Alison, Isabel, examined, 83. 84. executed, 86. 87
- Amsterdam, a meeting there, 299
- Anderson, John of Westertoun, condemned for speaking of defensive arms, 405
- Apologetical declaration, 247. proclamation against it, 270
- Archer, John, his sufferings, 152
- Archer, Mr Thomas, in prison, 119. went to Holland, 140. apprehended, 333. executed, 351
- Argyll, Earl of, his vote, 103. his opposition to the test, 108. his explication of it, 120. his interview with the Duke of York, 121. his imprisonment and process, *ib.* his escape, 123. his sentence, 124. his farther projects, 299. failed for Scotland, 306. his declaration, *ib.* his disappointment, 310. act against him, 318. his farther proceedings, 330. taken, 332. brought to Edinburgh, 333. his behaviour in prison, 336. his execution, 338. his lands ravaged, 340. sufferings of his son, 353
- Army, its powers, 33. officers administer oaths, 66. examine the country, 223
- Arran, Earl of, his motion, 439
- Articles for the general, 47
- Atchison, Andrew, his commission, 140
- Athole, Marquis of, see Highlanders, his cruelties in the west, 240
- Atkin, Edward, executed, 179
- Auchmoutie, Mr Alexander, 408
- Authority, King's disowned, why, 81

B

- B**Aillie, Mr Robert, of Jer-
viswood, 230. fined, *ib.*
his trial and execution, 265
- Balfour, John, of Kinloch, 29.
163
- Banished, 117. 197. 201. 210.
213. 215. 288. 340. 341.
544. 345. 351. 352. 366. 396.
treatment of those 1684, 228.
their joint testimonies, 350.
353. their hardships abroad,
354
- Bargeny, Lord, imprisoned,
44. his indictment, 46. re-
leased, 54. his affair before
the parliament, 107
- Bass, orders to the governor,
183
- Bell, Mr John of Whiteside,
shot in the fields, 290
- Bishops of England, seven sent
to the tower, 422. tried and
acquitted, 425. their advice
to King James, 428
- Bishops of Scotland, their let-
ter in favour of the Duke of
York, 135. their conduct with
respect to the penal laws, 384.
their letter to King James,
431
- Black, Gavin, apprehended,
206
- Blackadder, Mr John, 33. his
examination and death, 92.
his son's sufferings, 275
- Blackloch, conventicle there,
214
- Blair, Mr Hugh, his wicked-
ness, 151
- Boig, Mr James, examined, 99.
executed, 103
- Bond required from prisoners
and heritors after Bothwell,
19. 32. of parishes, 34. Mac-
ward's remarks thereon, 35.
of mutual defence, 59. of re-
gularity, see Stirlingshire; for
students, 378
- Books prohibited, 74. 426
- Bookfeller in Edinburgh, his
answer to a counsellor, 427
- Borthwick, Francis, apostate
to Judaism, 96
- Boswell, William, fined, 176
- Bothwell-bridge, occasions of
that rising, 1. proclamations
against those concerned, 5.
motions of the forces, 6. gen-
tlemen and ministers conve-
ned, 7. divisions among them,
8. &c. battle of, with re-
marks, 12. 13. killed and pri-
soners, 13. proceedings of the
council, &c. 15. many pro-
secuted for not owning it to
be rebellion, 32. farther or-
ders against those concerned,
96
- Boy, barbarously used, 152
- Boyd, John, schoolmaster, fi-
ned, 150
- Brice, Matthew, 344. execu-
ted, 350
- Brice, John, hanged, 30
- Brisbane, John, of Freeland,
fined, 220
- Brodie, Laird of, Alex. of Le-
thin, Francis of Miltoun,
Francis of Windyhill, all ex-
orbitantly fined, 292
- Brown, James, his escape, 327
- Brown, John, journeyman tai-
lor, 238
- Brown, John, shot in the fields,
294
- Brown, John, in Priestfield,
murdered by Claverhouse, 304
- Brown, Thomas, executed, 40
- Bruce, Arthur, executed, 193
- Buchanan,

- Buchanan, John, banished, 195
 Burghs, royal, encroachments on them. See Air, Edinburgh, Linlithgow
 Burnet, Dr Gilbert; his remark on the year 1685, 368. process against him, 397
 Burning on the cheek, orders for it, 340
 Burrie, John, murdered, 304
- C
- Cairns, Grizel, her petition, 321
 Caldwell, Lady, and her daughter, 161
 Cameron, Michael, killed, 61
 Cameron, Mr Richard, his death and character, 62. his father's conduct, *ib.*
 Campbell, eighty of that name condemned, 370
 Campbell of Ardkinglass imprisoned, 237.
 Campbell, Sir Hugh of Cessnock, his trial and sufferings, 201. 206. condemned by the parliament, 329
 Campbell, Capt. John of Overwelwood, 228
 Campbell, Lord Neil, confined, 223. forced to go to America, 340
 Cannon of Mondrogat informer, 66
 Cardross, Henry Lord, set at liberty, 25. 27. his petition, 45
 Cargill, Mr Daniel, wounded and escaped, 49. 53. excommunicates the King, see Torwood; his sermon the Sabbath following, 71. proclamations against him, 58. 78. apprehended, 97. his examination and execution, 98. to
- Carfan, John, of Balmangan, 275
 Carsphairn, murder of the curate of, 280
 Carstairs, Mr John, his carriage, 78
 Carstairs, Mr William, apprehended and sent to Scotland, 179. examined by torture, 232. vindicated in the case of Jerviswood, 266
 Cathcart, Robert, his information against Mr Renwick, 373
 Cavers, Lady, fined and imprisoned, 144
 Cefs, oppression for not paying it, 196
 Chaplains and pedagogues, proclamation against them, 173
 Charles II. his letter, &c. concerning the Bothwell prisoners, 17. flood by Lauderdale, 21. seized with an intermitting fever, 38. his letter and instructions concerning the indulgence, 53. excommunicated, 67. signs papers without looking to the contents, 200. his letter to Mr J. Knox, 237. his death, 284
 Children, cruelty to them, 295
 Church of England approves of the excommunication of princes, 70
 Circuit-courts, proclamation for them, 29. 163. commission for more 1684, with instructions to the commissioners, 235. their proceedings, 37. 174. 238. &c.
 Claim of right, 445
 Claverhouse, 3. defeated at Drumclog, 4. his cruelties after Bothwell, 16. his commission,

