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# **Scottish Public Opinion and the Making of the Union of 1707**

**Vol. II**

**Thesis submitted for PhD degree**

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## **Chapter 5: Adversarial Addressing, 1699-1707**

Historians often cite the dozens of anti-treaty addresses provided to Parliament from October 1706 to January 1707 as evidence of a unanimous rejection of union by the people of Scotland. Echoing George Lockhart of Carnwath's view that 'the addresses are a sufficient indication of the nation's aversion to enter into this union,' Ferguson noted that 'Popular opinion asserted itself in numerous addresses against the treaty.'<sup>1</sup> While acknowledging that these 'condemned not union as such but an incorporating union,' Ferguson took the addresses as evidence of a national consensus against the proposed union, citing the lack of pro-treaty addresses as further proof.<sup>2</sup> Paul H. Scott has continued to assert this perspective, seeing the addresses as a 'rejection of the Union, with such unanimity and on such a scale' as to make it an apparently spontaneous 'demonstration of popular will, virtually without parallel.'<sup>3</sup> Scott has also joined Lockhart in claiming uniform geographical representation in addressing: Lockhart claimed that addresses came 'from all corners of the land' while Scott has reported a 'flood of addresses...from all over Scotland.'<sup>4</sup>

In contrast, more unionist historians have sought to downplay the addresses by emphasising their organisation by oppositional elites. Writing in an atmosphere of Jacobite threat, Defoe's 1709 *History* pointed to the Jacobites as instigators of the

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<sup>1</sup> 'Scotland's Ruine': Lockhart of Carnwath's *Memoirs of the Union*, ed. Daniel Szechi (Aberdeen, 1995), 57; William Ferguson, 'The Making of the Treaty of Union of 1707', *Scottish Historical Review* XLIII (October 1964), 109.

<sup>2</sup> Ferguson, 'Making of the Treaty of Union', 109.

<sup>3</sup> Paul H. Scott, *Andrew Fletcher and the Treaty of Union* (Edinburgh, 1994), 190.

<sup>4</sup> 'Scotland's ruine', 147; Scott, *Andrew Fletcher*, 179.

people's dissatisfaction with the treaty, suggesting that the 'Throng of Addresses' should be seen as the product of manipulation rather than unprompted resistance.<sup>5</sup> In focusing on the making of Union as an elite process, more recent historians like P.W.J. Riley have come to similar conclusions, portraying addresses as manifestations of deference to oppositional nobles. In Riley's view, 'Normally the only significance attaching to an address was that it reaffirmed the allegiance of the organiser and demonstrated his local influence.'<sup>6</sup>

These simple portrayals of addresses as transparent markers of popular patriotism or elite manipulation bear little resemblance to the complex nature of petitioning in the Scottish public sphere at the time of the Union debates. An examination of the anti-treaty addresses of 1706-7 in the context of petitioning practices established from 1699 shows a far more sophisticated picture. In early modern political conditions, mass petitioning required both instigation by local and national elites and willing participation by ordinary inhabitants. Party propaganda and coordination played a role in generating local awareness and commitment to political issues, but participation in addressing rested on voluntary cooperation. While party messages can be discerned in locality addresses, grass-roots priorities shaped these texts, producing variations across parishes, burghs and shires. Moreover, though addresses attempted to portray a corporate consensus, actual unanimity should not be assumed; instead, the degree of local affiliation with national

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<sup>5</sup> 'Scotland's ruine', 147; Daniel Defoe, *The History of the Union of Great Britain* (Edinburgh, 1709), 18, 21, 24, 58.

<sup>6</sup> P.W.J. Riley, *The Union of England and Scotland: A Study in Anglo-Scottish Politics of the Eighteenth Century* (Manchester, 1978), 282.



political platforms, developed and encouraged by party leaders, should be investigated.

From 1699, addresses were used by the Country party to mobilise and express provincial opinion with significant effects on parliamentary outcomes from the Darien crisis onwards. The arguments found in addresses from these years show connections with Country discourse circulating at the same time, indicating provincial engagement with party propaganda in combination with grass-roots concerns. Party addressing tactics capitalised on long-standing practices by which petitions were used to bring grievances to higher authorities, protected from 1689 by the Claim of Right, but pressed the limits of these conventions with increasing aggression and popular participation. Faced with adversarial addressing, the Court attempted to suppress these activities, but did not resort to populist counter-addressing. Though the Church and other entities continued to submit loyal addresses to the Crown, these did not develop into mass counter-petitioning campaigns.

Similar dynamics can be seen in Country addressing and Court responses during 1706-7. Country shires and burghs first attempted to use instructions to direct their MPs to vote against the treaty, turning normally private missives into public propaganda. After this initial move, oppositional nobles, barons, burgesses and clergy organised seventy-nine addresses against the treaty from 116 shires, burghs and parishes, delivered to Parliament between November 1706 and January 1707. Addresses tended to appear from areas associated with oppositional nobles like the Dukes of Hamilton and Athol and the Marquis of Annandale, with many using a text

provided by the Country party. Oppositional elements in the burghs also secured a national address against the treaty from the Convention of Royal Burghs and encouraged supporting addresses from member burghs, while Country clergy and elders pressed the Commission of the General Assembly to petition against the treaty and solicited addresses from parishes and presbyteries. Local organisers generated significant levels of popular participation in their addresses with over 20,000 signatories, including many from middling to lower social ranks.

Together, instructions and addresses strove to convince MPs and the Court of an overwhelming public consensus against incorporation. Country speakers and pamphleteers cited these representations of public opinion in demanding recesses for constituent consultation, addresses to the Queen and new elections. These arguments echoed claims made in Country discourse for constituent sovereignty asserting the primacy of popular opinion in determining parliamentary outcomes. To add force to this oppositional campaign, the Country party formed plans for a gathering of petitioners in Edinburgh and an abandonment of Parliament followed by a national address to the Queen.

In keeping with its prior reluctance to engage in popular activism, the Court did not counter these efforts with its own mass addressing campaign. Instead, as in earlier years, the Queen's officers exerted themselves to discourage petitioning in their areas of influence. Moreover, in Parliament and print, the Court capitalised on the weak constitutional position of instructions and addresses to reject the power of these instruments. In speeches and pamphlets, Court followers undermined the

addresses' claims of consensus and denied the right of constituents to direct the votes of MPs.

Though Court management methods succeeded in dimming the impact of the addresses and instructions, these representations did have an effect on the making of the treaty. Parish and presbytery petitions added weight to the Commission's addresses, encouraging the Court to take steps to assuage public concerns for the security of the Church. While this act did not satisfy more fundamentalist ministers, it succeeded in securing the reluctant support of many moderates in the Church. In addition, addressing on economic grievances secured key concessions on trade and taxation, led by the Convention of Royal Burghs' address and seconded by many burgh and shire petitions.

*Adversarial Addressing, 1699-1705*

As the Country party developed from the late 1690s, addressing emerged as a primary means by which the party generated and expressed oppositional public opinion. The party organised three national addresses and two rounds of local addressing in 1699-1701, followed by a national address to the Queen after its 1702 abandonment of Parliament. Using similar tactics, dissenting Episcopalian clergy used mass clerical and lay addressing to pressure the government for greater religious freedoms in 1703. The Presbyterian Church responded with addresses against toleration, though its leaders chose to use less aggressive petitioning methods more



appropriate to an establishment institution. In these activities, national petition texts portrayed an apparent consensus of public opinion behind a party platform, while burgh and shire addresses supported this with party messages adapted to local conditions. With mass addressing, the Country party sought to pressure the government with the traditional moral authority of humbly petitioned grievances, reinforced with an underlying threat of popular disorder. Faced with adversarial petitioning, the Court had to balance the Claim of Right's legal protection of the liberty of petitioning with monarchical expectations for humble addressing. Finding that a 1699 attempt to use the royal prerogative to stop addressing on Darien only excited more opposition, the Court fell back on management methods to reduce the impact of adversarial petitions. The Court did not choose to organise counter-addresses, though loyal addresses continued to be welcomed as public statements of support for the monarchy.

Widespread investment in the African Company and broad awareness of the Darien venture created a large potential constituency for Country agitation on behalf of the Company and its colony, including committed Court followers.<sup>7</sup> In these circumstances, addresses provided a legitimate means by which the Country party could pressure the government to call a Parliament to consider the Darien situation. The African Company had been addressing the government for support since 1697, joined by an address from Parliament on the Company's behalf in 1698; by 1699, the Country party saw an opportunity to use national mass addressing to call for a Parliament.

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<sup>7</sup> According to a contemporary pamphlet, 'there were few Persons or Families of any Account within the Kingdom who were not therein particularly concerned' (*Scotland's right to Caledonia* (1700), 2).



The Duke of Hamilton initiated the party's first national address from 'several Subscribing Noblemen, Barons and Gentlemen' in Edinburgh in early December 1699.<sup>8</sup> Organisers secured the support of about forty nobles in Edinburgh, as well as the Faculty of Advocates, the Incorporation of Surgeons and the Merchant Company, while the Duke of Hamilton, Earl of Tullibardine and other party gentlemen collected signatures in the provinces. These often took advantage of pre-existing gatherings of gentlemen at administrative meetings of heritors, burgh councils, courts or funerals, though special meetings for subscriptions were also arranged.<sup>9</sup> The party's efforts produced a reported 21,000 signatures, leading one correspondent to term the petition a new 'nationall covenant.'<sup>10</sup> On receiving the address in London on 25 March 1700, the King confirmed that the Parliament would meet in May as scheduled.<sup>11</sup>

Along with a new address from the African Company to Parliament in May 1700, the Country party organised supporting addresses from sympathetic shire heritors and burgh councillors, including the shires of East Lothian, Roxburgh, Lanark, Stirling and Perth and the burghs of Haddington, Coupar and Dunbar.<sup>12</sup> As with the national petition, Tullibardine and Hamilton exerted their regional influence to encourage subscription to these addresses.<sup>13</sup> In addition, some coordination of petitioning between localities can be seen in the use of East Lothian's text by the towns of Haddington and Dunbar.

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<sup>8</sup> *A full and exact collection of...papers relating to the Company of Scotland* (1700), 105.

<sup>9</sup> Derek John Patrick, 'People and Parliament in Scotland 1689-1702', Ph. D. dissertation (St. Andrews University, 2002), 230-8.

<sup>10</sup> *Early Letters of Robert Wodrow 1698-1709*, ed. L.W. Sharp (Edinburgh, 1937), 59; NAS PC 1/52/67.

<sup>11</sup> *Collection*, 107. In January, the Parliament had been adjourned from 5 March to 14 May, after having been delayed from 4 November 1699 to 5 March (NAS PC 13/3(16 Jan 1700)).

<sup>12</sup> *APS*, vol. x, App. 36-41.

<sup>13</sup> Patrick, 'People and Parliament', 256.

After a sudden adjournment of Parliament without resolution of the Darien issue, Country leaders produced a second national address in late May 1700 protesting the adjournment. Signed by Country MPs in Edinburgh, this address did not elicit an immediate response from the King, spurring the party to initiate a third national address.<sup>14</sup> Canvassing in the provinces through the summer and autumn of 1700 produced what Lord Yester described as the signatures of ‘a great Number’ of subjects.<sup>15</sup> Though Parliament already had assembled by the time this address was presented to the king in late October, the address engaged oppositional MPs behind a party platform for the new session and signalled the party’s continuing resolve to use public opinion to pressure the Crown.

Shire and burgh petitions again supported the Country platform in the 1700-1 parliamentary session. The party generated eighteen addresses from a wide geographical area, namely the shires of Midlothian, Wigtown, Ayr, Dumbarton, Renfrew, Inverness, Nairn, Fife, Banff, Elgin & Forres and Orkney; and the burghs of Perth, Dysart, Kirkcaldy, Anstruther Easter, Crail, Inverness and Glasgow. More evidence of coordination appeared in these petitions, with many localities sharing texts. Eight of the eighteen addresses used the East Lothian text from May (the shires of Ayr, Dumbarton, Renfrew, Inverness, Nairn, Banff and Orkney and the burgh of Inverness), while the burgh of Perth chose to use its shire’s address from May as a template. In addition, pairs of burghs in Fife collaborated, with Dysert and Kirkcaldy and Crail and Anstruther Easter each sharing texts.<sup>16</sup> To lend weight to these locality

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<sup>14</sup> *Collection*, 127-30.

<sup>15</sup> Patrick, ‘People and Parliament’, 267-8; *Collection*, 133-7.

<sup>16</sup> *APS*, vol. x, App. 73-86.



petitions, party leaders considered proposals to gather gentleman petitioners in Edinburgh during the 1700-1 session 'to attend Parliament and advise their representatives.'<sup>17</sup>

The developing Darien addressing campaign included broadening numbers of participants from lower social ranks. The party's first address of December 1699 set a relatively narrow constituency of noblemen, barons and gentlemen, excluding burgesses and lesser inhabitants. This omission made some burgesses doubt the propriety of signing, as the Earl of Tullibardine found when he took the address to a meeting of the Stirling burgh council.<sup>18</sup> In practice, some lower rank subjects were invited to sign, though higher ranks were targeted first, as in Glasgow where merchants were preferred over tradesmen.<sup>19</sup> Similarly, the first round of locality addresses tended to focus on shire gentlemen and burgh magistrates. Though the petition of Perthshire had a large number of signatories at 223, these were all landed gentlemen; likewise, most burgh signatories were town officers. The party's second national address came from MPs, but the party extended its appeal to 'Noblemen, Barons, Gentlemen, Burgesses and other Subscribers' in its third national address<sup>20</sup> Wider participation also can be seen in the second round of locality petitions, with some shires including wadsetters and liferenters along with heritors and a few burgh councils claiming to speak 'in name of the Communitie.'<sup>21</sup> The greatest shift towards populism, however, appeared in the January 1701 address from Glasgow, which came

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<sup>17</sup> Patrick, 'People and Parliament', 256, note 805.

<sup>18</sup> *Ibid*, 235.

<sup>19</sup> *Ibid*, 237.

<sup>20</sup> *Collection*, 133.

<sup>21</sup> *APS*, vol. x, App. 82.

not from the town council but from 474 'Inhabitants,' including one illiterate.

According to the address, the petitioners lacked the support of the town's MP and its burgh council.<sup>22</sup>

The Country party encouraged grass-roots engagement in petitioning with the distribution of propaganda outlining the party platform. Hundreds of copies of a printed tract, *Propositions relating to Caledonia and the Nationall Address*, supported the first national petition, followed by print and manuscript literature published for the May 1700 Parliament.<sup>23</sup> These pamphlets, along with the national addresses, shaped the petitions supplied by shires and burghs, as local organisers incorporated party issues with provincial concerns to produce addresses tailored to burgh and shire circumstances. While pamphlets written for the May Parliament and the party's third national address complained of a wide range of Country issues, from Darien to the standing army, high tax rates, infrequent parliaments, arbitrary imprisonment and failing trade, locality petitions emphasised those issues most relevant to their concerns as Darien investors and taxpayers.<sup>24</sup> According to the Earl of Marchmont, some provincial addresses were 'very coarsely expressed,' but all agreed 'to crave the support of the company, and the asserting its right to the colony, and desiring a diminution of the troops, and an ease of the taxes.'<sup>25</sup> To this shared agenda, shires and burghs added particular concerns, such as Perthshire's complaints

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<sup>22</sup> *Ibid*, App. 84-6.

<sup>23</sup> Patrick, 'People and Parliament', 238; P.W.J. Riley, *King William and the Scottish Politicians*, (Edinburgh, 1979), 135. See Chapter 3 for more on 1699-1701 print discourse.

<sup>24</sup> *Collection*, 134-5.

<sup>25</sup> *A Selection from the Papers of the Earl of Marchmont 1685-1750* (London, 1831), 218.



on Highlander depredations and crop failures as reasons why its heritors could not continue to fund a standing army.<sup>26</sup>

Having established precedents for adversarial petitioning in the Darien crisis, the Country party followed similar tactics in 1702 at Anne's accession. To protest the Crown's failure to call a new Parliament after the King's death, the Duke of Hamilton led a walkout of oppositional MPs from the June 1702 Parliament, followed by a national address from these MPs to the Queen. Between fifty-seven and seventy-nine delegates joined the Duke in his withdrawal with seventy-five signing the national address.<sup>27</sup> The party organised further support for the MPs' address with duplicate petitions signed by at least 173 and possibly as many as 300 barons and gentlemen gathered in Edinburgh, including the Faculty of Advocates.<sup>28</sup> Though Parliament continued to meet in spite of the walkout, the Country party's gambit contributed to the Crown's decision to initiate elections for a new Parliament to meet in 1703.