- mission, 130. instructions, 159. severities, 149. 166. 265. 295. 304. 327
- Clement, James, shot in the fields, 290
- Clergy, act in their favours, 329
- Clark, Andrew, executed, 224
- Closetting by the commissioner, 383
- Clyde, John, executed, 40
- Cobham, Mr Thomas, his troubles, 422
- Cochran, John, executed, 193
- Cochran, John, of Waterside, forfeited, 176. 209. Sir John taken, 333. sent to London, 353. pardoned, 358
- Cochran, William, indicted and executed, 144. 146
- Coffee-houses, orders to them, 86
- Coffins, persons prosecuted for making them for those who were executed, 253
- Colin, John, why he could not say, God save the King, 203
- Commission against heritors, 45. for holding of courts, 274. to Lord Livingston, &c. 255. for the North, 278. their report, 292. &c.
- Commissions with judiciary power, 130. 142. effects of them, 149. 154. &c. new ones, 182. 198. 217
- Committee. See prisoners
- Committee for public affairs, 47. 66. 217. 345. for settling the government, 441
- Conventicles, proclamations against them, 41. 93. proceedings against them, 47. 96. act of the magistrates of Edinburgh against them, 195. act of parliament against them, 312
- Convention of estates sit down, 440. their proceedings, 441. turned into a parliament, 445
- Cook, Thomas, shot in the fields, 316
- Corfbie, James, his ears cropt, 276
- Council, their last acts, 437
- Countryman, condemned for owning the King's authority according to the word of God, 243
- Courts through the country, 177. 196. 223
- Covenant, solemn league, burnt at Edinburgh, 129. act against owning the King's authority according to the covenants, 227. not pressed like the test, 246. act of parliament against them, 311. Mr Renwick's testimony for the covenants, 409
- Cummings, Mr William, Patrick, and Duncan, 389. 390.
- Cunningham, Mr Gabriel, 163
- Cunningham, John, of Bedlane, 23
- Cunningham, Thomas, of Montgrenan, 154
- Curates, see Episcopal ministers; their share in the persecution, 37. 196
- Guthil, William, executed, 100

D

- D Algliesh, Alexander, died in torture, 321.—Mr Colin, 196
- Dalmellington, parish of, oppressed, 213
- Dalrymple, Sir John, of Stair, fined, 158. made advocate, 392. justice-clerk, 421
- Dalziel, General, his commission,

- sion, 39. excommunicated, 69.
 his farther instructions, 139.
 his death, 353
 Danziel, Will. died of his
 wounds, 4
 Dead bodies, cruelty to them, 4
 Declaration, a general one, 8.
 see Rutherglen, Sanquhar,
 Lanerk, English
 Denholm of Westshields, 163.
 condemned, 340
 Denying authority. See King
 Dick, Mr John, examined and
 condemned, 185. escaped,
 187. retaken and executed,
 203
 Dick, John, banished, 194. 215
 Dick, Quintin, his sufferings,
 244
 Dick, Robert, killed, 61
 Donald, Matthew, his suffer-
 ings, 317
 Donatars, their severities, 24
 Dron, parish of, riot there, 139
 Drumclog, a skirmish there, 4
 Drummond, lieutenant-gene-
 ral, his commission, 261
 Dun, David, hanged, 328
 Dun, James, his sufferings, 195
 Duns, James and Robert, shot
 in the fields, 281
 Dundas, Laird of, fined, 191
 Dundee, town of, persecution
 there, 44
 Dunotter, sufferings of the pri-
 soners, 320. &c. cruelty to
 those who attempted their e-
 scape, 321. commission for
 examining them, 341
 E
E Ars cut off, act for it, 341.
 344. 345
 Earlstoun. See Gordon and
 Wickliff
 Ecclesiastical commission, 386
 Edgar, Robert, murdered at
 Ingliftoun, 303
 Edinburgh, magistrates of, their
 act, 195. their proclamation,
 278. a tumult there, 378. an-
 other, 335
 Elders, warrant to chuse them,
 211
 Elections of parliament, 257
 Elliot, Mr Gilbert, condemn-
 ed, 340
 English judges, their declara-
 tion, 386
 English liturgy approved in fa-
 milies, 45
 Enterkin-path, rescue there,
 222
 Episcopal ministers. See mini-
 sters
 Erskine, Mr Henry, 137. 138.
 140
 Erskine, Mr William, relea-
 sed, 37. 209
 Exclusion-bill, 77
 Excommunication. See Car-
 gill, Torwood, &c.
 Extracts from the registers, 160
 F
F Agel, pensionary, his letter
 concerning the penal laws,
 406
 Fairie, David, executed, 115
 Fast, motion for it, 9. appoint-
 ed, 96. two to be kept year-
 ly, 210
 Ferguson, Mr Robert, con-
 demned, 327
 Ferguson, Robert, shot in the
 fields, 265
 Ferguson, Thomas, of Fin-
 narts, 127
 Field-meetings, Mr Renwick's
 testimony for them, 409
 Fire-matches, 18. 152. *et pas-
 sim*