In 1703, the dissenting church took up petitioning tactics to press for toleration of Episcopalian worship. Organised by Church leaders with the backing of sympathetic nobles, the Episcopalian campaign followed Country party precedents in using national and locality petitions to pressure the Crown on policy. The campaign included a national address from the clergy to Anne organised by Archbishop

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<sup>26</sup> *APS*, vol. x, App. 39.

<sup>27</sup> *APS*, vol. xi, 5; *Marchmont papers*, 240; 'Scotland's ruine', 14; Patrick, 'People and Parliament', 292.

<sup>28</sup> Patrick, 'People and Parliament', 292.

Paterson and signed by about 100 Episcopalian ministers.<sup>29</sup> This was supported with mass addresses from dissenting laypersons signed by 'a great many hands in Fife, Stirling and Angus shires.'<sup>30</sup> As with the Darien addressing, the Episcopalians backed their addressing campaign with propaganda, including pro-toleration pamphlets and prints of the clerical address.<sup>31</sup> Many of these pamphlets supported the representations of dissenting opinion found in the mass addresses by attacking the assumption of a popular majority for Presbyterianism. Clerics like Robert Calder challenged the 1689-90 establishment of the Presbyterian Church on the grounds of popular preference, claiming that 'the Generality of the People in Scotland, in most places, have an Aversion to Presbyterie, and are inclin'd to Episcopacie;' moreover, 'the more Judicious and the more Learned in the Nation' believed in Episcopacy as the correct form of church government.<sup>32</sup> Referring to the toleration addresses, the Earl of Cromarty declared in print that 'at least the half of Scotland, do desire a Toleration' as proved by 'above 400 subscriptions of the prime Inhabitants of Glasgow; by two to one in Dundee; By 4 to one in Aberdeen, Especially of the Chief Merchants and Burghers; By 3 to One in Elgin; And by 5000 subscriptions in Fife.'<sup>33</sup>

Presbyterian Church leaders considered responding with mass counter-addressing by laypersons, but rejected this in favour of more legitimate petitioning

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<sup>29</sup> T.N. Clarke, 'The Scottish Episcopalians 1688-1720', Ph. D. dissertation (University of Edinburgh, 1987), 136; *To the Queen's Most Excellent Majestie, the humble address and supplication of the suffering Episcopal clergy in the kingdom of Scotland* (1703).

<sup>30</sup> *Early letters*, 255.

<sup>31</sup> See Chapter 3 for more on pro-toleration print.

<sup>32</sup> [Robert Calder], *Reasons for a toleration to the Episcopal clergy* (Edinburgh, 1703); see also [Sir Alexander Bruce], *A speech in the Parliament of Scotland, in relation to Presbyterian government* ([1702]).

<sup>33</sup> [George Mackenzie, Earl of Cromarty], *A few brief and modest reflexions perswading a just indulgence to be granted to the Episcopal clergy and people in Scotland* (1703), 4.



practices appropriate to the established Church.<sup>34</sup> The Commission of the General Assembly added a warning against toleration to a loyal address to Anne on war victories; and produced an address to Parliament asking the Estates to protect the established church.<sup>35</sup> Like the Episcopalians, Presbyterian clergy used public discourse to support these addresses, including anti-toleration sermons and pamphlets. Speakers and writers against toleration included both moderate leaders like George Meldrum and Country ministers like Robert Wylie, indicating the willingness of establishment figures like Meldrum to speak out in defence of the interests of the Church as long as the Church's protest methods remained within the bounds of propriety.<sup>36</sup>

The Church's conservative approach to anti-toleration petitioning in 1703 indicated the restricted place of addressing activities in the early modern Scottish public sphere. Loyal addresses had become an accepted means for expressing support for the post-Revolution monarchy, but adversarial, mass petitioning remained controversial. Bodies like the General Assembly and the Convention of Royal Burghs maintained a traditional right to represent the concerns of their estates to government; and more generally, the liberty of the subject to petition for relief of grievances had been protected in the Claim of Right. Beyond this, however, it remained unclear how far the Claim of Right protected aggressive or partisan

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<sup>34</sup> *Early letters*, 255; CH 1/2/23/3 (180, 193).

<sup>35</sup> *The humble representation of the Commission of the late General Assembly* ([1703]); APS, vol. xi, 46.

<sup>36</sup> George Meldrum, *A sermon preached in the New Church of Edinburgh* (Edinburgh, 1703); [Robert Wylie], *A speech without doors, concerning toleration* ([1703]). See Chapter 3 for more on erastian moderation in the established Church.

petitioning. Recognising these conditions, the Court eschewed counter-addressing, focusing instead on the discouragement of adversarial petitioning.

Addresses in the early eighteenth century still operated under conventions established in medieval political practices. The formal petition had evolved out of oral traditions of supplication by feudal vassals to superiors, paralleling the prayers of individuals to God. The medieval petition begged the king to employ his power to resolve conflicts, grant gifts or dispense justice. In taking a humble stance, the petitioner signalled his loyal and willing subjection to a higher authority, creating a reciprocal obligation in the superior to acknowledge the subject's plea. In these terms, the petitioning event can be seen as a highly choreographed ritual, involving 'mutual demonstrations of devotion and favour that maintained political stability among the powerful.'<sup>37</sup> Petitioning worked as long as the superior was not embarrassed by the presentation of impossible requests and the subordinate was not frustrated in the resolution of grass-roots problems. In practice, petitions made their way to the king through lower officials, often needing the sponsorship of a powerful patron. Advance negotiations with interested parties prepared the ground, sometimes leading to the editing or withdrawal of a petition.<sup>38</sup>

Under these conditions, petitions acted as requests, not demands. In administrative applications, a private individual or a locality could petition the Privy Council, Parliament or king for the grant of a patent, monopoly, license or other privilege. In this vein, numerous petitions for a fair, market or tax appear in the

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<sup>37</sup> Geoffrey Koziol, *Begging Pardon and Favor: Ritual and Political Order in Early Medieval France* (Ithaca, 1992), 58.

<sup>38</sup> Koziol, *Begging pardon and favor*, part I.



records of the early modern Scottish Parliament.<sup>39</sup> Lobbying efforts by burgh or shire representatives supported these petitions, indicating the need for advance preparation.<sup>40</sup> The petition was also employed in the routine operation of the judiciary, where appeals to superior courts, including Parliament, were usually framed as a petition.

More controversially, the petition could be used in a political context to express grievances to a higher authority. According to early modern conventions of consensus, such a petition expressed the united opinion of a corporate body in the political nation. Petitions to Parliament therefore came from the estates via the General Assembly, the Convention of Royal Burghs or committees of the estates in Parliament, as in 1625 when supplications from the barons and burghs asked Parliament to petition Charles I to consult with them on his judicial reforms.<sup>41</sup> Individual shires and burghs did not normally petition Parliament on political issues, though they might provide private instructions to their MP on particular grievances. Within the Church, a parish might petition the General Assembly on local matters, but parishes did not normally petition Parliament. Instead, presbyteries could instruct their General Assembly members to propose that the Church petition the civil state on religious issues.<sup>42</sup>

A political petition delivered a complaint in a formal, public statement designed to encourage the recipient to acknowledge dissatisfaction and accept the

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<sup>39</sup> See, for example, *APS*, vol. viii, App. 14, 18.

<sup>40</sup> In 1704, Glasgow sent its Provost, Dean of Guild and Deacon Convenor to Edinburgh to lobby for a 2p per pint tax (*Extracts from the Records of the Burgh of Glasgow* (Glasgow, 1908), 384).

<sup>41</sup> *APS*, vol. v, 184.

<sup>42</sup> See below for more on instructions.

need for negotiation and compromise. The petition could not force the adoption of a particular policy, but could press government towards a settlement by asserting a consensus of negative opinion and implying the presence of a dangerous level of disaffection. Typically, political supplications were reserved for serious issues where back-channel negotiations had failed and public complaint was deemed necessary to provoke a change in policy. In their assertiveness, however, political petitions carried a savour of sedition. Political petitions contained an inherent contradiction-- in principle, 'grievance in petitions was expected neither to criticize specific laws nor to imply popular discontent with government' yet in practice they could be used to attack policy and mobilise public opinion against the Crown.<sup>43</sup>

The inherent contradictions of political petitioning became more obvious in the seventeenth century as Stuart monarchs reduced their responsiveness to petitions and petitioning practices became more aggressive and populist in reply.<sup>44</sup> As kings listened less, oppositional parties shouted more loudly and the authority of public opinion began to be asserted in opposition to the authority of the monarch.<sup>45</sup> Oppositional groups began to initiate mass petitioning campaigns in which repeated petitions were submitted on the same grievances, such as the supplications on the

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<sup>43</sup> David Zaret, *Origins of Democratic Culture: Printing, Petitions and the Public Sphere in Early Modern England* (Princeton, 2000), 97.

<sup>44</sup> Charles I used servants to filter supplications and refused to accept unwanted petitions, such as those protesting his teinds reform programme in Scotland (Zaret, *Origins of democratic culture*, 85-6; Allan Macinnes, *Charles I and the Making of the Covenanting Movement 1625-1641* (Edinburgh, 1991), 61). Charles also used the Lords of the Articles to discourage petitions from the estates to the Parliament and from the Parliament to the Crown; he then prosecuted Lord Balmerino for leasing-making in 1634-5 for attempting to organise a national petition protesting the king's management of the 1633 Parliament (Macinnes, *Charles I*, 87-88, 135-40).

<sup>45</sup> Zaret, *Origins of democratic culture*.



Book of Common Prayer of 1637-8.<sup>46</sup> While increasing the assertiveness of their petitioning to pressure the Crown, at the same time organisers sought to shore up the legitimacy of these new practices by adhering to feudal conventions of humble language and presentation and blaming unpopular policy on evil councillors rather than poor royal judgement. In addition, petitioners made great efforts to portray their complaints as the unified voice of a corporate body, as anything less would indicate faction and reduce the moral authority of the petition. Though they encouraged the participation of ordinary subjects to back their petitions, supplicants drew a veil over the rebellious implications of this by positioning signatories as members of the social hierarchy of a petitioning locality.<sup>47</sup>

Despite oppositional efforts to establish the legitimacy of adversarial petitioning, Stuart governments recognised the subversive power of these innovations.<sup>48</sup> As successive governments in Scotland attempted to repress adversarial petitioning in the seventeenth century, the right to petition for relief of grievances emerged as a key political issue, with the leaders of the 1666 Pentland Rising attributing their rebellion to their inability to petition the king.<sup>49</sup> Reacting to Stuart controls, the 1689 Convention secured the liberty of petitioning in the Claim of Right, declaring that 'it is the right of all subjects to petition the King, and that all imprisonments and prosecutions for such petitioning, are contrary to law.'<sup>50</sup> Under

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<sup>46</sup> John Earl of Rothes, *A Relation of Proceedings Concerning the Affairs of the Kirk of Scotland, from August 1637 to July 1638* (Edinburgh, 1830); Macinnes, *Charles I.*

<sup>47</sup> Zaret, *Origins of democratic culture*, 91-97.

<sup>48</sup> Richard Cust, 'Charles I and Popularity', in *Politics, Religion and Popularity in Early Stuart Britain*, ed. Thomas Cogswell, Richard Cust and Peter Lake (Cambridge, 2002).

<sup>49</sup> C.S. Terry, *The Pentland Rising and Rullion Green* (Glasgow, 1905), 55.

<sup>50</sup> Gordon Donaldson, *Scottish Historical Documents* (Glasgow, 1999), 256.

this protection, oppositional parties revived mass petitioning with the Country campaign of 1699-1701.

Although the Claim of Right secured the privilege to petition, the legitimacy and power of adversarial petitioning remained in question. The continuing acceptance of conventions of humble entreaty and consensual opinion, as well as the association of mass petitioning with the disorders of the civil war period, allowed the Court to challenge aggressive or populist petitions. Under the perceived protections of the Claim of Right, William's ministers found that they could not forbid addressing by proclamation but they could use more subtle means of management in the discouragement of unwelcome addresses. In addition, the Court continued to reject popular involvement in politics, eschewing counter-addressing.<sup>51</sup> As a result, adversarial addressing through locality petitions and mass subscription to national addresses remained a tactic of the opposition in the period before the union debates.

In responding to the Country party's national address of December 1699, some councillors urged strong repression, with the Lord Advocate arguing that meetings for subscriptions defied standing laws against convocations of the leiges.<sup>52</sup> Others in a Council committee believed that 'the Council could not in law prescribe the ways and methods of the subjects' petitioning.'<sup>53</sup> Despite this committee recommendation, the Council voted by thirteen to ten to issue a proclamation from the king denouncing further Darien petitioning.<sup>54</sup> Issued on 18 December, this proclamation did not deny the subject's liberty to petition but condemned the Country

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<sup>51</sup> This differed from the situation in England. See Chapter 2 for more details.

<sup>52</sup> Patrick, 'People and Parliament', 232.

<sup>53</sup> NAS PC 1/52/23.

<sup>54</sup> *Marchmont papers*, 193-4.



party for overturning normal practices. Given that the king had in October answered an African Company petition with the statement that 'the parliament shall meet when we judge that the Good of the Nation does require it,' this 'ought to have given intire Satisfaction to all our Good Subjects.' The king decried the party's 'Design of Addressing Us of New, on the same heads' and accused the organisers of fomenting sedition in their 'unusual Method' of generating subscriptions. Petitioning, William declared, would not be discouraged as long as 'the same is done in an Orderly manner' and the king's answers respected as final.<sup>55</sup>

Unfortunately for the Court, the king's proclamation created widespread resentment and encouraged greater support for the party's national address. According to the Earl of Marchmont, 'all the matter of discourse here, is quite changed from that of the company and the colony, to that of the subjects' privilege and freedom of addressing to, and petitioning the king.'<sup>56</sup> Manuscripts like *A few remarks on the proclamation* (1699) asserted the acceptability of repeated petitioning where there were 'just and weighty reasons of Adressing of new' and declared any attempt to limit petitioning to be unlawful.<sup>57</sup> As the Country party continued to circulate its petition, Archibald Pitcairne claimed that 'Twice So many have signed since the proclamation anent Petitioning, as signed it before.'<sup>58</sup>

In response, the Crown's ministers turned to their usual management methods of 'private pains.'<sup>59</sup> Pressure was exerted on corporations and localities to reduce

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<sup>55</sup> *Collection*, 87-8, 103-5.

<sup>56</sup> *Marchmont papers*, 198.

<sup>57</sup> NLS Wodrow Quarto LXXIII, f. 234.

<sup>58</sup> NAS PC 1/52/67.

<sup>59</sup> *Marchmont papers*, 194.

subscriptions, with demonstrable results: in a January 1700 meeting of the Edinburgh Merchant Company, only thirty of 300 members attended to sign the national address after Court discouragement, while in Glasgow and Ayr, the provosts assisted the Court in opposing the petition locally. Counter-canvassing by Seafield in Banffshire limited support for the third national address, while Marchmont worked against it in Berwickshire.<sup>60</sup>

William and Anne also discouraged petitioners when they brought unwanted addresses to London.<sup>61</sup> Delegates could be kept waiting for weeks before being allowed an audience and an audience did not guarantee an answer. William refused to give an immediate reply to the Country party's June 1700 address, stating that 'you shall know my intentions in Scotland.'<sup>62</sup> Anne went even further by refusing to accept the national address provided by the Country party after their abandonment of her first Parliament in 1702.<sup>63</sup> Loyal addresses, on the other hand, were welcomed by William and Anne, with some being printed in the London and Edinburgh *Gazettes* to publicise Scottish support for the monarch.<sup>64</sup>

Alongside these efforts to repress participation, the Court also made calculated concessions to petitioned grievances to reduce public opposition and reinforce their own followings. This is best seen in the Darien case, where managers won Court cross-voters back to the government's majority in the October 1701

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<sup>60</sup> Patrick, 'People and Parliament', 234, 237-8, 264, 268.

<sup>61</sup> Riley, *King William*, 135.

<sup>62</sup> *Collection*, 130. An answer was provided several weeks later in a published letter to the Privy Council.

<sup>63</sup> 'Scotland's ruine', 14.

<sup>64</sup> See Chapter 2 for more on loyal addresses.

session by supporting laws to resolve lesser petitioned grievances, such as *habeas corpus*, while compromising on an address to the King on the Darien situation.<sup>65</sup>

With the revival of adversarial addressing by the Country party in 1699, public representations of local and national opinion began to play a role in Scottish parliamentary politics. Through addressing, oppositional groups could exert significant pressure on the government by applying the moral authority of a declared corporate consensus and the covert suggestion of popular discontent. At the same time, however, excess assertiveness could undermine the legitimacy of an address. Though the Claim of Right protected the privilege of petitioning, the Court still tried to uphold longstanding traditions of humble supplication. This made adversarial addressing a more appropriate tactic for oppositional groups like the Country party. Instead of turning to counter-addresses, the Court focused on minimising the impact of aggressive addressing through discouragement and concessions.