- Fife, Christian, executed, 137
 Fines, see husbands; King's
 letter about them, 197. ex-
 -orbitant, 225. 259. 289. 292.
 358. 369
 Finlay, John, executed, 144.
 146
 Finneson, William, hanged, 310
 Fleming, Mr Robert, 137
 Fletcher. See Saltoun
 Forbes, John, of Lesly, fined,
 227
 Forfeitures of heritors, 46. 60.
 89. 117. 147. 163. 204. pro-
 cess of, ordered, 261. rati-
 fied by parliament, 318. of
 gentlemen 1686, 370
 Forman, Patrick, executed, 115
 Forrest, James, banished, 191.
 203
 Forsyth, James, his sufferings,
 319
 Fowler, John, killed at Airf-
 mos, 61
 Frazer, Mr James, of Brae, re-
 leased from the Bais, 24. his
 farther sufferings, 124. &c.
 before the King, 183
 Frazer, Mr John, his suffer-
 ings, 319. banished, 352
 Friermion, general meeting
 there, 374
 Fugitive rolls, 212
 G
 Allowlee, executions
 there, why, 116
 Garrisons appointed, 48. 80.
 95. 187
 Garnock, Robert, executed,
 115
 Gate, John, his sufferings, 197
 Gentlemen released 1685, 288
 Gib, John, account of his fol-
 lowers, sweet fingers, 93
 Gibbet erected to fright people
 to take the test, 243. in the
 north, 293
 Gibson, James, of Erris, 214
 Gibson, John, murdered, 303
 Gibson, Walter, prisoners gi-
 ven him, 213
 Gilchrist-cleugh; Hamilton of,
 158
 Gillies, Peter, his sufferings and
 death, 310
 Gilry, John, 202
 Glasgou attacked by Hamilton,
 4. conduct of the students, 80
 Goodwin, Robert, malster, 225
 Gordon, Mr William, of Earls-
 toun, killed, 14
 Gordon, Mr Alexander, of
 Earlstoun, his narrow escape,
 14. forfeited, 117. appreh-
 ended, 170. ordered for ex-
 ecution, 185. and to be ex-
 amined by torture, 188. his
 declaration and account of the
 societies, *ib.*
 Gordon, Mr Charles, his case,
 429. &c.
 Gordon, Duke of, summoned
 to surrender the castle of E-
 dinburgh, 440
 Gordon, Edward, hanged on
 an oak, 289
 Gordon, Francis, how killed,
 219
 Gordon, John, shot by Bruce,
 289
 Gowgar, William, executed, 88
 Grant, Laird of, unjustly treat-
 ed, 293
 Gray, James, elder, of Chri-
 stoun, his sufferings, 92. 130.
 younger, his death and cha-
 racter, 61
 Gray, Robert, executed, 138
 Grayfriars church yard, treat-
 ment of the prisoners there, 15
 Greenshiels,

- Greenshiels, whipt for his villainy, 117
- Greg, Thomas, his sufferings, 137
- Grier, John, shot in the fields, 265
- Grierfon, Robert, murdered at Inglittoun, 303
- Guillan, Andrew, apprehended and executed, 178
- H
- H**ackstoun of Rathillet, taken at Airfmos, 61. how carried to prison, 62. his examination and execution, 64. 65
- Hall, Henry, of Haughhead, killed, 49. tried and forfeited after his death, 204
- Halliday, David, of Mayfield, shot, 290
- Halliday, David, in Glencyre, shot, 327
- Hallome, John, executed, 276
- Haltoun, Lord, accused of perjury, 106
- Hamilton, Duke of, opposed Lauderdale in vain, 21. his commission, 141. president of the meeting of the Scots noblemen and gentlemen at London, 439. commissioner to the convention-parliament, 440
- Hamilton of Kinkell, 23. 88
- Hamilton, John, killed at Airfmos, 61
- Hamilton, Mr Robert, forfeited, 163
- Hamilton, Robert, of Monkland, prosecuted, 180
- Hamilton, Mr Thomas, of Raith, 202
- Hannie, William, and his son, their sufferings, 353
- Hardy, Mr John, prosecuted, 421
- Harkness, Thomas, executed, 224
- Harper, Sir John, 155
- Harvey, Marian, 83. examined, 84. executed, 86. 87
- Harvey, William, 131. executed, 135
- Hastie, Mr Alexander, denounced, 96
- Hay, Allan, of Ardwallen, forfeited, 60
- Hay, Lawrence, executed, 97
- Hepburn, Sir Patrick, fined, 118
- Heritors forfeited, see forfeitures; proclamation against them, 117. hardships on them at the circuits, 2. 1. &c.
- Herron, Andrew, of Kerrock-trees, 155
- Herron, William, shot by Bruce, 289
- Highlanders to be raised, 262. five hundred to be raised by Athole, 295
- Highlands, proclamation for peace of it, 212
- Hishop, Andrew, shot, 316
- Hog, Mr John, forfeited, 163
- Hog, Mr Thomas, fined, 191
- Holy rood-house, a Popish chapel established there, 387. Popish school erected, 407
- Hope, Lady Mary, outlawed, 288
- Host, King's, proclamation, 5. prosecution of those who did not attend it, 39. 46. 64
- Houston, Mr David, joined Mr Renwick, 385. his rescue, 424
- Howison, James, condemned, 210
- Hue and cry, a proclamation, 141. heritors brought to trouble, 216. approved of by the parliament, 326
- Hume, Alexander, of Hume, before

before the justiciary, 144. executed, 148

Hume, Sir Patrick, of Polwart, forfeited; 281

Humphrey, John, shot in the fields, 328

Hunter, Robert, executed, 265

Husbands accountable for their wives, 154. Bishop Burnet's account, 199. act of parliament, 312

Hutchison, Mr John, deprived of his indulgence, 118

I

Jackson, George, examined before a committee of council, 192. executed, 212

Jackson, Thomas, his sufferings, 279

James VII. see York; proclaimed king at London, 285. his declaration to the English council, *ib.* took not the Scots coronation-oath, 286. his proclamation at Edinburgh, 287.

his letter to the parliament, 301. proclamation for keeping his birthday, 357. invades the privileges of royal burghs, *ib.* his dispensing with an act of parliament, 359. his letter to the parliament, 382. acts by a dispensing power, 385.

his letter on that subject, 386. his zeal for Popery, 391. his first and second indulgences, 392. 395. his third indulgence, 399. his fourth indulgence, 422. thanksgiving for the Queen's pregnancy, 408.

amused the public, 427. applied to the bishops, 428. alters his conduct, 431. withdrew to France, 439. decla-

red to have forfeited the crown, 444

Jamieson, Mr Edward, 33

Jamieson, John, shot in the fields, 328

Jeffreys, Judge, council's thanks to him, 261. his cruelties in the west of England, 339

Jervilwood. See Baillie

Inchbelly-bridge, attempt on the foldiers there, 173

Indemnity after Bothwell, 28. council's letter concerning another, 260. of K. James VII. 293. to the commons in Argyllshire, 388

Indulged, licence and bond to be given for them, 34. ministers prosecuted, 236. design for ejecting them, 184. their treatment at the circuit-court at Air, 243 ordered to be turned out, 257. several released, 288

Indulgence, the third, 18. &c. instructions with relation to it, 53. repealed, 55

Informatory Vindication, rise of it, 377. published, 395

Informers made use of, 165

Inglis, Arthur, murdered, 14

Inglis, William, banished, 191

Inglistoun, five murdered there, 303

Inglistoun, family of, 304

Inverkeithing, magistrates of, fined, 60

Johnstoun, Mr George, deprived of his licence, 54

Johnstoun, James, executed, 204. 205

Johnstoun, William, a gardener, hanged, 327

Johnstoun, William, 173. cruelty

- elty to the servant of one of that name, 276
 Irvine, James, of Bonshaw, his death, 98
 Jury of soldiers, 277. 311
 Justices of the peace, act of parliament, 318
 Justiciary, lords of, their leni-ty to Mr Renwick, 416
 Justiciary power granted Major White, &c. 130. 143
 K
Kaitloch, Lady of, her sufferings, 162
 Keith, Alexander, a fencing-
 master hanged, 435
 Kennedy, Mr Andrew, of Clow-
 burn, fined, 260
 Kennedy, of Grange, condemn-
 ed, 298
 Kennock, James, murdered, 303
 Kennoway, Thomas, his severe-
 rities, 89. killed, 254
 Ker, Mr James, 48. 66
 Ker, John, executed, 201
 Kettle, a paper fixed to the
 church-door, 90
 Kid, Mr John, brought pri-
 soner to Edinburgh, 15. fre-
 quently examined, 22. tortu-
 red, 23. his trial, 26. his
 execution, 30. &c.
 Killing, see murder; act for it
 in the fields, 254
 King, why some refused to say,
 God save the king, 146. 202
 King, Mr John, taken and re-
 scued, 4. apprehended after
 Bothwell, 22. his trial, 23.
 26. his execution, 30. &c.
 King, Robert, his case, 284
 Kingdom, none to leave it with-
 out leave, 172. proclamation
 for putting it in a posture of
 defence, 303
 Kirkcudbright, addresses of he-
 ritors, 239
 Kirko, James, murdered, 317
 Knox, Mr John, his suffer-
 ings, 226
 Kvan, Edward, shot by Dou-
 glas, 290
 Kypes, conference there, 341
 L
L About, women brought to
 trouble for assisting one
 in that condition, 241
 Lanerk, declaration there, 128.
 the town fined and shire haraf-
 sed, 130. 276
 Langlands, Mr Robert, for-
 feited, 163
 Lapsly, George, before the ju-
 sticiary, 115. 186. his exa-
 mination and escape, 187
 Lauchlan, Thomas, executed,
 143
 Law, David, executed, 233
 Lauderdale, Duke of, his let-
 ter to the council, 20. com-
 mons address against him, 21.
 stood his ground against Ha-
 milton, *ib.* excommunicated,
 68. resigned, 74. his death,
 153
 Lawrie, Mr William, of Black-
 wood, his process and sen-
 tence, 157
 Lawton, James, executed, 246
 Learmont, Major, condemn-
 ed, 137
 Leighton, Bishop, his death, 201
 Lennox, Robert, shot in the
 fields, 290
 Lesmahago, national covenant
 renewed there, 440
 Liberty of conscience in Eng-
 land, 422. in Scotland, 399.
 accepted by Presbyterian mi-
 nisters, 400
 M m m Liberty