*Anti-Treaty Addresses & Instructions, 1706-7*

Petitioning precedents established from 1699 shaped the strategies of the Country party as it responded to the treaty of union in 1706. As signalled by pamphlets asserting the sovereignty of parliamentary constituents, the Country party intended to invoke public opinion to block the treaty.<sup>66</sup> This began with the organisation and publication of instructions to MPs against the treaty from shires and

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<sup>65</sup> Riley, *King William*, 150-1.

<sup>66</sup> See Chapter 4 for more on Country pamphlets.



burghs, followed by the generation of seventy-nine petitions from 116 different shires, burghs, towns, presbyteries and parishes, signed by over 20,000 subjects. These joined national addresses from the Church, the Convention of Royal Burghs, the African Company and the Cameronian societies.<sup>67</sup> Though the party did not produce these addresses to order, party pamphlets and leaders played a significant role in encouraging and shaping local and national representations to Parliament. Together these petitions constituted a more complex programme than that seen in 1699-1701 with a far greater number of addresses and more participation of ordinary subjects. In keeping with petitioning conventions, anti-treaty addresses sought to convince Parliament of a consensus of opinion in the estates against incorporating union. Addressers tried to develop an impression of mass solidarity by seconding national addresses, such as those of the Commission of the General Assembly; and by collecting signatures from hundreds of local inhabitants. In turn, speakers in Parliament like Hamilton and Athol cited the addresses as evidence of popular disapproval of the treaty and demanded that Parliament petition the queen for fresh elections. At the same time, Country speakers and some addresses also pointed to the threat of popular disorder suggested by mass petitioning, adding the pressure of riot and rebellion to their assertions of constituent sovereignty. These messages were directed at London as well as Edinburgh, as prints and reports of the addresses sought to convince both the Court and the English Parliament of Scottish intransigence on union.

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<sup>67</sup> See Appendices A-E.

Before bringing addresses to Parliament, the Country party first sought to generate instructions from shires and burghs demanding that their MPs vote against the treaty. To maximise the force of these instructions, some were made public through printing, and even handed out as pamphlets to members. This more aggressive use of instructions transformed these normally private communications into public statements of opinion designed both to prevent MPs from succumbing to Court blandishments and to act as anti-treaty propaganda for a wider audience.

As a 'Commissioner' for a locality, a member of the Scottish Parliament was expected 'not just to air his views or cast his vote on national affairs, but to defend and advance the interests of his own shire' or burgh.<sup>68</sup> At a pragmatic level, the use of instructions resembled normal business practices between those commissioning purchases and those doing the purchasing, such as ship owners and captains or gentlemen and their factors. Shire electors and burgh councils routinely communicated local objectives and concerns to their parliamentary commissioners via private instructions, such as a 1703 direction from Stirling to its MP indicating the town's desire for an act for two new fairs.<sup>69</sup> Similar practices prevailed for burgh representatives to the Convention of Royal Burghs and presbyterial representatives to the General Assembly.<sup>70</sup>

However, as the Country party developed ways to apply public opinion against the Crown from the late 1690s, instructions became a tool by which local

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<sup>68</sup> William Ferguson, 'Electoral Law and Procedure in Eighteenth and Early Nineteenth Century Scotland', Ph. D. dissertation (University of Glasgow, 1957), 31.

<sup>69</sup> *Extracts from the Records of the Royal Burgh of Stirling, 1667-1752* (Glasgow, 1889), 99.

<sup>70</sup> For example, Lanark burgh records include instructions to commissioners to Convention and Parliament: see *Extracts from the Records of the Royal Burgh of Lanark* (Glasgow, 1893), 254, 260-1, 273. Presbyterial instructions listed issues to be raised in the Assembly's Committee of Overtures or in open Assembly if necessary. For an instance of this, see NAS CH 1/2/23/3(186).



opinion on national matters could be conveyed to a political assembly. In Parliament, some Country constituencies used instructions to direct their members to support the Darien colony during the 1700-1 sessions; and to prevent the settlement of the succession in 1704.<sup>71</sup> In the Church, while most presbyteries continued to focus on local matters in their instructions to Assembly representatives, Country presbyteries like Lanark and Hamilton began to use instructions to press matters of national scope, such as demands that the Church assert its intrinsic rights or prevent toleration of Episcopalian ministers.<sup>72</sup>

Such instructions appear to have remained private, though the English practice of public instructions to MPs would have been familiar to readers of the *Edinburgh Courant* or the London papers.<sup>73</sup> In 1706, Country leaders saw an opportunity to escalate the impact of instructions by using them as public representations against the treaty. As early as April 1706, the London newspaper publisher George Ridpath recommended that instructions against the treaty be organised.<sup>74</sup> In October, the anti-treaty instructions of the burgh of Lauder appeared in Ridpath's *Flying Post* and as a separate pamphlet. Lauder warned that the proposed union would tend 'to the destruction of their ancient Constitution, and all their Rights and Privileges, as a free People in general, and to every individual Person and Society ... especially that of the Boroughs.' Lauder's MP was required to reject the treaty unless Parliament amended

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<sup>71</sup> Riley, *King William*, 136; Riley, *Union of England and Scotland*, 97.

<sup>72</sup> NAS CH 1/2/23/3(180, 191). Hamilton presbytery demanded an assertion of the Church's rights at every Assembly from 1695.

<sup>73</sup> Not long before the union debates, the *Courant* reprinted 'Instructions by the Free-Holders of the County of Middlesex, given to their Representatives after their Election, May 28, 1705' (*Edinburgh Courant*, no. 53 (Wed. 20 June-Fri. 22 June 1705)).

<sup>74</sup> 'Correspondence Between George Ridpath and the Reverend Robert Wodrow', in *Miscellany of the Abbotsford Club* (Edinburgh, 1837), I, 390.



it to maintain the Scottish Parliament. If he did not obey, the burgh protested that ‘his Vote in the contrary thereof is null.’ Drawing on traditions of estate cooperation, Lauder declared that it had published its instructions in order that ‘our Opinion and Proceedings may be made known to our Brethren the other Royal Burrows.’ Despite this, the instructions were used to lobby not just the estate of burghs but all of Parliament with a copy of Lauder’s letter to its MP being handed ‘to every Member as they entered the House’ on 28 October.<sup>75</sup> Like Lauder, the burghs of Dunfermline and Dumbarton also chose to publish their instructions, with Dumbarton printing a town council resolve of 4 October directing its MP to ‘declare their dislike of, and dissent from, the said union, as in their judgement inconsistent with, and subversive of, the fundamental laws and liberties of their nation, and plainly evacuating all the publick oaths this nation lyes under.’<sup>76</sup> Among the shires, electors in Dumfriesshire printed their *Instructions for the Commissioners of the Sheriffdom of Dumfries* (1706). Signed by thirty-one ‘Barons, Freeholders, Heritors, and others,’ this declared the treaty subversive of ‘Three great and valuable Interests...Our Church Government by Law Established, Our Liberty, and Our Trade’ and required the commissioners to vote against any article inconsistent with these interests.<sup>77</sup>

As well as instructions, the opposition also generated mass addresses against the treaty, taking advantage of widespread popular awareness of union issues created

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<sup>75</sup> *Flying Post*, no. 1796 (Tues. 5 Nov. -Thurs. 7 Nov. 1706); *Instructions by the Magistrates and Town Council of the Burgh of Lauder, to their Commissioner in Parliament* ([1706]).

<sup>76</sup> *Report on the Manuscripts of the Earl of Mar and Kellie* (London, 1904), 318; *Dumbarton Burgh Records, 1627-1746* (Dumbarton, 1860), 102.

<sup>77</sup> Dumfries Archives G2/6/17.

through Country print from 1699.<sup>78</sup> As in 1700-1, addresses from shires and burghs to Parliament provided an opportunity for the Country party to convince MPs of overwhelming public opposition to the treaty. In addition, published addresses acted as propaganda for the party. Thanks to 'pains taken by the Tories to procure addresses,' fifteen of thirty-three shires (45%) and twenty-two of sixty-six royal burghs (33%) submitted addresses, along with nine towns, three presbyteries and sixty-seven parishes for a total of 116 localities.<sup>79</sup> These numbers far exceeded the twenty-six addressing shires and burghs of 1700-1, though the petitioning localities did not represent a majority of their respective estates.

According to Lockhart of Carnwath, Country party leaders in Edinburgh agreed on a standard text to be provided to sympathetic localities. A substantial proportion of the petitions used this text, particularly among the shires.<sup>80</sup> As in previous campaigns, some edited the party text to include local concerns while maintaining the general party argument.

To His Grace, Her Majesty's High Commissioner and [the] Right Honourable the Estates of Parliament, the Humble Address of \_\_\_\_\_

Humbly Sheweth,

That we, undersubscribing, have seen the articles of the Union agreed upon by the commissioners nominated in behalf of Scotland, and the commissioners nominated in behalf of England, in which they have agreed that Scotland and England shall be united in one kingdom, and that the united kingdom shall be represented in one and the same Parliament. And seeing it does evidently appear to us that such an incorporating union as contained in these articles is contrary to the honour, fundamental laws and constitutions of this kingdom, Claim of Right and rights and privileges of the barons and freeholders and burrows of this kingdom and church, as by laws established, and that the same is destructive to the true interest of the nation.

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<sup>78</sup> Defoe, *History of the Union*, Minutes, 23. See Chapters 3 and 4 for more on Country print and popular awareness of union issues.

<sup>79</sup> *Correspondence of George Baillie of Jerviswood MDCCII-MDCCVIII* (Edinburgh, 1842), 166. See Appendices E and F for addresses.

<sup>80</sup> See Appendix H and below.



Therefore, we humbly beseech your grace and Honourable Estates, and do confidently expect, that you will not allow of any such incorporating union, but that you will support and preserve entire the sovereignty and independency of this crown and kingdom, and the rights and privileges of Parliament, which have been so valiantly maintained by our heroick ancestors for the space of two thousand years, that the same may be transmitted to succeeding generations as they have been conveyed to us. And we will heartily concur with you for supporting and maintaining our sovereignty and independency and church government with our lives and fortunes, conform to the established laws of the nation.<sup>81</sup>

This text provided a straightforward constitutional argument against incorporation familiar to readers of Country pamphlets. For the past several years, Country discourse had condemned incorporating union as subversive of fundamental law while urging reform of the regnal union to protect Scottish sovereignty, privileges and interests. The address also drew on a long-standing perception of Scotland as an ancient, undefeated kingdom, continuing Country efforts to associate its agenda with patriotism.<sup>82</sup> Importantly, the text did not discuss the succession, thus avoiding areas of disagreement between Jacobite and Hanoverian Country followers; nor did it enter into particular issues of trade or religion aside from general references to Scottish interests and the maintenance of the established church government.

Having agreed a common text, Country nobles used their regional connections to encourage local addressing. The influence of the Duke of Hamilton is best seen in the supply of thirty addresses from Lanarkshire out of a total of seventy-nine (38%). Many of these used the party text, including a group of Lanarkshire parishes led by Hamilton parish.<sup>83</sup> In a letter to Harley, Daniel Defoe complained that the ‘worst people are about Hamilton and that Side of the Country, and principally because

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<sup>81</sup> *‘Scotland’s ruine’*, 149.

<sup>82</sup> See Chapters 3 and 4 for more on Country discourse.

<sup>83</sup> See Appendices F and H.



they...are Dayly Deluded by the party of that family.’<sup>84</sup> Similarly, the Duke of Athol appears to have coordinated a set of addresses from Perthshire and western Fife, joined by a pair of petitions from several Perthshire parishes associated with the Jacobite Earl of Errol.<sup>85</sup> The Athol and Errol addresses used the Country party text with the addition of a legal argument citing particular parliamentary acts as bars to incorporation, an argument also seen in a protest made in Parliament by Athol on 4 November 1706.<sup>86</sup> The Marquis of Annandale also seems to have organised a group of three addresses from the stewartry of Annandale and the burghs of Annan and Lochmaben using a text that echoed key points in the party address while expressing a willingness for federal union on ‘all Warrs, Treaties and Allyances ... And for securing the Protestane Succession of both kingdoms against all Popish pretenders.’<sup>87</sup> This argument followed from Annandale’s resolve of 4 November 1706 proposing that either a new union be negotiated to cover matters of ‘Succession, Warrs, Alliances and Trade,’ or the Hanoverian succession be settled with limitations.<sup>88</sup> Further evidence of a connection with the Marquis can be seen in the stewartry’s document, as the paper appears to be a manuscript form with the name of the stewartry written onto the document in a different hand and ink.<sup>89</sup> This suggests that

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<sup>84</sup> *The Letters of Daniel Defoe*, ed. George Harris Healey (Oxford, 1955), 183.

<sup>85</sup> The Athol group is NAS PA 7/28/16-18 Perthshire; PA 7/28/32 Dysart; PA 7/28/33 Falkland. A note on the back of Falkland’s address states that the paper was presented to Parliament by the Duke of Athol. The Errol group is PA 7/28/69 Errol, Kilspindie, Kinnaird, Inchtute, Longforgan, St. Madoes & Kinfauns; PA 7/28/58 Caputh, Lethandy, Alyth & Kinloch.

<sup>86</sup> NAS PA 7/20/16. See Appendix H.

<sup>87</sup> See Appendix H. The Marquis’ likely influence with the Annandale localities is reinforced by his position as the provost of Lochmaben (*The Lochmaben Court and Council Book, 1612-1721*, ed. John B. Wilson (Edinburgh, 2001), 241).

<sup>88</sup> NAS PA 7/20/15.

<sup>89</sup> NAS PA 7/28/3 Annandale.

blank copies of the address were provided to locations in Annandale from a central source.

As a group, the shire addresses adhered mostly closely to the Country party's standard arguments against union, with some adding concerns for the potential loss of trade or the danger to the Church. Of fifteen shires addressing, thirteen used the Country party text.<sup>90</sup> This adherence to the party line coincides with a strong presence of oppositional MPs in addressing shires. In fourteen of fifteen shires, at least half of the shire's MPs voted against the treaty, with only one petitioning shire having a Court majority (Roxburghshire).<sup>91</sup> Party influence in the shires is confirmed by the use of the party text in five of eight addressing towns, all of which came from shires with strong Country party representation. In addition, all but one of the addressing towns were located in shires that also addressed against the treaty.<sup>92</sup>

A number of royal burghs also followed the party text, though as an estate the burghs showed a greater propensity to address in defiance of Court MPs. This was aided by the use of the Convention of Royal Burghs as a forum for the organisation of local resistance to the treaty. About half of the addressing burghs (twelve of twenty-two) had anti-treaty MPs; of these twelve, eight used the party text. Of the remaining ten burghs with pro-treaty MPs, another four addressed with the party text and three used the national text of the Convention of Royal Burghs.<sup>93</sup> The role of the Convention as a channel for opposition is best seen in Stirling, where Lt. Col. John

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<sup>90</sup> See Appendix H.

<sup>91</sup> Roxburghshire's address may have been the work of the shire's sole anti-union MP, Sir Gilbert Elliot of Minto. Though usually a Court follower, Minto chose to oppose the treaty on religious grounds (*Mar manuscripts*, 315).

<sup>92</sup> See Appendix G.

<sup>93</sup> See Appendices G and H.



Erskine bowed to Court obligations to vote for union while providing the text used by the Convention in its anti-union address and organising another address from his burgh against the treaty.<sup>94</sup>

Anti-incorporationists like Erskine saw an opportunity to represent public opinion against the treaty with a national address from the Convention of Royal Burghs, supported by burgh petitions. After a fierce debate and by a narrow margin, the Convention voted in early October to address Parliament against the terms of the treaty.<sup>95</sup> Reflecting the influence of Hanoverian Country discourse as well as the traditional economic interests of the burghs, the Convention's address advanced issues on trade, taxation and religion alongside the constitutional arguments emphasised by the Country party text. Echoing Ridpath and Hodges, the Convention acknowledged that it was 'not against a Honourable and safe union with England,' but asked that such a union be consistent with 'the being of this kingdome and parliaments.' The Convention focused on the loss of the Scottish parliament, 'without which we conceive neither our religious nor our civil interests and trade, as we now by law enjoy them, can be secured to us.' In the British parliament, 'the mean representation allowed for Scotland can never signifie in securing to us the interests reserved by us' for 'all the concerns of trade and other interests, are after the union subject to such alterations, as the parliament of Brittain shall think fitt.' Moreover, 'our poor people are made lyable to the English taxes which is a certain unsupportable burden;' 'the trade proposed is uncertain, involved, and wholly

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<sup>94</sup> *Extracts from the Records of the Convention of the Royal Burghs of Scotland (1677-1711)* (Edinburgh, 1880), IV, 399-400; *Letters of Daniel Defoe*, 153. As an army officer as well as provost of Stirling, Erskine had professional obligations to the Earl of Mar, the Governor of Stirling Castle.

<sup>95</sup> *Convention records*, IV, 399-400.



precarious;' and 'the most considerable branches of our trade are different from those of England.' To protect Scottish interests, the Convention asked the Parliament to reject an incorporating union and to maintain Scotland's sovereign Parliament, the Presbyterian Church and the Protestant succession.<sup>96</sup>

Not surprisingly, a number of burghs echoed the Convention's concerns for higher taxes and trading risks. Some forecast the ruin of local industries, as in Dunbar's fears for the impact of higher salt duties on its herring trade, while others condemned the economics of incorporation in general terms, as in Perth's rewriting of the Country party text to emphasise 'Intollerable Taxes and Impositions.'<sup>97</sup>

Alongside economic complaints, however, burghs also stressed the threat presented by incorporation to the Presbyterian Church and asked Parliament to take steps to secure the Protestant succession in a federal union. While the Country party text had taken a soft line on the Church and the succession to maintain the party's coalition of Jacobite and Hanoverian interests, burghs emphasised their concern for Presbyterian government and a Protestant Crown, whether through the Convention's text, their own texts or an edited version of the party text.<sup>98</sup>

In part, the orientation of burgh petitioning to religious concerns indicates the local influence of activist clergy and elders. In a letter to a Glasgow baillie, Robert Wodrow urged the town council to address against the treaty, stating that 'we wonder very much that there is no application from such a place as Glasgow to the parliament...I am satisfied that our all is at the stake now, and if some appearance be

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<sup>96</sup> See Appendix D for the complete text.

<sup>97</sup> NAS PA 7/28/30 Dunbar; 7/28/44 Perth.

<sup>98</sup> See Appendix H.

not made...when there is room for addressing, the presbyterian party may Repent it.’<sup>99</sup> Several church elders in Glasgow also appealed to the town’s leaders for an address, while on a fast day in November, the minister James Clark of Glasgow’s Tron church reminded his listeners ‘how forward Glasgow used to be in the Honest Cause,’ urging them not just to pray, but to be ‘valiant for the City of our GOD.’ A mob appeared later that afternoon after the provost refused to address against the treaty, forcing him to flee to Edinburgh while a group of deacons organised an independent petition from the ‘Merchants and Trades of the City of Glasgow’ using the Convention of Royal Burghs text.<sup>100</sup>

The involvement of ministers like Wodrow in local addressing reveals a split between Court and Country Presbyterian clergy over petitioning strategies. As seen in the anti-toleration activities of 1703, Court-affiliated Church leaders were willing to address the government in defence of Church interests with humble General Assembly petitions or loyal addresses, but they rejected adversarial or mass addressing. In 1706, however, activist Country clergy pressed for repeated, aggressive petitioning from the Commission of the General Assembly and organised parish and presbytery addresses to back these, with some parishes using a form of the Country party text. Some ministers believed that locality addresses were necessary to prove ‘whether the commission has freinds to back them in Remonstrating against the subjection of the church and land to the abjured English Bishops, and to stand by them in vindicating the Covenanted work of the Reformation.’<sup>101</sup>

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<sup>99</sup> NLS Wodrow Quarto XL, item 12, f.44.

<sup>100</sup> Defoe, *History of the Union*, 59-63; NAS PA 7/28/34 Glasgow. See Chapter 6 for more details.

<sup>101</sup> NLS Wodrow Quarto XL, item 12, f.44.



Country pressure for addressing appeared first in the Commission of the General Assembly. Religious issues having been left out of the union negotiations, the Queen indicated in her letter to Parliament her commitment to the maintenance of the Presbyterian Church in the proposed union.<sup>102</sup> This provided a clear opportunity for the Church to petition Parliament to ratify the Presbyterian establishment as part of the union agreement, leading the Commission of the General Assembly to create a committee to draft an address to Parliament in early October. Dominated by moderate ministers and Court elders, the committee included William Carstares, William Wisheart, George Meldrum, David Blair, the Earl of Glasgow and the Lord Justice Clerk Adam Cockburn of Ormiston. Though Country ministers from the Synod of Glasgow asked the Commission also to petition for a national fast on the Union, the Commission chose to accept the committee's recommendation of what Daniel Defoe called a 'Moderate and well Temper'd' address requesting greater security for the Church in the proposed union.<sup>103</sup>

After this first petition of 17 October, oppositional ministers continued to press for a national fast and a further supplication on contentious religious issues, supported by Country elders like Lord Belhaven. As increasing numbers of activist ministers arrived in Edinburgh to join the Commission, the Commission's Court leaders managed to secure a compromise on the fast with the authorisation of a local day of prayer on union. Nevertheless, a committee containing several Country

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<sup>102</sup> *APS*, vol. xi, 306.

<sup>103</sup> NAS CH 1/3/8/226-232; Defoe, *History of the Union*, 26; see Appendix B for the Commission's first petition.



ministers wrote a more assertive second petition to Parliament.<sup>104</sup> Though not as aggressive as surviving draft petitions by ministers like Robert Wylie of Hamilton parish, this second address raised divisive issues such as the presence of bishops in the British parliament.<sup>105</sup> Despite protests in the Commission and in Parliament by a group of Court elders including the Earls of Rothes and Marchmont and George Baillie of Jerviswood, the Church's second petition was submitted to Parliament on 8 November.<sup>106</sup>

The Commission's second petition arrived in Parliament as the House debated the Act for Security of the Protestant Religion, introduced in response to the Church's first supplication. As Court leaders resisted amendments to this act, Country ministers began to pursue locality petitions to support the Church's representations.<sup>107</sup> Between 6 and 12 November, nine parish addresses came to Parliament, led by Robert Wylie's Hamilton parish; after 12 November, a further twenty-one parish addresses arrived, plus petitions from Hamilton, Lanark and Dunblane presbyteries.<sup>108</sup>

Though the Commission continued to petition Parliament with two minor addresses in December and January, oppositional ministers focused on the generation of mass petitions from localities. Among these, the aggressive tone of the address from Hamilton presbytery meant that it 'narrowly escap'd in parliament being

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<sup>104</sup> *Mar manuscripts*, 293; CH 1/3/8/250-1, 259-265.

<sup>105</sup> NLS Wodrow Quarto XL, items 16-17, f.52-3; see Appendix C for the second petition.

<sup>106</sup> Sir John Clerk of Penicuik, *History of the Union of Scotland & England*, ed. Douglas Duncan (Edinburgh, 1993), 119; Defoe, *History of the Union*, App. Part II 16-17. The ruling elders of the Church were 'for the most part dependers on the government' (*Scotland's ruine*, 155).

<sup>107</sup> Lockhart reports that 'many additional clauses for its better security were offered and rejected, being opposed by the Earl of Marchmont, the Justice Clerk, and others. ...These and other Courtiers being affraid to give the Church of England too much cause of jealousy' (*Scotland's ruine*, 163).

<sup>108</sup> See Appendix F.

censur'd as seditious and being burnt by the Hangman.'<sup>109</sup> As Defoe wrote to Harley, the 'proceedings of the Kirk are more calm and regular but the presbyteries in the Country act with no manner of consideration.'<sup>110</sup> Key organisers of parish and presbytery petitions included Robert Wylie, who had strong links to the Hamilton family and was the author of Country pamphlets against toleration and union; Archibald Foyer of Stonehouse parish in Hamilton presbytery, an author of Country pamphlets on Darien and union, including one burned by the hangman in December 1706; John Ballantyne of Lanark parish, also an author of pamphlets against toleration and union; and Thomas Linning of Lesmahagow parish in Lanark presbytery, a former Cameronian who came into the Church at the 1690 settlement.<sup>111</sup> Both Ballantyne and Linning were known as firebrands on the Commission, while Wylie and Foyer had been connected with Country agitations on the Commission since the late 1690s.<sup>112</sup> According to George Baillie of Jarviswood, Wylie led a 'squadron' of anti-treaty ministers on the Commission 'acting such a pairt as they did in the late troubles.'<sup>113</sup>

By generating presbytery addresses, these ministers sought to reinforce the objections raised in the Commission's second address while hinting at the peril of popular dissatisfaction with the treaty. Lanark presbytery's address pointed to several

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<sup>109</sup> *Letters of Daniel Defoe*, 187.

<sup>110</sup> *Ibid.*

<sup>111</sup> See Chapters 3 and 4 for more on these authors. The links between Robert Wylie and the Duke of Hamilton can be seen in a letter from the Duke to Wylie dated 8 October 1706 on the treaty. As well, James Hodges wrote to Wylie in September sending his new pamphlet and advising Wylie to discuss it with the Dukes of Hamilton and Athol (NLS Wodrow Quarto XXX, f. 269, 271).

<sup>112</sup> 'Scotland's ruine', 155; *Letters of Daniel Defoe*, 152. In December of 1706, Linning, along with Robert Wodrow and William Thompson, minister at Tundergarth near Lochmaben, was detailed to lobby key members of Parliament against union (NLS Wodrow Quarto XL, item 23, f.64).

<sup>113</sup> *Jerviswood correspondence*, 167.



concerns in the Church's second address 'of which there is no Notice taken in the Act of Security for the Church,' while Hamilton tried to buttress the second address by insisting that there was 'a full unanimity therein amongst the Ministers of this National Church.' Moreover, Hamilton demanded that 'no Incorporating Union with England may be concluded until Her Majestie shall be pleased to call the General Assembly of this Church; Which ... hath an undoubted Right to be consulted.' Both Lanark and Hamilton stressed the danger represented by discontent among the people. Hamilton stated that 'the Ferment and Dissatisfaction doth so increass amongst all that we are Justly afraid of what these things may turn into.' If Parliament were to approve union, Lanark feared 'the fatal consequences thereof,' the treaty having created 'such a ferment.'<sup>114</sup>

Presbytery addresses revealed similarities to some Country pamphlets in their preference for a union that would be safe for the Church and consistent with the Covenants.<sup>115</sup> While rejecting the proposed treaty, Hamilton indicated its commitment to the Protestant British union by asking Parliament to petition the Queen for the Hanoverian succession instead of the current treaty. The clergy of Lanark expressed their desire for 'such a firm Union...as may be Honourable to the State, safe to the Church, and beneficial to both' while asking Parliament to 'prevent the abovementioned Union, which we humbly judge Contrarie To our known principles and Covenants.' Dunblane also described the proposed union as that

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<sup>114</sup> NAS PA 7/20/28 Lanark Presbytery; NAS PA 7/20/50 Hamilton Presbytery.

<sup>115</sup> See Chapter 4 for more on Country discourse.



which 'we cannot goe in without guilt before God in a manifest breach of our Solemn Covenants.'<sup>116</sup>

Activist ministers tried to recruit more presbyteries to address, but were more successful in generating petitions from their parishes.<sup>117</sup> Twenty-two parish petitions came from Hamilton, Lanark and Dunblane presbyteries, accounting for nearly three-quarters of all such addresses.<sup>118</sup> Of the fourteen parishes in Hamilton presbytery, thirteen submitted addresses, many sharing the same text. In Lanark presbytery, ten of eleven parishes addressed against union with many also using a common text. In more moderate Dunblane, nine of the presbytery's twelve ministers subscribed the presbytery address, but only the eastern parishes of Logie and Tulliallan addressed in their own right, sharing a text of their own composition.<sup>119</sup>

Like the presbyteries and burghs, most parishes indicated their interest in a Protestant Britain in which the Scottish Church and Parliament would be preserved. Within this framework, parish addresses ran the gamut from conventional statements of opposition with clear links to the Country party to more florid outbursts containing arguments similar to those of the national address of the Cameronian societies.<sup>120</sup> A group of Lanarkshire parishes led by Avendale shared an original text asserting their interest in 'ane honourable and safe unione, with England, consisting with the being, and Civill Libertyes of this Ancient Kingdom...And Consisting with our Covenanted

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<sup>116</sup> NAS PA 7/20/28 Lanark Presbytery; NAS PA 7/20/50 Hamilton Presbytery; NAS PA 7/20/49 Dunblane Presbytery.

<sup>117</sup> NLS Wodrow Quarto LXXIII, f.271, 277-278.

<sup>118</sup> See Appendix F. This tally excludes petitions from parishes addressing with their town. These twenty-two addresses represented 73% of thirty petitions from parishes alone. Ten other addresses from burghs also included their local parish.

<sup>119</sup> See Appendices F and H.

<sup>120</sup> See Chapter 4 for more on mainstream and radical Country Presbyterian pamphlets.

work of Reformatione.’<sup>121</sup> Another group of parishes led by Hamilton advanced the constitutional arguments of the Country party text against incorporation with added complaints on bishops in the British Parliament and the demand that any union ‘consist with our Glorious work of Reformation According to our Nationall Covenant.’<sup>122</sup> With its own address, Cambuslang expressed the parish perspective in stronger language than most, declaring that the treaty would ‘subvert the present established government of our church,’ ‘strip her of her intrinsick pouer and liberties’ and ‘bury our most glorious covenanted work of reformation [in]...an intire enslaving of our church and Nation. ...[Y]ea no more to be a church and Nation, but a poor contemptible antiquated colonie.’<sup>123</sup> Reflecting the parish’s strong Covenanting heritage, this fiery language represented a radical fringe in parish petitioning.<sup>124</sup>

Cambuslang’s petition had more in common with the national petition of the Cameronian societies than the standard Country party text or the Church’s petitions. The Cameronian address challenged petitioning conventions more than most by coming from ‘a Considerable body of People in the South & Western Shyres’ rather than an accepted corporate body in the political nation and by advancing disturbing arguments against the treaty. Like many burghs and parishes, the Cameronians stated their willingness to enter into a union with England as long as it was ‘consistent with the liberty of our Nation and with our sacred Covenants and security of our Church’ and made similar complaints to other addressers on the presence of bishops in the Parliament, English oaths and tests and the risk of toleration in union. Alongside this,

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<sup>121</sup> NAS PA 7/28/50 Avendale. See Appendix H for the Avendale group.

<sup>122</sup> NAS PA 7/28/71 Hamilton. See Appendix H for the Hamilton group.

<sup>123</sup> NAS PA 7/28/56 Cambuslang.

<sup>124</sup> James Alexander Wilson, *A History of Cambuslang* (Glasgow, 1929).



however, they declared the impossibility of joining with ‘a Nation deeply guilty of Many National Abominations, who have openly broke and burnt their Covenant with God and league with us, entred into, in the Year 1643.’ Any new union with England would require a joint renewal of the Solemn League and Covenant. Moreover, like more radical Covenanting pamphleteers, the Cameronians rejected Parliament’s authority to pass the treaty over popular objections ‘tho a prevailing party in parliament should conclude the same.’ This exceeded even the assertive position of the parishes of Glen Ken, whose petition stated a formal protest against the passage of an incorporating union and desired ‘the same to be Recorded In the Registers of parliament.’<sup>125</sup>

Furthermore, while the Country party text promised to ‘concur’ with Parliament ‘for supporting and maintaining our sovereignty and independency and church government with our lives and fortunes, conform to the established laws of the nation,’ the Cameronians failed to mention the restraints of law in their promise to ‘stand by such noble patriots with life and fortune, as are for the Maintinance and defence of the Nations independencie and freedome, and of this Churches just power and proper privileges conform to our Attained reformation from 1638 to 1649.’<sup>126</sup> A few other parishes also suggested a readiness for independent and even rebellious action, as in Bothwell parish, which declared its obligation:

in Conscience and natural Dutie, by vertue of the Laws of god upon us, and of the land and the bounds of the oath of god, to joyn with heart and hand with all our faithfull bretheren and fellow subjects for the preservation of religion and liberty, and of the undoubted and fundamental Rights and privileges both of Church and State from being undermined and

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<sup>125</sup> NAS PA 7/28/70 Glen Ken.

<sup>126</sup> NAS PA 7/28/22 Southern & Western Shires.