- Liberty of the prefs invaded, 358
 Licence, copy of, granted to ministers, 344
 Linlithgow, Earl of, went to court, 26
 Linlithgow, burgh of, deprived of its privileges, 195
 Linning, Elizabeth, her case, 216
 Linning, John, imprisoned, 275
 Liturgy, English, liberty to use it in families, 45
 Livingstone, parish, instructions to the forces sent thither, 255
 Livingstone, Mr William, 132
 Lochear, Laird of, cruelly used, 222
 Lochwinnoch, treatment of the heritors, 245
 Loudon, Earl of, declared fugitive, 209
 Lake, John, of Claythorn, 175
- M
- M**acAdam, Gilbert, murdered, 227
 MacAuley, Alexander, murdered, 281
 MacBean, Mr Angus, 157
 MacBirnie, Mrs, her sufferings, 220
 MacClude, John, murdered, 281
 MacDonald, Lord, his petition, 6
 MacEwen, Samuel, executed, 224
 MacGeorge, Mr William, 239
 MacGill, Andrew, executed, 277
 MacGilligen, Mr John, released, 25. his farther sufferings, 155. sent to the Bais, 183
 MacKassie, Thomas, murdered, 283
 MacHutcheon, William, his protestation, 388
 MacKechny, John, 222
 MacKeen, Edward, murdered, 290
 MacKenzie, Sir George, King's advocate, excommunicated at Torwood, 69. confounded by Jerviswood, 267. turned out, 292. restored, 421
 MacLauchlan, Margaret, executed within the sea mark, 312. &c.
 MacLellan, Robert, of Barmagechan, his sufferings, 355
 MacLeweyand, William, 16
 MacMichael, Daniel, murdered, 282
 MacMichan, James, murdered, 265
 MacMillan, David, executed, 166
 MacMillan, William, of Caldwell, his sufferings, 229
 Malcom, Mr, turned out, 378
 MacQuhan, Andrew, murdered, 317
 MacRobin, Alex. hanged on an oak, 289
 Magistrates chosen by the council. See Air, Edinburgh
 Magusmuir, five hanged in chains, 40
 Main, John, 194. executed, 204. 205
 Malcolm, John, 62. executed, 66
 Marshall of Shots, 62
 Marshall, William, banished, 346
 Marshall, Edward, of Kacmuir. executed, 363
 Martin, David, his sufferings, 290
 Martin, George, executed, 202
 Martin, James, of Dullarg. died

- died in prison, 196
 Martin, William, of Dullarg,
 241
 Maxwell, Charles, 239. his
 farther sufferings, 363
 Maxwell, James, of William-
 wood, 174
 Maxwell, John, of Overmains,
 258
 Maxwell, Sir John, of Nether-
 Pollock, 259
 Meeting-houses suppressed, 41.
 pulled down, 54
 Meeting of Noblemen, &c. at
 Whitehall, their proceedings,
 439
 Meldrum, Mr George, of
 Crombie, 292
 Meldrum, Urquhart of, his
 powers, 126. his commission
 and instructions, 159. his in-
 justice, 166
 Melford, Lord, who was his
 martyr, 258
 Melvil, Lord, declared fugi-
 tive, 209. condemned, 329.
 commissioner to the parlia-
 ment, 446
 Menzies, Arch. of Culdairs, 163
 Military courts, 89. &c.
 Militia, proclamation for ren-
 dezvousing, 427
 Miller, Christopher, executed,
 88
 Miller, Mr Robert, prosecuted,
 118
 Miller, Robert, mason, exe-
 cuted, 281
 Milroy, John; hanged, 328
 Milroys, their particular suffer-
 ings, 345
 Ministers set at liberty, 19.
 24. meeting of, at Edin-
 burgh, 28. persecuted, 27.
 140. 243. See Indulged; in
 Holland brought to trouble,
 367. return to Scotland, and
 accept the liberty, 400. their
 address, *ib.*
 Ministers, Episcopal, their con-
 duct as to the test, 111. &c.
 126. 134. principal inform-
 ers, 149. 165. 176. state of
 them 1686, 381. their suffer-
 ings. See West
 Minniman, Mrs, her case, 152
 Mitchel, Robert, murdered at
 Inglishtoun, 303
 Mob at Edinburgh, 1688. their
 proceedings, 425
 Monmouth, Duke of, sent to
 suppress the rising at Both-
 wel, 6 joined the army, 10.
 his answer to an address, 12.
 his lenity, 14. offers an in-
 demnity, 20. turned out of
 his posts, 38. excommunica-
 ted, 68. beheaded 339. process
 against him, 365. forfeited,
 370
 Montgomery, Mr Ezekiel, im-
 prisoned, 201
 Moray, Earl, made secretary,
 74. commissary, 380. his en-
 comium on King James VII.
 383
 Morayshire. See Northern
 Moristoun, Lady, 185
 Morton, Mr Andrew, fined,
 159
 Morton, John, killed at Drum-
 clog, 4
 Muir, James, executed, 201
 Muir, William, of Glander-
 ston, 184
 Muir-dike, a skirmish there,
 332
 Muirhead, James, of Bradif-
 holm, 175
 Muirhead, James, of Dumfries,
 died in prison, 240

Munro, Sir John, of Foulis, sufferings of that family, 169.