Ruined by the saids Treaty and for the assistance of all true and noble Patriots as shall appear for the same good Cause'.<sup>127</sup>

In referring to the obligations of the Covenants and the risk of a popular uprising, these more aggressive addresses strained the conventions of humble petitioning. Similar contradictions were revealed in the solicitation of thousands of signatures on locality petitions. Subscriptions in 1706-7 dwarfed those of the 1699-1701 locality addresses: compared to the largest address of 1701 with 474 names, four anti-treaty addresses collected over 1,000 signatures each while many gathered several hundred for a total of over 20,000.<sup>128</sup> While the inclusion of many signatures could support the portrayal of a corporate consensus, large numbers participants also suggested a dangerously aware and activist public. Addressers tried to contain this contradiction by arranging signatures in a social hierarchy: the 'better sort' of a locality came first, followed by the 'meaner sort.'

Popular participation varied by locality, with the greatest proportion of ordinary signatories appearing at the parish level. In the shires, numbers of signatures varied from several dozen landed gentlemen to many hundreds of shire residents. Perthshire delivered the signatures of seventy-four landed gentlemen, while Aberdeenshire generated nearly 2,000 subscriptions, followed by about 1,200 from Midlothian and around 1,000 from Berwickshire. These larger addresses included many of middling to lower social rank, such as farm tenants and their servants and rural tradesmen like slaters, millers and carpenters. Compared to shires, burghs and towns showed a greater propensity to include ordinary inhabitants in their addresses

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<sup>127</sup> NAS PA 7/28/53 Bothwell.

<sup>128</sup> See Appendix I.

with most burghs and towns supplying a few hundred signatures. These encompassed a wide range of social levels, including merchants, professionals like schoolmasters and writers, artisans like tailors and wrights and less skilled workers like seamen. Relative to their size, parishes boasted the strongest levels of popular participation with only one parish petition securing less than 100 signatures.<sup>129</sup> In part, this reflected the use of church services as a rallying point for subscription, with ministers inviting the men of the parish to stay after the sermon to hear and sign an address.<sup>130</sup> Rough hands appeared more often in parish and burgh addresses, indicating the lower social levels of these subscribers. Signature illiterates were not excluded, as X or initial marks were allowed and subscriptions provided by elders and notary publics. These surrogates attested to the genuineness of these subscriptions: 'Wee David Kidie Patrick Sands and Hendrie Law elders doe testifie that the persons undernamed desired us to Insert their names because they could not wreat.'<sup>131</sup>

Addressers organised subscriptions by social level, specifying the locality's social hierarchy in the salutation and listing better signatures first. Shire addresses declared themselves to be the voices of barons, freeholders and gentlemen, with a few mentioning other inhabitants; while magistrates, town councils, merchants and deacons led the town addresses, followed by lesser inhabitants. In the burghs, subscriptions were often listed by trade to convey guild support, though this practice also reflected the collection of signatures at trade meetings. In Dunfermline, for

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<sup>129</sup> *Ibid.*

<sup>130</sup> *Letters of Daniel Defoe*, 140.

<sup>131</sup> NAS PA 7/28/65 Culross.



example, town officers appeared at the top of the list of signatures, followed by the hands of deacons and tradesmen under the headings of 'Baxters,' 'Weavers,' 'Merchants,' 'Wrights,' 'Shoemakers,' 'Taylors,' 'Masons,' 'Smiths' and 'Fleshers.'<sup>132</sup> When the town councils of Glasgow and Perth refused to sponsor burgh addresses, the organisers carefully emphasised the remaining corporate bodies of the burgh in an attempt to legitimise their independent action. In Glasgow, the address came from the 'Merchants and Trades of the City of Glasgow,' while in Perth, the address was formed by the 'Citizens, Burgesses, Trades, and other Inhabitants within the Town of Perth.'<sup>133</sup> In the smaller localities of towns and parishes, heritors and elders came first, seconded by masters of families and 'commons'. Some masters of families signed for their households, listing out sons and servants in the same hand.<sup>134</sup>

Alongside these attempts to communicate unanimity through ranked subscriptions, addresses also reinforced their legitimacy by declaring their liberty to petition. Though the Convention of Royal Burghs could claim a traditional privilege to petition Parliament on behalf of its estate, its address reinforced this with a reference to the 'priviledge of all subjects to petition' as secured by the Claim of Right. Burghs using this text repeated this argument, as did several other burghs who wrote their own texts. While the Country party text used did not defend a right to petition, the Hamilton parish group amended the text to include this claim. The original texts of Lanarkshire and the Avendale group of parishes also referenced the

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<sup>132</sup> NAS PA 7/28/31 Dunfermline.

<sup>133</sup> NAS PA 7/28/34 Glasgow; 7/28/44 Perth.

<sup>134</sup> See Appendix I for more on signatories.



Claim of Right's protections, while Airth, Larbert, Dunipace and Denny went beyond the 'particular allowance' of the Claim of Right to posit a 'naturall right of all subjects to represent their grievances.'<sup>135</sup> In addition, a number of addresses emphasised their loyalty to Anne to counter any accusation of disaffection in addressing, St. Ninians parish noting 'that we may not be mistaken, We declare ourselves to be zealous for her present Majesty'.<sup>136</sup>

These attempts by locality addressers to convey an impression of a loyal consensus against the treaty supported the Country party's plan to use the addresses as proof of the 'sense of the nation.' Country pamphlets, instructions and addresses worked together to assert the power of public opinion, demanding that MPs vote according to an apparently unanimous people. Speakers used the instructions and addresses to suggest a mismatch between freeholder opinion and the parliamentary majority, seeking to disrupt the passage of the treaty with recesses for consultations with constituents, addresses to the Queen and new parliamentary elections.

According to Daniel Defoe, the opposers' 'first step...without Doors' was 'to set on Foot a Notion that the Members of Parliament had no Right to alter the Constitution, without the particular consent of their Constituents.'<sup>137</sup> The party's initial use of instructions reinforced constituent sovereignty arguments made in Country pamphlets.<sup>138</sup> As the Dumfries instructions argued, 'nothing can be done by our Representatives in that Matter, conform to their Commissions, unless they have a special Authority for that Purpose. And we have not, by vertue of your said

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<sup>135</sup> NAS PA 7/28/49 Airth.

<sup>136</sup> NAS PA 7/28/80 St. Ninians.

<sup>137</sup> Defoe, *History of the Union*, 22.

<sup>138</sup> See Chapter 4 for more details on the pamphlet campaign.

Commissions, delegated any Power to you our Trustees, to evert, alter, or innovate our Fundamental Laws, our Ancient Constitution, and Privileges of Parliament, the Offices, Rights, Liberties, and Dignities of this Kingdom, either belonging to Church or State.’<sup>139</sup> The party brought this argument into the parliamentary debates early in the session with a ‘hot debate’ on 15 October asking ‘whether or not the Parliament without particular instructions from their constituents, could alter the constitution of the government.’<sup>140</sup> Anti-union speakers argued that ‘In a matter of such weight...it will be fruitless for parliament to institute debate without first consulting the people.’<sup>141</sup>

Addresses offered further support for the party’s attempts to assert the supremacy of public opinion over MP opinion. On 1 November, newly presented addresses were used to support a motion for a delay so that ‘the Members of Parliament may consult these whom they represent.’<sup>142</sup> On 15 November, the Duke of Hamilton craved a recess so that the Commissioner could inform the Queen of ‘the general aversion of the nation, appearing by the multitude of Addresses presented.’<sup>143</sup> The Duke’s party drafted a national address to the Queen insisting that ‘no representative can lessen or alienate the power by which they represent without express power and warrant for that effect from the constituent.’ The address entreated the Queen to call a ‘convention of estates...instructed with a more

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<sup>139</sup> *Instructions for the Commissioners of the Sherifffdom of Dumfreis* ([1706]).

<sup>140</sup> ‘*Scotland's ruine*’, 142.

<sup>141</sup> Paraphrase by Sir John Clerk of Penicuik, *History of the union*, 95.

<sup>142</sup> *APS*, vol xi, 307; ‘*Scotland's ruine*’, 158.

<sup>143</sup> Sir David Hume of Crossrigg, *A Diary of the Proceedings of the Parliament and Privy Council of Scotland, May 21, 1700-March 7, 1707* (Edinburgh, 1823), 183.



immediate sense of the nation.'<sup>144</sup> In a last ditch effort on 7 January 1707, the Duke of Athol brought these arguments together in a fresh protest:

the present Representatives of the Barons & Burrows in Parliament to offer by any vote or deed of theirs to incapacit their Constituents or deprive them of any part of their inherent right is that which their Constituents may and do justly disallow....And since it evidently appears...from the multitudes of Addresses and Petitions from the several parts of this Kingdome of the Barons Freeholders Heritors Burrows and Commons and from the Commission of the General Assemblie that there is a generall dislike and aversion to the incorporating Union as contained in these Articles...I do therfor further Protest against concluding this and the following articles of this Treaty untill her Majestie shall be fully informed of the Inclinations of her People That if her Majestie think fit she may call a new Parliament to have the immediat Sentiments of the Nation.<sup>145</sup>

While insisting that MPs were obliged to follow the 'Sentiments of the Nation' as represented by addresses, Country speakers also pointed to the underlying risk of popular disorder suggested by mass petitioning. In a resolution of 4 November, the Marquis of Annandale asserted that since 'this Nation seems generally averse to this incorporating Union,' the treaty would 'creat such dismall distractions and animosities amongst ourselves and such jealousies and mistakes betwixt us and our Neighbours as would involve these Nations into fatal breaches and confusions.'<sup>146</sup> Similarly, in a speech on 15 November, the Duke of Hamilton spoke of his fears of domestic troubles and even civil war in the event of an incorporating union.<sup>147</sup> Referring to the promises made by many addresses, he suggested the possibility of a freeholder rising: 'Shall we yield up the sovereignty and independency of the nation, when we are commanded by those we represent to preserve the same, and assured of their assistance to support us?'<sup>148</sup> Warning that 'an union so little founded in the

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<sup>144</sup> 'Scotland's ruine', 190.

<sup>145</sup> APS, vol. xi, 387.

<sup>146</sup> Ibid, 312-3; NAS PA 7/20/15.

<sup>147</sup> Mar manuscripts, 323.

<sup>148</sup> 'Scotland's ruine', 160.



affections of the people...may be very dangerous to the liberty of Britain,' the draft national address to the Queen raised the possibility that a Franco-Jacobite invasion could capitalise on popular disaffection.<sup>149</sup>

To maximise the destabilising potential of the addressing campaign, oppositional leaders planned to gather large numbers of freeholders in Edinburgh in a repeat of the pressure tactics of the supplicants of 1637-8. As detailed in Chapter 6, the Dukes of Athol and Hamilton agreed on a plan to invite addressers to Edinburgh to demand answers to their petitions from the Queen's Commissioner and to ask for a national address to the Queen.<sup>150</sup> Party organisers hoped that 'This sudden filling of the toun...tho in a peaceful manner [would] perswade the court to consider the addresses better than they have done.'<sup>151</sup> After a Court proclamation in late December discouraged this plan, the party considered a walkout followed by a national address to the Queen similar to their abandonment of the 1702 session.

Alongside efforts to assert public opinion in Edinburgh, prints of instructions and addresses targeted the English Court and Parliament to convince them of Scottish intransigence. Though an English Privy Council censorship proclamation of July 1706 had forbidden writing against the Union, instructions and addresses received wide coverage in London newspapers such as the *Flying Post*, the *Post Man* and the *Daily Courant*.<sup>152</sup> As noted above, Ridpath's *Flying Post* reprinted Lauder's instructions, while the *Daily Courant* and the *Post Man* reported on the reading of

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<sup>149</sup> *Ibid*, 185.

<sup>150</sup> *Ibid*, 184, 187.

<sup>151</sup> NLS Wodrow Quarto LXXIII, f. 276.

<sup>152</sup> *Edinburgh Gazette*, no. 28 (Mon. 29 July-Thurs. 1 Aug. 1706).

addresses in Parliament.<sup>153</sup> Addresses also appeared in London in pamphlet form. In his *Review*, Daniel Defoe complained that printed copies of the addresses, particularly those of the Cameronians and the Convention of Royal Burghs, were creating the impression in London that all Presbyterians and traders in Scotland were against the union.<sup>154</sup> Similarly, Sir David Nairne in London wrote to the Earl of Mar that ‘friends of the Union...send to me to know if such and such things are true in the prints.’ As a result of the publishing of anti-union activity, Nairn reported, ‘coffee house company, begin to droop or dispond to hear of soe much doeing against the Union without doors and soe litle for it.’<sup>155</sup>

In an expansion of practices established from 1699, the Country party made a significant effort to use instructions and addresses as public representations of anti-treaty opinion. Supported with pamphlets asserting the obligation of MPs to follow their constituents’ expressed opinion, published instructions ordered representatives to vote against the treaty while addresses begged them to set it aside. A complex combination of interpersonal and textual influences from the centre encouraged locality addressing, including Country party nobles and gentlemen with a standard party text, oppositional burgesses with the Convention of Royal Burghs address and Country clergy and elders with the national petitions of the Commission of the

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<sup>153</sup> Ridpath’s coverage of the union debates was so slanted against union that the Court contemplated bringing charges against him (*Mar manuscripts*, 315, 319). Johnstone in London warned him that he was risking the pillory (*Jerviswood correspondence*, 170). *Daily Courant*, no. 1451 (Sat. 7 Dec. 1706); *Post Man*, no. 1707 (Tues. 3 Dec.-Thurs. 5 Dec. 1706).

<sup>154</sup> Daniel Defoe, *Review*, no. 141 (Tues. 26 Nov. 1706); no. 147 (Tues. 10 Dec. 1706).

<sup>155</sup> *Mar manuscripts*, 311, 322. The anti-union propaganda aimed at London gained much ground on English ignorance of Scottish politics. The English tended to assume that all Scottish Presbyterians were as fundamentalist as the Cameronians and expected that anti-union petitions would be met with pro-union addresses, in the same way that Whig and Tory addresses were exchanged in the English Parliament. See Chapter 2 for more on English petitioning.



General Assembly. Organisers at the local level combined these national texts with Country pamphlet rhetoric to produce addresses tailored to shire, burgh and parish interests and supported with thousands of signatures. In turn, Country leaders in Parliament used these to press the rejection of the treaty. Faced with aggressive representations of anti-treaty opinion in Edinburgh and London, many in the Court quailed at the apparent aversion of the Scots to incorporation, creating conditions in which public opinion could influence the outcome of the union debates.

*Court Management of Addresses & Instructions, 1706-7*

Faced with a concerted effort by Country opponents to defeat the treaty with public opinion, the Court responded in line with its former anti-populist practices. Throughout, the weak constitutional position of instructions and addresses gave the Court grounds to argue against the authority of these representations. Rather than attempting to generate counter-addresses, the Court focused on discouraging petitioners while downplaying the legitimacy of adversarial addresses in speeches and propaganda. Pointing to Country organisation efforts, Court speakers and writers attacked the addresses as the product of disaffection and delusion rather than the ‘sense of the nation.’ By emphasising elements of faction found in the addresses, the Court managed to undermine the impression of a petitioning consensus. The Court also highlighted the risks of democratic disorder implicit in aggressive mass addressing to justify repressive actions against crowds of petitioners gathering in

Edinburgh. At the same time, however, government ministers moved to reduce public dissatisfaction in the short term with selected concession on petitioned grievances, particularly the concerns of the Church and the burghs.

In the House, the Court's officers disregarded public instructions as an innovation in parliamentary practices. Though from Lockhart's anti-union perspective it appeared that freeholders were 'denied the liberty of giving instructions to their representatives,' the Court's view was that instructions were 'not much regarded' because 'Precedents in like Cases would not support the Practice.'<sup>156</sup> The sidelining of instructions was supported by Court pamphlets attacking the Country notion of constituent sovereignty.<sup>157</sup> These included strong assertions of parliamentary sovereignty by the Earl of Cromarty, who argued that MPs for shires and burghs were 'not Delegates, but true integrent Parts of the Sovereign Constituted Body, on whom the Supreme Sovereign Power is (not Delegate) but Devolved.'<sup>158</sup> As such, MPs were not subject to the instructions of their constituents.

As locality addresses began to appear in the House, the Queen's ministers tried to block their presentation, with the Earl of Marchmont terming them 'seditious' and the Duke of Argyll dismissing them as 'for no other use than to make kites.'<sup>159</sup> Managers eventually conceded their reading when Sir James Foulis of Colington declared that 'he did not doubt but those that subscribed them would come and own them at the door of the house, and crave liberty to deliver them out of their own

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<sup>156</sup> 'Scotland's ruine', 147; Defoe, *History of the union*, 22.

<sup>157</sup> See Chapter 4 and below.

<sup>158</sup> [George Mackenzie, Earl of Cromarty], *A friendly return to a letter* (1706), 29.

<sup>159</sup> 'Scotland's ruine', 150.



hands.’<sup>160</sup> To prevent an escalation of popular pressure on the House, the Court allowed the addresses to be read but minimised any response to them. Parliament declined to respond formally to any of the addresses with the exception of the first address of the Commission of the General Assembly.<sup>161</sup> In addition, parliamentary records and diaries reveal that only the first few addresses were acknowledged with an immediate debate on their contents, most being read at the start of a day’s session with no subsequent discussion.<sup>162</sup> As early as 6 November, the Earl of Mar felt that the ‘force of addresses are now very near over.’<sup>163</sup>

Though the Court managed to curtail debate on individual addresses, Country speeches still pointed to the addresses as evidence of a popular consensus against the treaty. In response, Court speakers sought to undermine the claims of the addresses to represent ‘the sense of the nation’ by describing them as the product of faction, particularly Jacobitism. As Sir John Clerk of Penicuik put it, ‘although these addresses had been read in the house, they had no impact, because the will of parliament, strengthened by mature deliberation, was considered of more account than the voice of the people led astray by one faction or another.’<sup>164</sup> Discrepancies in signature coverage were asserted, as on 1 November when ‘it was Noted, that the Address from Mid-Lothian was signed by not above Twelve of the Gentlemen, or thereabout, tho’ there were above Two Hundred Gentlemen in that County; And that therefore it seemed the Argument, of its being the Sense of the Nation, must be very

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<sup>160</sup> *Ibid*, 150-1.

<sup>161</sup> *APS*, vol. xi, 307.

<sup>162</sup> Hume of Crossrigg, *Proceedings of the Parliament*, Defoe, *History of the union*, Minutes, 48, 52.

<sup>163</sup> *Mar manuscripts*, 314.

<sup>164</sup> Clerk of Penicuik, *History of the union*, 107.

ill Grounded.’<sup>165</sup> Similarly, lay elders characterised the Commission’s second address as ‘but the deed of a pack’t club and not the general sense of the church of Scotland,’ while the Earl of Mar contended that the addresses ‘were procured by people mostlie disaffected to the Government.’<sup>166</sup>

These claims also appeared in supporting propaganda, particularly by Daniel Defoe in his *Review*. Seeking to ‘undeceive those People, who are impos’d upon, to think that the universal cry of the People of Scotland is against the Union,’ Defoe attacked the addresses as unrepresentative. He claimed that ‘Gentlemen Barons and Freeholders have in very few Places been concern’d’ with the addresses; in particular, ‘of three hundred Gentlemen of Quality and Estates in Louthian, I have not heard of above five, that have joyn’d with these Addresses.’ To attack the royal burghs’ address, Defoe pointed out that the burghs voting for the address at the Convention contributed just 14% of the tax paid by the burgh estate. Therefore, he argued, though a majority of burghs attending the Convention had voted for the address, this expressed the view of a small, self-interested faction, not the sense of the trading part of the nation.<sup>167</sup> In other addresses, he reported, ‘when the Names have been examined, [they] are found to be all Jacobites and Episcopal Dissenters.’ He also claimed that some signatories were ‘oblig’d to sign by Rabble and Tumult’ or were duped into signing by the Jacobites, for ‘the whole interest of the Party, by Books, Pamphlets, Rabbles, Speeches, Emissaries, and what not, has been employ’d to

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<sup>165</sup> Defoe, *History of the union*, Minutes, 24.

<sup>166</sup> NLS Wodrow Quarto 73, f.271; *Mar manuscripts*, 323.

<sup>167</sup> The same argument is noted by Lord Crossrigg (Hume of Crossrigg, *Proceedings of the Parliament*, 180).



incense the poor unthinking People in the Country against their own Happiness, and bring them in to address against their Governours.'<sup>168</sup>

Speakers also continued to reject any suggestion that parliamentary representatives were required to follow the expressed opinion of their electors. In the House, the Earl of Mar contended that 'if the Parliament shoul'd address the Queen for a recess upon the addresses from the countrie...this was makeing the addressers the Parliament's masters.'<sup>169</sup> Other speakers refuted the argument that Parliament had no power to alienate its constituents' rights, declaring that MPs 'had ample commissions to do all things for the good of the country.'<sup>170</sup> More specifically, Court supporters pointed out that the current Parliament had been elected in 1702 under a stated Crown agenda that included a closer union, dismissing Country arguments that 'the Parliament could not ratify ane Union unless called expressly for that effect.'<sup>171</sup>

Defoe tackled the multiplying addresses in his sixth essay, which provided a contemporary restatement of traditional petitioning conventions of humility and deference. Defoe conceded 'the undoubted Right of the People...to present their Grievances to their respective Authorities, be it King or Parliament' and allowed that representatives had a duty to consider petitioned issues. However, given that a 'Petition is in its Nature a Prayer, a Begging or Entreating' and that the Scottish addresses contained 'all manner of Insolencies, Scandals, Reproaches and unjust Assertions,' he considered that the Parliament had been 'over and above, regardful of their Duty, for that they have received such Addresses, containing such Insulting of

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<sup>168</sup> Defoe, *Review*, no. 141 (Tues. 26 Nov. 1706); no. 147 (Tues. 10 Dec. 1706).

<sup>169</sup> *Mar manuscripts*, 324.

<sup>170</sup> 'Scotland's ruine', 142.

<sup>171</sup> *Mar manuscripts*, 273.

their Authority.' Having read them, the Parliament was under no obligation to agree with them—otherwise, 'it is no more an Address or Petition, but a Precept or Mandamus, the People signing it are no more Addressers, Petitioners or Desirers, but Directors and Preceptors, and the whole Scale of Order inverts to Democracy and Confusion.'<sup>172</sup>

Throughout, Court discourse rejected the relevance of public opinion and condemned the opposition's populist methods. Addresses were portrayed as the product of 'underhand dealings...whereby the meaner sort were imposed upon and deluded.'<sup>173</sup> In contrast, the Court party could 'congratulate ourselves that our speeches are not directed to catching the wind of popular favour but to investigating our country's real needs.'<sup>174</sup> Parliament, not the people, were the 'fitt judges' of the matter of union.<sup>175</sup> This stance reflected the Court's ongoing rejection of popular participation in national affairs and helps to explain the lack of pro-treaty addresses in 1706-7. Given that the Court had not organised counter-addressing in recent years, they were unlikely to do so for the union debates. Moreover, having made little effort to build a grass-roots opinion base in favour of incorporation before 1706, Court leaders could not expect enthusiastic participation.<sup>176</sup> As a result, Court leaders appear not to have made plans for pro-treaty addressing in Scotland. An isolated attempt to generate a petition from Ayr showed the Court that such efforts might do more damage than good as locals responded by producing an anti-treaty address with

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<sup>172</sup> Daniel Defoe, *Two great questions considered* (1707), 5, 7, 12.

<sup>173</sup> 'Scotland's ruine', 147.

<sup>174</sup> Paraphrase by Sir John Clerk of Penicuik, *History of the union*, 110.

<sup>175</sup> *Mar manuscripts*, 323.

<sup>176</sup> See Chapters 3 and 4.



over 1,000 signatures.<sup>177</sup> Similarly, it was thought that an address from expatriate Scots merchants in London could be counter-productive, though Mar thought that it might be useful in private discussions.<sup>178</sup> In response to complaints from the London Court on the lack of pro-treaty petitions, the Earl of Mar stated that ‘we thought it better to lett them allone.’<sup>179</sup>

Instead, the Court discouraged addressing from areas under its influence, with mixed results. In the Commission of the General Assembly, the exertions of Court elders and clergy resulted in a moderate first address but failed to stop the Commission’s more assertive petition of 8 November, despite the ruling elders’ characterisation of petitioning as ‘a meddling of civil affairs’.<sup>180</sup> Unusual numbers of Court figures attended Commission meetings in late October and early November, including the Earl of Marchmont, the Lord Justice Clerk and the Lord President of the Session.<sup>181</sup> In Glasgow, the Court-affiliated provost failed to prevent an address from the town, but the Court was more successful in Edinburgh, where the town council set aside an address signed by ‘many thousands’ after ministers threatened to relocate the Parliament and law courts.<sup>182</sup> Similarly, in Ayrshire, the ‘Earls of Loudoun, Stair and Glasgow prevailed with most of the gentlemen to lay [an anti-union address]

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<sup>177</sup> ‘*Scotland's ruine*’, 148; NAS PA 7/28/25 Ayr (2).

<sup>178</sup> *Mar manuscripts*, 326, 331.

<sup>179</sup> *Mar manuscripts*, 320, 328.

<sup>180</sup> NLS Wodrow Quarto, item 8, f. 27 (4 November 1706); *Mar manuscripts*, 309.

<sup>181</sup> CH 1/3/8/249.

<sup>182</sup> ‘*Scotland's ruine*’, 148; *Mar manuscripts*, 316. A similar threat had succeeded in weakening the support of the Edinburgh town council for the supplications of 1637. The Privy Council and Court of Session were removed from Edinburgh when the city joined the addressing against the service book and failed to disperse the crowds gathering to form the Tables (Roths, *A relation of proceedings*, 34; Macinnes, *Charles I*, 164, 169).

aside.’<sup>183</sup> Persuasion by Argyll, Queensberry, Seafield and others seems to have prevented addressing from the Highlands and limited it in Dumfriesshire, Galloway and the Borders.<sup>184</sup>

Though the Court managed to reduce addressing from its areas of influence, enough addresses arrived in Parliament to affect MP voting. In early November, as the first wave of locality petitions was read, the Court lost several members of its majority due to ‘the addresses and the humour that’s now in the country against the Union’.<sup>185</sup> This forced the Queen’s officers to recognise the necessity of concessions on selected grievances in order to win back MPs and calm popular concerns. Along with an act for the security of the Church, amendments on trade were contemplated.<sup>186</sup>

Court leaders had already given an encouraging response to the first petition of the Commission of the General Assembly.<sup>187</sup> In turn, Parliament declared that ‘before concluding the Union they would take the said Address to their consideration and would do every thing necessary for securing the true Protestant Religion and Church Government presently established by law in this kingdom.’<sup>188</sup> On 4 November, an overture for an Act for Security of the Protestant Religion was introduced after the first article of the treaty had been approved.<sup>189</sup> With its passage on 12 November, this act satisfied the concerns of many Presbyterians and reduced

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<sup>183</sup> *‘Scotland’s ruine’*, 148.

<sup>184</sup> Exceptions include Roxburghshire, the burghs of Ayr, Kirkcudbright and New Galloway, four Glen Ken parishes in Galloway and the town of Maybole with several nearby parishes in Ayrshire. See Appendix F.

<sup>185</sup> *Mar manuscripts*, 312.

<sup>186</sup> Clerk of Penicuik, *History of the union*, 118; *Mar manuscripts*, 330, 342.

<sup>187</sup> CH 1/3/8/232-4.

<sup>188</sup> *APS*, vol. xi, 307.

<sup>189</sup> *Ibid*, 315.



clerical opposition at the parish level, despite the Court's rejection of amendments to satisfy the Commission's more demanding second address.<sup>190</sup> Even for clerics like Robert Wodrow, who continued to lobby Parliament for further protections for the Church and urged Glasgow to petition against the treaty, there were limits on legitimate resistance by the Church. While Wodrow believed that the confession of faith allowed the Church to petition the state 'in cases extraordinary' and hoped that burghs like Glasgow would address in support of the Commission's representations, he feared that continued petitioning by presbyteries would set a dangerous precedent for schismatic practices in the Church.<sup>191</sup> For many clergy of more moderate politics, the Act for Security of the Protestant Religion sufficed as the state's response to the Church's humble petitions, quelling further resistance.<sup>192</sup>

In a similar fashion, the Convention of Royal Burghs' address, supported by other petitions as well as pamphlets and speeches, spurred the Court to negotiate amendments on the treaty's tax provisions. Widespread complaints on higher customs and excise taxes, backed with rioting in Edinburgh, led to duty exemptions for domestic salt and malt.<sup>193</sup> More specific issues raised by the burghs were also considered. Pressed by a petition from Bo'ness and proposals from the 'Committee of the Burrows,' Article V's requirements on the ownership of British bottoms were loosened.<sup>194</sup> In addition, Article VIII was amended to include a drawback on the

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<sup>190</sup> *Ibid.*, 321; 'Scotland's ruine', 163.

<sup>191</sup> NLS Wodrow Quarto XL, item 8, f. 27 (4 Nov. 1706); item 13, f. 46 (2 Jan 1707).

<sup>192</sup> Defoe, *History of the union*, 53. See Chapter 3 for more on the growth of Court compliance in the Presbyterian Church.

<sup>193</sup> See Chapter 6 for more on rioting and concessions.

<sup>194</sup> NAS PA 7/28/27 Bo'ness; Hume of Crossrigg, *Proceedings of the Parliament*, 185; *APS*, vol. xi, 334-5.

export of barrels of salted herring to refund higher duties on foreign salt.<sup>195</sup> Dunbar had addressed against these duties, asserting that the proposed rates would ‘absolutely destroy the trade of fishing And particularlie the herring fishing, which is all the trade wee have.’<sup>196</sup> The town’s address had been supported by a further petition from ‘the salt owners, fishers of Herring & Whyte fish and others who make use of Scots salt.’<sup>197</sup>

While agreeing on selected concessions to reduce opposition to the treaty, the Court also took steps to block the Country party’s attempts to escalate its petitioning campaign with crowd activity. In an assertion of traditional restrictions on addressing, a proclamation of 27 December denied that Parliament had any obligation to reply to addresses and banned meetings of petitioners in Edinburgh. Instead, the proclamation declared, ‘the good subjects of our ancient Kingdom ought to rest assured and contented That...our Estates of Parliament have and will proceed in [the matter of union] with all due regaird and tenderness to the honour and interest of this our ancient Kingdom, both as to their civil and religious concerns.’<sup>198</sup>

Throughout the parliamentary debates of 1706-7, the Court asserted the sovereignty of Parliament over the people, arguing that MPs should be trusted to protect Scottish interests in union. This rejection of the authority of public opinion and the legitimacy of instructions and addresses was consistent with the Court’s response to adversarial addressing from 1699. Rejecting popular participation in Scottish politics, Court managers discouraged addressing in the localities, dismissed

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<sup>195</sup> *APS*, vol. xi, 358-60.

<sup>196</sup> NAS PA 7/28/20 Dunbar.

<sup>197</sup> *APS*, vol. xi, 359.

<sup>198</sup> *Ibid*, 372.



it in Parliament and argued against it in print propaganda. While addresses helped to shape the union treaty by encouraging negotiations for economic and religious concessions, their power to compel MPs remained contested.

### *Conclusions*

In 1706-7, the Country party tried to use adversarial mass addressing to oblige Parliament to reject the union treaty. Reflecting a complex and changing heritage, addresses could be interpreted as indicators of electorate opinion under a theory of constituent sovereignty developed in Country pamphlets; as representations of corporate consensus under more traditional conceptions of government; and as signals of popular discontent reminiscent of civil war petitioning experiences. Adversarial petitioning had re-emerged in Scotland in the years before Union with the development of a more organised Country party from 1699 and the increasing assertiveness of Episcopalian dissenters under Anne. The Court party, however, rejected the legitimacy of aggressive, mass petitioning, conceding only the Claim of Right's protection of humble, orderly petitioning. Nevertheless, the massive scale of the addressing campaign of 1706-7, in which dozens of locality addresses joined national petitions from the church and burgh estates, forced the Court to make key concessions on issues of religion and trade to buttress its majority and reduce public discontent.

## **Chapter 6: Crowds, 1699-1707**

From 1707 onwards, historians have disagreed over the significance of crowds in the making of Union. Writing from a unionist perspective in his 1709 history, Daniel Defoe portrayed crowds as manipulated and misguided by the Jacobites. Hoping 'to Clamour the People out of their wits, that they might, if possible, Clamour the Parliament out of the House' oppositional pamphlets and speeches 'fill'd the mouths of the common People' with arguments against the treaty.<sup>1</sup> These accusations allowed Defoe to dismiss the opinions expressed by commoners as mere ventriloquism. In contrast, the Jacobite George Lockhart of Carnwath's 1714 memoirs emphasised the validity of crowd actions as an expression of public opinion, characterising crowd protests as the voice of the people. Lockhart cited Edinburgh rioting as evidence of 'the nation's aversion to the Union,' claiming that crowd resistance showed that 'the Union was crammed down Scotland's throat.'<sup>2</sup> Subsequent historians have followed these lines, either dismissing the crowds as manipulated or celebrating them as the voice of the people. In the former approach, Cameronians as well as the Jacobites have emerged as the villains responsible for popular dissatisfaction with the treaty.<sup>3</sup> More recently, nationalist accounts of the making of Union have emphasised the autonomy and legitimacy of the crowds. William Ferguson has characterised

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<sup>1</sup> Daniel Defoe, *The History of the Union of Great Britain* (Edinburgh, 1709), 18, 21.