292

Munro, Sir Robert, and his brothers, 169

Murder in cold blood, 14. 197.

&c. See killing

Murray, John, pardoned, 88

N

Nairn, Robert, his sufferings, 141

Nantz, edict of, reversed, 368

Napier, John, of Kilmahew, fined, 289

National covenant. See Lefmahago

Nicol, James, apprehended, 225. examined, 226. executed, 230

Nisbet, James, 206. executed, 214

Nisbet, John, ridicules Mr Cargil, 98

Nisbet, John, of Hardhill, apprehended, 360. examined, 361. condemned, 363. executed, *ib.*

Nisbet, John, of the parish of Lowdon, examined and executed, 192

Nisbet, Sir Patrick, of Dean, 411

Nithsdale, Popish family of, received forfeited estates, 60

Niyen, John, his sufferings, 60

Niven, William, his sufferings, 246. 252. 319

Northern shires, commission for them, 278. report of the commissioners, 292

O

Oath of allegiance, Mr Warner's queries, 133. act of parliament, 322

Officers of state indemnified, 326

Orange, Prince of, his sentiments of the liberty 1687, 402.

and of the birth of the Pretender, 423. applications made to him, 426. lands, 431. his

declaration for Scotland, 432.

published, 434. got the administration of the govern-

ment, 439. See William III.

Orbistoun, Hamilton of, commission to him, 262

Orrock, Mr Alexander, 408

Orthodox clergy carries the Duke of York, 73

P

Papists overlooked, 149.

177. 195. informers, 166. got into places of power, 264. 386

Parks, Francis and George, 17

Park, John, executed, 283

Parliament of Scotland, proclamation for one, 94. sat

down, 104. acts and proceedings, 105. adjourned, 130.

of King James VII. 301. their acts and proceedings 1685,

302. 305. 312. 313. 318.

322. 325. 326. *&c.* sat down, 380. their proceedings, 383. *&c.*

Parliament of King William, their acts, 446

Passengers, proclamation concerning them, 236

Passes required of chapmen, 94. proclamation, 236.

Paterfon, Gavin, condemned, 174

Paterfon, Robert, killed at Airmosf, 61

Paterfon, Simon, hanged, 328

Paterfon, Walter, killed at Glasgow, 4

Paterfon, William, received favours,

- favours, 47. another of the name murdered, 328
- Paton, John, executed, 210
- Pedagogues. See chaplains
- Peden, Mr Alexander, his death and character, 370
- Penal statutes. See James VII. parliament's proceedings concerning them, 383
- Persecution, why abated, 368
- Perth, Earl, made chancellor, 200. 217. in hazard, 378. his lady's cruelty, 148
- Philip, Adam, executed, 97
- Philip, Mr John, fined, 160. sent to the Bafs, 183
- Pitcairn, Mr, forced to Holland, 152
- Pitlochie, Scot of, released, 270. obtained a warrant to transport prisoners, 294. received a number, 350
- Pitmedden, Lord, turned out, 385
- Pittilloch, Andrew, executed, 97
- Pollock, John, tortured, &c. 62
- Pollock, Robert, executed, 281
- Polmadie, three men murdered there, 316
- Pope burnt at Edinburgh, 80. at Glasgow, 435
- Popery, see Papiſts; called the King's religion, 385. its progress in England, 391. in Scotland, 407
- Popiſh ſchools at Holyrood-houſe, *ib.*
- Porteous rolls, 29. 37. private ones, 165
- Porterfield, Alexander, of Fulwood, fined, 259
- Porterfield, John, of Douchal, his indictment and ſentence, 257. his forfeiture ratified by act of parliament, 312
- Potter, John, executed, 77
- Potter, Mr Michael, his ſufferings, 153
- Prayer, form of, for the pregnancy of Queen Mary, 408
- Praying for the King, why reſuſed, 145. 163. 215. 228
- Preaching in the fields, Mr Riddell's ſentiments of it, 72
- Prelacy inconſiſtent with the peace of the country, 104. act abolishing it, 446
- Pretender born, 423. a thankſgiving in Scotland, 424
- Prieſtfield houſe burnt, 82
- Prifon, many died there, 197. 366
- Prifoners taken at Bothwell, how uſed, 15. &c. nine ordered to be proſecuted, 27. indicted, 33. thirty indicted, 39. above two hundred put aboard a veſſel, 41. moſt of them barbarouſly drowned, 43. ſeveral eſcape, *ib.* cruelty to others, *ib.* many given to Walter Gibſon, 213. ordered to be executed a few hours after ſentence, 223. committee for examining thoſe in Edinburgh and Canongate, 288 their report, 294. See baniſhed
- Prohibited books, proclamation againſt them, 126
- Proteſtant religion, act ſecuring it, 302
- Proteſtant roar, 208
- Proteſtants turned out, 386
- Punton, James, his ſufferings, 53

Queenſberry, Earl of, admitted a counſeller, 23.