<sup>2</sup> 'Scotland's Ruine': *Lockhart of Carnwath's Memoirs of the Union*, ed. Daniel Szechi (Aberdeen, 1995), 143-4.

<sup>3</sup> James Mackinnon, *The Union of England and Scotland* (London, 1896), 297.



rioting as reflecting 'not just the work of the notoriously volatile Edinburgh mob' but 'a widespread general will' opposed to the union treaty.<sup>4</sup>

While disagreeing over the opinions expressed by riots, historians have tended to agree that crowds had little impact on the outcome of the union debates. Alongside his rejection of print as meaningless propaganda, PWJ Riley has treated crowd activity with disdain, deriding 'the Edinburgh crowd's addiction to smashing glass and crackling flames.'<sup>5</sup> Others have followed Lockhart's example in assuming that Parliament should have followed the sense of the nation as expressed in popular protests. As Paul Scott has stated, the Union 'was not accepted by the Scottish people, who made their rejection of it very clear, but by an unrepresentative Parliament which was bribed and intimidated into submission.'<sup>6</sup>

Polarised characterisations of crowd activities as either controlled by elites or authentically popular add little to our understanding of crowd dynamics; equally, the dismissal of crowds as either irrelevant or impotent underplays their actual power in early modern politics. In recent decades, some historians have begun to challenge a historiographical belief in the deference of the Scottish people in pre-industrial times, but most work on crowds continues to focus on the eighteenth and nineteenth centuries and on class relations.<sup>7</sup> Though Christopher

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<sup>4</sup> William Ferguson, *Scotland's Relations with England: A Survey to 1707* (Edinburgh, 1977), 255.

<sup>5</sup> P.W.J. Riley, *The Union of England and Scotland: A Study in Anglo-Scottish Politics of the Eighteenth Century* (Manchester, 1978), 226.

<sup>6</sup> Paul H. Scott, 'Defoe in Edinburgh', in *Defoe in Edinburgh and Other Papers* (East Linton, 1995), 166.

<sup>7</sup> Kenneth Logue, *Popular Disturbances in Scotland 1780-1815* (Edinburgh, 1979); Kenneth Logue, 'Eighteenth Century Popular Protest: Aspects of the People's Past', in *The People's Past*, ed. Edward J Cowan (Edinburgh, 1980); Richard B. Sher, 'Moderates, Managers and Popular Politics in Mid-Eighteenth Century Edinburgh: The Drysdale 'Bustle' of the 1760s', in *New Perspectives on the Politics and Culture of Early Modern Scotland*, ed. John Dwyer, Roger Mason and Alexander Murdoch (Edinburgh, 1982); W. Hamish Fraser, *Conflict and Class: Scottish Workers 1700-1838* (Edinburgh, 1988); W. Hamish Fraser, 'Patterns of Protest', in *People &*

Whatley has begun to explore the possible role of crowds in the making of union by examining the impact of Edinburgh rioting on economic amendments to the treaty, a comprehensive understanding of crowd activity on union, from riot to organised protest to attempted rising, is still needed.<sup>8</sup>

The wider historiography of the crowd in early modern Europe can provide insights relevant to the Scottish situation, though like Scottish accounts of the Union, histories of the crowd in England and France have tended to emphasise either the autonomous protests of the lower orders or the manipulated behaviour of deferent plebs.<sup>9</sup> The work of historians influenced by Marxist and anthropological approaches has shown how rioting on local issues, such as food or religious riots, operated according to popular notions of legitimate actions. Authors like EP Thompson and Natalie Zemon Davis have demonstrated how popular political culture used crowd actions as a solution to local problems, punishing those who betrayed shared norms or threatened the community.<sup>10</sup> Though problems like religious innovation, dearth, higher taxes or enclosure may have had their origins in national situations, riots protesting their manifestation at

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*Society in Scotland, Vol. 1 1760-1830*, ed. T.M. Devine & Rosalind Mitchison (Edinburgh, 1988); Christopher A. Whatley, 'How Tame Were the Scottish Lowlanders During the Eighteenth Century?' in *Conflict and Stability in Scottish Society 1700-1850*, ed. T.M. Devine (Edinburgh, 1990); R.A. Houston, 'Literacy, Education and the Culture of Print in Enlightenment Edinburgh', *History* 78 (1993); Christopher A. Whatley, *Scottish Society 1707-1830: Beyond Jacobitism, Towards Industrialisation* (Manchester, 2000). R.A. Houston, *Social Change in the Age of Enlightenment: Edinburgh, 1660-1760* (Oxford, 1998), ch. 5 has examined pre-industrial crowds in Edinburgh but his analysis does not adequately consider the connections between local crowds and national politics.

<sup>8</sup> Christopher A. Whatley, 'Economic Causes and Consequences of the Union of 1707: A Survey', *Scottish Historical Review* LXVIII (1989), 160-2; Christopher A. Whatley, *Bought and Sold for English Gold? Explaining the Union of 1707* (East Linton, 2001), 77-80.

<sup>9</sup> Nicholas Rogers, *Whigs and Cities: Popular Politics in the Age of Walpole and Pitt* (Oxford, 1989), 347-53.

<sup>10</sup> Key works include E.P. Thompson's 'moral economy' explanation of food riots and Natalie Zemon Davis' findings on charivari and religious riots: E.P. Thompson, 'The Moral Economy of the English Crowd in the Eighteenth Century', *Past & Present* 50; Natalie Zemon Davis, 'The Reasons of Misrule: Youth Groups and Charivaris in Sixteenth-Century France', *Past & Present* 50; Natalie Zemon Davis, 'The Rites of Violence', in *Society and Culture in Early Modern France* (London, 1975).



the grass-roots level remained local in their scope, organisation and impact. As a result, riots protesting national policy, such as the Scottish anti-union riots, fit less well into these models. Crowd protests against national issues required an awareness of the connections between local conditions and national political activities; and the state of early modern communications meant that such an awareness had to rely to some degree on elites, whether by print, sermons or direct instigation. Therefore, any theoretical approach that tends to 'reify the crowd as an explicitly plebian phenomenon' will prevent an adequate consideration of elite participation in national political crowds in the early modern period.<sup>11</sup>

Alongside the 'history from below' perspective, other researchers have taken a top-down approach, seeking to illuminate not plebian political culture but the workings of national political systems and the origins of modern participative democracy. These political historians and sociologists have emphasised the processes by which emerging political parties engaged ordinary subjects in political platforms, stressing the role of print communications and the rising importance of the 'middling sorts.'<sup>12</sup> The notion of a public sphere has been used

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<sup>11</sup> Nicholas Rogers, *Crowds, Culture and Politics in Georgian Britain* (Oxford, 1998), 16.

<sup>12</sup> J.A. Downie, *Robert Harley and the Press: Propaganda and Public Opinion in the Age of Swift and Defoe* (Cambridge, 1979); Gary Stuart DeKrey, *A Fractured Society: The Politics of London in the First Age of Party 1689-1715* (Oxford, 1985); J.A. Downie, 'The Development of the Political Press', in *Britain in the First Age of Party*, ed. Clyve Jones (London, 1987); Jürgen Habermas, *The Structural Transformation of the Public Sphere*, tr. Thomas Burger and Frederick Lawrence (Cambridge, MA, 1989); Robert Harris, *A Patriot Press: National Politics and the London Press in the 1740s* (Oxford, 1993); John Miller, 'Public Opinion in Charles II's England', *History* 80:260 (1995); Steve Pincus, 'Coffee Politicians Does Create': Coffeehouses and Restoration Political Culture', *The Journal of Modern History* 67:4 (Dec. 1995); Hans Speier, 'The Rise of Public Opinion', in *Propaganda*, ed. Robert Jackall (Basingstoke, Macmillan, 1995); Kathleen Wilson, *The Sense of the People: Politics, Culture and Imperialism in England, 1715-1785* (Cambridge, 1995); Joad Raymond, *The Invention of the Newspaper: English Newsbooks 1641-1649* (Oxford, 1996); Harold Weber, *Paper Bullets: Print and Kingship Under Charles II* (Lexington, KY, 1996); David Zaret, *Origins of Democratic Culture: Printing, Petitions and the Public Sphere in Early Modern England* (Princeton, 2000); Otto Lankhorst, 'Newspapers in the Netherlands in the Seventeenth Century', in *The Politics of Information in Early Modern Europe*,

by some of these scholars to describe the arena in which elite party leaders used new forms of national political discourse and activity to develop the support of a widening popular audience. In contrast to a bottom-up view, this approach privileges the role of elites and print in the mobilisation of crowds, often underplaying the ongoing importance of popular political culture and local concerns in shaping the appearance and form of crowd actions.<sup>13</sup>

More recently, a few historians working on seventeenth century English crowds have combined these top-down and bottom-up perspectives to produce a more integrated and balanced understanding of national political crowds in the early modern period. One of the best case studies illustrating this method is John Walter's study of attacks on royalist gentry houses in the Colchester area in the early 1640s. Rejecting Marxist interpretations of these events as manifestations of class conflict, Walter shows how these events should be understood as the work of ordinary Puritans engaged in the Parliamentary cause through print and oral news and the 1641 Protestation Oath and encouraged by partisan elites in the area.<sup>14</sup> Such riots combined provincial issues with national political imperatives, producing complex events that evade analysis by models of crowd behaviour focusing on plebian political practices or elite communications. Similarly, Tim Harris' body of work on popular politics in the Restoration has demonstrated how these crowds were shaped both by elite instigation and popular political culture.<sup>15</sup>

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ed. Brendan Dooley and Sabrina Baron (London, 2001); Michael Mandle, 'News and the Pamphlet Culture of Mid-Seventeenth Century England', in *The Politics of Information in Early Modern Europe*, ed. Brendan Dooley and Sabrina A. Baron (London, 2001).

<sup>13</sup> Tim Harris, 'Understanding Popular Politics in Restoration Britain', in *A Nation Transformed: England After the Restoration*, ed. Alan Houston and Steve Pincus (Cambridge, 2001); Rogers, *Whigs and cities*,. 351.

<sup>14</sup> John Walter, *Understanding Popular Violence in the English Revolution: The Colchester Plunderers* (Cambridge, 1999).

<sup>15</sup> Tim Harris, *London Crowds in the Reign of Charles II: Propaganda and Politics from the Restoration Until the Exclusion Crisis* (Cambridge, 1987); Tim Harris, 'The Problem of 'Popular



These new investigations suggest that popular political participation in national causes resulted from a combination of elite and popular influences. The political opinions of ordinary subjects were shaped through communication from the centre and above, but these messages had to resonate with local concerns to create real political engagement. Where government policy created grass-roots hardship or fears, oppositional messages found better reception.<sup>16</sup> Rioting, however, did not indicate local unanimity on a political issue; if anything, the eruption of protests occurred when a community divided over national issues.<sup>17</sup> Given these conditions, crowd actions might be triggered by news from the capital or mobilised by party operatives on the ground, but crowds often moved beyond the original goals of their elite instigators to pursue traditional plebian goals of purification, punishment or enforcement. In the immediate term, these activities sought to solve national problems at the local level, usually with limited effects, though the report of their actions could have a larger impact on the national stage.

These dynamics can be seen in 1699-1705 in political riots in Edinburgh in favour of the Darien colony and the *Worcester* hangings; in protests in Glasgow against toleration for Episcopalians; and in demonstrations in Dumfries against state failures to remove papists. The same dynamics emerge in anti-treaty events

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Political Culture", *History of European Ideas* 10 (1989); Tim Harris, 'Problematising Popular Culture', in *Popular Culture in England c.1500-1850*, ed. Tim Harris (Basingstoke, 1995); Harris, 'Understanding Popular Politics'. William Beik's work on urban riots in seventeenth century France also reveals the interplay between national, regional and popular influences (William Beik, *Urban Protest in Seventeenth Century France* (Cambridge, 1997)).

<sup>16</sup> As Tim Harris has said, 'it was the impact of government policy (whether religious, fiscal, military or whatever) at the local level that played the most vital role in forcing people to have opinions about the legitimacy of the actions of those who ruled over them' (Tim Harris, 'Venerating the Honesty of a Tinker: the King's Friends and the Battle for the Allegiance of the Common People in Restoration England', in *The Politics of the Excluded, c.1500-1800*, ed. Tim Harris (Basingstoke, 2001), 220).

<sup>17</sup> A historian of Edinburgh riots in this period has emphasised the integrative function of popular protest through the rejection of outside threats, such as new taxes, but it must be remembered that rioting began in community conflict. Though some city leaders may have been sympathetic to the rioters' cause, mob action arose where conflict could not be resolved by other means. (Houston, *Social change*, 318).

in 1706-7, when rioting and demonstrations occurred in Edinburgh, Glasgow, Dumfries and Stirling. While these agitations might seem to reflect the unanimity of popular opinion in adhering to a Country viewpoint on the treaty, riots and protests erupted in localities that divided over the Union. As a result, these events portray not the expression of a cohesive popular opinion against the union, but the upwelling of local conflict where competing Court and Country discourse and persuasion created grass-roots clashes between interest groups.

This view of political crowds in pre-Union Scotland overrides simplistic definitions of rioting as the authentic voice of the people or the thrown voice of the elites to provide a starting point for a re-evaluation of the crowd's power and influence in the making of the Union. In this period, crowds carried strong messages of disorder and illegitimacy; yet within the context of an emerging public sphere, they could also be portrayed as the legitimate sense of the nation. This contested position placed political crowds in an uncertain position, with some potential power but no constitutional authority. More pragmatically, the difficulty of restraining crowds impelled the state to consider negotiation as well as repression in reacting to rioting. The response of the establishment to crowds rested on its perception of the level of threat, which did not always correlate to actual danger. Rumours and stories of crowds, resonating with historical associations of disorder, could have a greater impact than the reality of numbers and events might suggest. Given these factors, crowds in 1706-7 are likely to have had a mixed impact on the outcome of Union. Crowds had the potential to pressure the government on the treaty, overcoming Court management, persuasion and patronage; but equally, the state had a duty to maintain order, allowing the government to take strong steps against crowd violence. Crowds should not be



expected to determine the outcome of the treaty debates; nor should they be dismissed as powerless in the face of Court bribery.

*Political Crowds in Lowland Scotland, 1699-1705*

As shown in Chapter 2, popular engagement with national politics rose from the late 1690s with the emergence of a more organised Country opposition. Print propaganda brought national debates to a widening audience, while addressing campaigns engaged individuals in oppositional political positions. Alongside these activities, crowd protests also developed, often with the encouragement of Country leaders. Crowd events on national affairs were seen in Edinburgh, where proximity to national political institutions and print material encouraged awareness and action in favour of the Darien colony; and in Glasgow and Dumfries, where national discourse on the threat of toleration and a Jacobite invasion resonated with local problems with dissenters and papists. In these events, crowds protested against state failures to defend Scottish interests, from the Darien colony to the Presbyterian Church. Encouraged by party leaders or stimulated by worrying news from the centre, they took over the government's role in these matters to organise public displays of support for the colony, rout dissenting meetings or reveal local papists.

Edinburgh crowds displayed a close connection to national political affairs thanks to the ready availability of information in Edinburgh. During the Restoration period, local communications had been sufficient to engage

Edinburgh crowds in anti-Catholic riots in 1681, 1686 and 1688.<sup>18</sup> From the Revolution, residents of Edinburgh had even better access to political news through the regular meetings of Parliament, the General Assembly and the Convention of Royal Burghs, as well as the Privy Council, the Court of Session and other governmental bodies. Edinburgh also boasted the strongest literacy rates in the country, driven by occupational requirements and good provision of schooling; and the best access to printed political information from Edinburgh and London presses. Not surprisingly for an early modern capital city, these conditions produced high levels of popular awareness of national political affairs.<sup>19</sup>

From the late 1690s, the availability of Country discourse encouraged many in Edinburgh towards a pro-Darien, anti-Court position. The Country party's petitioning campaign of 1699-1701 connected national political issues with local concerns for trade and economic development, as did its propaganda targeting the May 1700 Parliament.<sup>20</sup> As the Earl of Marchmont wrote in October 1699, 'bad humour appears too generally upon that score.' Marchmont attributed this popular dissatisfaction to some who 'take advantage and occasion to impose upon the multitude'.<sup>21</sup>

Popular support in Edinburgh for the African Company manifested itself in a major riot in June 1700 protesting the government's perceived failure to uphold the interests of the Company and its Darien colony. Several smaller altercations in 1699 preceded the June event. In August 1699, a mob attacked a

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<sup>18</sup> Houston, *Social change*, 303-7.