Duke

- Duke of, appointed commissioner, 298
- Queensferry paper, with remarks, 49. &c.
- R
- R** Athillet. See Hackstoun
- Regularity, act of parliament, 326
- Renfrew-shire, heritors fined, 204. commission to Atchison for that shire, 140
- Renunciation of heritage, 154
- Renwick, Mr James, at Mr Cargill's execution; 103. assisted in burying some who were executed, 116. ordained, 169. returned to Scotland, 190. intercommuned, 237. why his followers did not join Argyll, 323. &c. a breach among them, 341. accusations against him, with his answers, 372. &c. defended by Mr Shields, 376. his treatment in Carrick, 379. against the liberty of conscience, why, 403. proclamation for apprehending him, 405. apprehended, 411. examination and indictment, 412. before the justiciary, 414. condemned and reprieved, 416. visited by Bishop Paterfon, &c. *ib.* his interview with his mother and sisters, 418. his conduct and execution, 418. &c.
- Revealing, opinion of the lords of session about not revealing a supply to the Earl of Argyll, 258
- Richard, Thomas, murdered, 328
- Richards, Thomas, banished, 365
- Richmond, John, 194. executed, 204
- Riddell, Mr Archibald, apprehended and examined, 71. his second examination, 79. sent to the Bass, 91. his farther sufferings, 355
- Ridpath, Mr George, 80
- Robertoun, Mary Gordon of, 17
- Robertson, James, 144. examined, 145. executed, 146
- Robertson, Thomas, executed, 263
- Ross, Alexander, D. D. his sermon, 244
- Roths, Duke of, excommunicated, 69. his death, 106
- Roterdam, protestation against the Scots congregation there, 194
- Row, John, 96
- Rule, Mr Gilbert, his sufferings, 48. 62
- Rumbold, Richard, 171. 332. brought prisoner to Edinburgh, 324. manner of his execution, 335
- Russel, Alexander, executed, 115
- Russel, Gavin, executed, 333
- Russel, John, portioner, condemned, 163
- Russel, Lord, his conduct, 77
- Russel, Peter, his sufferings, 321
- Russel, Robert, 174
- Rutherglen, declaration there, 2. &c.
- Rye-house plot, 171. gentlemen ordered to be prosecuted, 184. 193
- Rymer, Mr James, his sufferings, 37
- S
- S** Altoun, Mr Fletcher of, forfeited, 281. process against

- gainst him, 365. condemned, 370
- Sangster, Robert, executed, 88
- Sanquhar declaration, 55. proclamation against it, 58. another declaration there, 323
- Schaw, Mr Anthony, 199
- Schoolmasters, &c. turned out, 94
- Scot, Mr William, of Harden, exorbitantly fined, 193. 199. 260
- Scourged, many were, 366
- Searches for intercommuned persons, &c. 194. 222. 405. 424
- Semple, Mr Gabriel, his sufferings, 114. &c.
- Semple, John, of Craighorn, his torture and execution, 253
- Semple, John, in the parish of Dally, murdered in the fields, 504
- Shaftsbury, Earl of, presents the Duke of York as a Popish recusant, 73
- Shargarton, Ure of, his sufferings, 127
- Sharp, Archbishop of St Andrews, proclamation against those concerned in his death, 36
- Sheep roasted in a church, 366
- Shields, Mr Alexander, his sufferings, 279. 297. his defence of Mr Renwick, 347. 375. joined him, 385. preached in the fields after his death, 421
- Shirinlaw, William, shot, 221
- Short, George, shot, 327
- Sibbald, Sir Robert, his recantation, 380
- Sinclair, Mr John, forfeited, 235
- Skene, Mr James, 74. his confession, 76. executed, 77
- Skene, John, of Hallyards, 153
- Smith, Alexander, his sufferings, 94. taken and rescued, 173
- Smith, James, executed, 173
- Smith, John, murdered, 197. another of that name shot in the fields, 290
- Smith, Robert, hanged at Kirkcudbright, 265
- Smith, Robert, his false information, 367
- Smith, Mr Walter, examined, 99. executed, 102
- Smith, William, shot in the fields, 294
- Societies of general correspondence, their first meeting, 119. see Talalin, Gordon, Mr Alex. of Earlstoun, Renwick, Frierminton; state of them 1684, 246. made a collection for their banished brethren, 425. took arms for the Prince of Orange, 438. renewed the national covenant, 440. their petition to the convention of estates, 442
- Soldiers, their ravages after Bothwell, 16. other ravages, 237. 289. 318. 330. their horrid wickedness, 290. their murders in the fields, see killing; had power to examine upon oath, 424
- Spaldie, William, died of despair, 196
- Spence, Mr William, tortured and kept from sleep, 221. his declaration, 225. condemned, 341
- Spies on the wanderers, 298
- Sprat, John, plundered, 17
- Spreul, John, apothecary, put to the torture, 75. before the justiciary,

- justiciary, 88. 95. sent to the
 Bass, 96. released, 397
 Steil, David, murdered, 391
 Stair. — See Dalrymple
 Stevenson, Thomas and John,
 shot in the fields, 281
 Stirling-shire, and bond of re-
 gularity of the heritors of, 244.
 245.
 Stodhart, Thomas, 344. ex-
 ecuted, 350
 Stuart of Allantoun, 217
 Stuart, Archibald, in Borrow-
 stounness, tortured and exe-
 cuted, 77
 Stuart, Archibald, in Lesma-
 hago executed, 204. 205
 Stuart, David, of Cultness, con-
 demned, 341
 Stuart, of Hartwood, 215. 217
 Stuart, Mr James, forfeited,
 163. condemned, 340
 Stuart, Robert, shot, 265
 Stuart, Sarah, cruelly used, 366
 Stuart, Sir Thomas, of Cult-
 ness, 15. 155. condemned to
 die, 323
 Stuart, William, shot by Bruce,
 289
 Students of Edinburgh and
 Glasgow, 80. 82. banished E-
 dinburgh, 86
 Sub-courts, 239
 Succession to the crown, act, 105
 Summers, John and Robert,
 406
 Supply, act of parliament, 105
 Swine-Abbey, soldiers killed,
 254
 Sword, Andrew, executed, 40
 Symers, Mr Alexander, 94
 Synod at Glasgow, 402

T

Tacket, Arthur, tortured
 and executed, 220

V

Vallange, John, died of
 his wounds, 62

Veitch,

- Talalin, meeting there, 141
 Tam, Robert, shot in the fields,
 316
 Tarras, Walter, Earl of, his
 confession, 264. condemned
 and pardoned, 277
 Test-act passed, 107. see Argyll.
 The oath, with remarks, 109.
&c. several oppose it, 111. see
 ministers of Aderdeen; coun-
 cil's act upon it, 114. impos-
 sed on suspected persons, 164.
 pressed with rigour, 177. 196.
 239. 240. proclamation con-
 cerning it, 184. act of par-
 liament, 318
 Thomson, Gabriel, executed,
 253
 Thomson, William, examined,
 97. executed, 103
 Throne declared vacant, 444
 Thumbkins, act of council, 220
 Torbran, William, 176
 Torwood excommunication,
 67. *&c.*
 Torwoodlee, Pringle of, 123.
 forfeited, 281. sufferings of
 that family, *ib.*
 Touch, Jasper, his sufferings,
 169
 Travelling without a pass dis-
 charged, 236
 Tweeddale, Earl, process a-
 gainst him, 60
 Tyrconnel, Earl, his procla-
 mation, 379

U

- U**niversities. See oaths
 Urie, John, shot in the
 fields, 316
 Urquhart, Mr James, banish-
 ed, 292

- Veitch, Mr James, prosecuted, 118. 198.
 Veitch, Mr John, denounced, 72. close confinement, 358
 Veitch, Mr William, released, 25. conducted Argyll to London, 123
 Violant, Mr William, his sufferings, 218
- W
- W** Addel, John, condemned, 40. executed, 41
 Walker, George, hanged, 328
 Walker, Patrick, his sufferings, 218
 Wallace, John, shot by Bruce, 289
 Wallace, John, of Knockybae, 366
 Warner, Mr Patrick, his sufferings, 131
 Watson, Andrew, a spy, 303
 Watson, Robert, his sufferings, 251
 Watson, Thomas, killed, 61
 Watt, John, executed, 253
 Wauch, Margaret, imprisoned, 52
 Welsh, John, of Cornley, 60. condemned, but got off, 363
 Welsh, Mr John, buried the bodies at Glasgow, 8
 Welwood, Dr James, 229
 West, tumults there, 438
 West-country people their petition to the convention, 442
 Wester-raw, his profane intimation, 178
 Westfields. See Denholm
 Wharry, John, executed, 173
 White, Major, his instructions, 130. commission, 142. holds courts, 159
 Whitelaw, John, executed, 193
- Whitford, his last thoughts of Popery, 380
 Wickliff, some of his disciples entertained by the progenitors of Earlstoun, 14
 Wilkie, Mr Thomas, fined, 191
 Wilkinson, James, 344. executed, 350
 William III. and Mary II. proclaimed King and Queen of England, 440. his letter to the convention of estates preferred, 441. proclaimed King and Queen of Scotland, 445
 Williamson, Mr David, imprisoned, 411
 Wilson, John, process and execution, 167. &c.
 Wilson, Joseph, shot in the fields, 328
 Wilson, Margaret, executed within the sea-mark, 313. &c.
 Winning, James, executed, 204
 Wisheart, Mr William, his sufferings, 211. 284
 Witnesses to be examined before trial, 154
 Wodrow, Mr James, had the care of students of divinity, 402
 Wood, Alexander, executed, 246
 Wood, George, shot in the fields, 424
 Wood, James, 40. executed, 41
 Wood, Thomas, executed, 224
- Y
- Y** Ork, Duke of, preparations for his reception in Scotland, 38. admitted a counsellor without the oaths, 44. returned to court, 47. communicated,

communicated, 68. carested
 by the orthodox clergy, 73.
 commissioner to the parlia-
 ment, 104. his zeal for ju-
 stice, &c. 105. his progress
 to the west, 118. goes to
 court, 135. shipwrecked on
 his return, 138. his cruelty,

200. succeeds to the crown.
 See James VII.
 Young, William, executed,
 230
 Young, Thomas, hanged, 310

Z

Zuil, John, of Darleith,
 his sufferings, 289

F I N I S