<sup>19</sup> See Chapter 2 for a more detailed discussion of literacy, print access and the impact of Country print on popular opinion in pre-union Scotland.

<sup>20</sup> See Chapters 3 and 5 for more on Darien pamphlets and petitioning.

<sup>21</sup> *A Selection from the Papers of the Earl of Marchmont 1685-1750* (London, 1831), 179.



Frenchman in Edinburgh after mistaking him for a person accused of plotting to betray the colony to the French. Informed by national news but acting according to traditional plebian values, the crowd executed its own summary justice and 'left him for dead.'<sup>22</sup> Later in October, when bad news about Darien arrived in town, sympathisers lit bonfires in the street and fired pistols and squibs. As illuminations in the form of bonfires or candles in windows had been a traditional state method for the expression of public support on the monarch's birthday, unauthorised illuminations acted as a well-understood language of affiliation.<sup>23</sup> A further political frisson was added to this event through the selection of 14 October, the Pretender's birthday, for the bonfires. It is likely that oppositional nobles influenced the choice of day, as 'persons of note' were seen standing at some of the fires.<sup>24</sup>

As in October, news on Darien provided a trigger for a renewal of crowd action on the evening of 20 June 1700. On hearing the news that a skirmish had been won by colonists over the Spanish, Country party leaders met at the Cross Keys tavern to organise more unauthorised illuminations. The party circulated a paper calling on 'all true Caledonians' to put candles in their windows. After this initial mobilisation of popular support for the colony, the town's bells were taken over, with the first tune being 'Wilful Willy, wilt thou be wilful still.' Crowds began to execute retributive violence by throwing stones at dark windows, particularly those belonging to Court figures believed to have failed the colony. Rioters pelted ministerial residences both on the high street and beyond, even

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<sup>22</sup> *Early Letters of Robert Wodrow 1698-1709*, ed. L.W. Sharp (Edinburgh, 1937), 17.

<sup>23</sup> See Chapter 2 for a discussion of the government's use of illuminations, bells and guns to mark royal occasions.

<sup>24</sup> *Extracts from the Records of the Burgh of Edinburgh, 1689-1701*, ed. Helen Armet (Edinburgh, 1962), 311.

though illuminations were usually required only on the town's main avenue. In a further escalation, groups attempted to break into the home of Lord Carmichael and succeeded in entering the Lord Advocate's house. The invaders forced the Lord Advocate to sign a warrant for the release of James Watson and Hugh Paterson, who had been jailed in the Tolbooth for publishing Country pamphlets.<sup>25</sup> Others in the crowd used more direct means to achieve the same reversal of state justice by burning down the Tolbooth door and freeing all the prisoners. While gentlemen with drawn swords prevented the city magistrates and town guard from stopping the attack on the Tolbooth, others in the crowd secured the Netherbow port to prevent royal troops from being marched into the city.<sup>26</sup>

Resistance to state judgements against Darien supporters continued after the June riot. In August, the Edinburgh council had to apologise to the Privy Council for failing to see sentences against four rioters properly executed. The accused had committed disrespectful 'misdemeanours' at their own punishments, indicating a lack of vigour on the part of lesser town officials for the execution of the sentences.<sup>27</sup>

As in the Darien riot of 1700, crowd activity in 1702 revealed again the orientation of many in Edinburgh to national political affairs and a Country stance. When the new Queen and her ministers declined to call elections for a new Parliament on the death of the king, the Country party protested the eventual meeting of the Estates in June 1702 as invalid. As the Duke of Hamilton and a large body of MPs walked out of Parliament on 9 June 1702, 'they were huzzaed

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<sup>25</sup> See Chapter 2 for more on Watson and Paterson.

<sup>26</sup> *Edinburgh extracts 1689-1701*, 314-5; NAS PC 1/52/109-10, 121, 161.

<sup>27</sup> NAS PC 1/52/142, 153.



by the acclamations of an infinite number of people of all degrees and ranks.'<sup>28</sup>

An address to the Queen protesting the legality of the Parliament was subsequently signed by hundreds of barons and gentlemen gathered in Edinburgh to follow the progress of the Parliament and the planned withdrawal.<sup>29</sup>

Political rioting with a Country flavour returned to Edinburgh in April 1705 with the *Worcester* case. Factional leaders played less of a role in mobilising the 1705 crowd than in 1700, but rumour, news and party rhetoric had stirred up public feeling against the accused. The English merchant ship, *Worcester*, had been seized at Leith in December 1704 in retaliation for the seizure of the African Company's last ship, the *Annandale*, by the East India Company in London. Loose talk by crew members and an inspection of the ship's papers and stock provided grounds for charges of piracy against Captain Green and his crew. Town talk identified a missing African Company ship, Captain Drummond's *Speedy Return*, as the object of Green's piracy.<sup>30</sup> Reports of the Admiralty trial in the *Edinburgh Courant* and *Gazette* kept readers in Edinburgh and more distant areas apprised of the progress of the case, from the initial indictments in February 1705 to the final judgement against the crew in March.<sup>31</sup> Though historians have shown the trial's conclusions to be highly questionable, the Edinburgh papers emphasised the guilt of the accused, reinforcing this with reports of a sailor's confession confirming the trial's outcome.<sup>32</sup> Prints of the trial

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<sup>28</sup> 'Scotland's ruine', 14.

<sup>29</sup> Derek John Patrick, 'People and Parliament in Scotland 1689-1702', Ph. D. dissertation (St. Andrews University, 2002), 292. See Chapter 5 for more on the walkout and address.

<sup>30</sup> *Correspondence of George Baillie of Jerviswood MDCCII-MDCCVIII* (Edinburgh, 1842), 64; Richard Carnac Temple, *New Light on the Mysterious Tragedy of the 'Worcester' 1704-5* (London, 1930), 29.

<sup>31</sup> *Edinburgh Courant*, no. 1 (Wed. 14 Feb-Mon. 19 Feb 1705); *Edinburgh Gazette*, no. 624-6 (Mon. 12 Mar.-Thurs. 22 Mar. 1705).

<sup>32</sup> *Edinburgh Gazette*, no. 627 (Thurs. 23 Mar.-Mon. 26 Mar. 1705).

as well as cheap broadside ballads contributed to public confidence in the verdict.<sup>33</sup> As one ballad said of Green:

He deserves to be hang'd & all his Crue...  
No Murther and Robbery was ever more clear  
Made evident, as this as doth now appear  
By their own Declaration after Sentence given...  
Hanging is too little if they get their due.<sup>34</sup>

While building popular commitment to the punishment of Green and his crew, news and propaganda also magnified the significance of the case by linking it with the Darien issue and the English Alien Act, placing it in a wider context of Anglo-Scottish rivalry. News of the English Parliament's debates on the Alien Act had been reported alongside the *Worcester* case in the Edinburgh press, with a notice of the royal assent to the English act found in the *Gazette* alongside the trial verdict.<sup>35</sup> The passage of the Alien Act triggered the publication of antagonistic Country tracts in Edinburgh, several of which tied this issue with that of Captain Green. Meanwhile, broadside ballads on the case warned:

Scots Men may take care  
Of cruel Neighbours bare.  
Who spitefully us treats we see,  
By Murdering Policie.<sup>36</sup>

When reports spread in late March of letters from the Queen ordering a reprieve for Green and his crew, few in Edinburgh and surrounding areas would have seen this as justified. Public anger at the case had risen so high that five months later, in August 1705, English travellers were warned 'not to speak

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<sup>33</sup> *The tryal of Captain Thomas Green and his crew* (Edinburgh, 1705).

<sup>34</sup> *The merites of piracie* ([1705]).

<sup>35</sup> *Edinburgh Gazette*, no. 626 (Mon. 19 Mar.-Thurs. 22 Mar. 1705).

<sup>36</sup> *The horrid murther committed by Captain Green and his crue, on Captain Drummond and his whole men* ([1705]). A contemporary account linked this particular ballad to the angry mood of the crowds attending the executions on 11 April 1705 (Temple, *New light*, 291-2). See Chapter 3 for more on *Worcester* pamphlets.



anything there, in relation to Captain Green, Darien or the Succession.’<sup>37</sup> On 28 March, the Privy Council received a letter from the Queen’s secretary, the Duke of Argyll, ordering the executions to be delayed until the Queen could review the trial papers. Recognising the overheated state of public opinion in Scotland, the Council sent the papers to London with a recommendation that no reprieve be given. The Council then received a letter direct from the Queen on 3 April, repeating that no execution be carried out until she could consider the case. The *Edinburgh Gazette* represented this letter as ‘for the Reprieving of Capt. Green and his crew,’ raising the possibility that the guilty would not be punished.<sup>38</sup> Though the Council’s reply again recommended that the hangings proceed, the Council was forced to postpone the execution of the first six crew members from 4 to 11 April. The city began to build a gibbet on the sands of Leith in the intervening week.<sup>39</sup> On 10 April, with many Privy Council members absent or abstaining, only six votes were cast on the question of a reprieve, three for and three against. As six votes did not constitute a quorum, the executions stood by default. At another meeting early the next morning, the Council postponed eight sentences but upheld the executions of Captain Green and two of his crew for later that day, despite the receipt of letters from the Queen requesting further delays.<sup>40</sup>

Well aware that the Council was meeting to consider reprieves, great crowds gathered outside the Council House during the 11 April meeting. As an eyewitness reported,

About 11 the word came out of the Council that three were to be hanged, viz. Captain Green, Mather and Simson. This appeased the mob, and made many post away to Leith, where many thousands had been, and were upon the point of coming up in a great rage;

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<sup>37</sup> Joseph Taylor, *A Journey to Edenborough in Scotland*, ed. William Cowan (Edinburgh, 1903), 122.

<sup>38</sup> *Edinburgh Gazette*, no. 630 (Tues. 3 Apr.-Thurs. 5 Apr. 1705).

<sup>39</sup> *Edinburgh Gazette*, no. 631 (Thurs. 5 Apr.-Tues. 10 Apr. 1705).

<sup>40</sup> NAS PC 1/53/377-387.

when the Chancellor came out, he gott many huzzas at first, but at the Trone Kirk some surmized to the mobb, that all this was but a sham, upon which they assaulted his coach and broke the glasses, and forced him to come out, and goe into Mills Square and stay for a considerable time.<sup>41</sup>

Convinced of the guilt of the offenders and inclined to see the case as delivering vengeance to the interfering English, a large number of people from Edinburgh and surrounding areas were unwilling to allow the Council to reprieve the condemned. As rioters had closed the Netherbow port to prevent the deployment of troops in the city, the magistrates and Council could do little to stop the disorder. An eyewitness predicted that had the executions not taken place, 'we would, in all probability have had the confusedest night we saw this seven years.' The crowds at the hangings were described by the same witness as 'the greatest confluence of people there that ever I saw in my life,' estimated in another contemporary account at 80,000 armed men gathered from 50 miles around Edinburgh.<sup>42</sup>

Outside of Edinburgh, local religious politics was as important as national news and propaganda in shaping popular political engagement and inciting crowd activity. While Edinburgh mobs could have religious overtones, as in June 1700 when window-breaking crowds targeted the house of David Blair, a church minister affiliated with William Carstares who had refused to pray for the Caledonian colony, crowds outside of the city were more likely to form around religious issues.<sup>43</sup> Outside the capital, political opinions were influenced less by national political discourse and more by local clergy and religious traditions, especially in Covenanting areas. Nevertheless, as in Edinburgh, these crowds still acted to enforce popular notions of justice and riots were often triggered by news

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<sup>41</sup> *Analecta Scotica* (Edinburgh, 1834), II, 60.

<sup>42</sup> *Analecta Scotica*, II, 60; Temple, *New light*, 291.

<sup>43</sup> *Edinburgh extracts 1689-1701*, 314.

of national events. In 1703, rioters in Glasgow took action against the illegal preaching of unqualified Episcopal ministers, having been agitated by the news of the Queen's softer stance towards dissenters. Similarly, reports of a Jacobite invasion plot in 1704 inspired protesters in Dumfries and Nithsdale to move against local Catholics in protest at the government's ongoing failure to enforce standing laws against papists.

With Anne's accession in 1702, dissenters pressed for toleration and public debate erupted on the security of the established Church, with pamphlets from the 1702 Parliament calling for a reassessment of the popular basis of the Presbyterian settlement.<sup>44</sup> By January 1703, Glasgow buzzed with talk of toleration.<sup>45</sup> National discourse on the threat of toleration found a ready audience in the burgh, where local dissenters had become emboldened under Anne. Though the dissenters had 'in a private way held their meetings in a private place of the town where they were not disturbed,' from January 1703 they began to meet in the home of a prominent Glasgow citizen, Sir John Bell, in the centre of town. Though Glasgow Episcopalians only numbered about forty, many came from the top layers of town society.<sup>46</sup> A provost of Glasgow before the Revolution, Bell was an old man by 1703 but his son Colin, a former baillie and prominent figure in town, acted as a leader for Glasgow dissenters.<sup>47</sup> An atmosphere of conflict and fear grew in Glasgow with the preaching of John Hay, an unqualified dissenting minister, on 30 January 1703, the anniversary of the execution of

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<sup>44</sup> [Sir Alexander Bruce], *A speech in the Parliament of Scotland, in relation to Presbyterian government* ([1702]).

<sup>45</sup> *Early letters*, 250.

<sup>46</sup> Mairianna Birkeland, 'Politics and Society in Glasgow c.1680-c.1740', Ph. D. dissertation (University of Glasgow, 1999), 102.

<sup>47</sup> In 1704, the town council acknowledged Colin Bell's efforts on behalf of the town to secure parliamentary authorisation for a local ale tax (*Extracts from the Records of the Burgh of Glasgow* (Glasgow, 1908), 386).



Charles I. Addressing a meeting in Bell's house, Hay characterised Charles I as a martyr for episcopacy and attacked government by presbytery. A small crowd, reportedly made up of boys and Glasgow University students, reacted to the meeting by breaking the windows of Bell's house.<sup>48</sup>

A month later, a copy of the Queen's letter to the Privy Council arrived in town, creating more concern about toleration. The letter asked the government to protect Episcopalian ministers in the peaceable practice of their religion, a proposal tantamount to an indulgence in the eyes of many Presbyterians.<sup>49</sup> The arrival of this letter sparked the Presbyterian crowd organisers seen in January to 'goe about inviting people' to come to the dissenting meeting house on the next Sunday, claiming that the minister preaching there was not qualified. The provost, Hugh Montgomery, took steps to prevent any disorder but wrote to the Privy Council for clarification of his obligations towards unqualified ministers, indicating the confusion in law enforcement arising from the Queen's letter.<sup>50</sup>

During the next week, more news arrived to agitate Glasgow Presbyterians, this time of the Queen's new Privy Council appointments, many being recognised as sympathetic to Episcopalian dissent. Proposals for a gathering of Presbyterians at the dissenting meeting-house flowed through Glasgow again the following Saturday, indicating the likelihood of violence on Sunday 7 March. Town talk attributed the boldness of the dissenting meeting to the Queen's letter, linking local events to the national political scene. A serious altercation began at Bell's house on Sunday when an armed guard outside the meeting-house told some boys in the street that 'if they or any else came near

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<sup>48</sup> NAS PC 1/52/523-4; *Early letters*, 254; Birkeland, 'Politics and Society in Glasgow', 102-3.

<sup>49</sup> *Her Majesties most gracious letter to the Privy Council of Scotland* (Edinburgh, 1703).

<sup>50</sup> NAS PC 1/52/523-4; NLS Wodrow Quarto XXVIII, f.151.

They would make their blood Lye upon the ground.’ A saucy response from one of the boys provoked a guard to chase him down the street, drawing people out of the Presbyterian churches in response to the noise. A large crowd gathered at the meeting-house and broke the windows and door, with the arrival of the town magistrates and a regiment of quartered royal troops quelling any further violence. The troops escorted the dissenters home from the meeting under armed guard, preventing any serious injuries, though the provost was wounded in the leg.<sup>51</sup>

Local concerns for the government’s failure to enforce laws against religious dissent also sparked riots in Dumfriesshire in 1704, this time over the repression of papists. The survival of substantial pockets of Catholics in the Nithsdale area created ongoing conditions for conflict with local Presbyterians.<sup>52</sup> Serious events in January and February 1704, however, were shaped by the national as well as local context, as rumours of Jacobite invasions produced high levels of anxiety in the Dumfries area.

Presbyteries around Dumfries complained of an increase in popery under Anne, bringing a growing local problem to the national stage. In 1702 and 1703, the presbytery of Kirkcudbright asked the General Assembly to ‘deal with the state to put the laws in execution’ against papists, while in 1703 the presbytery of Dumfries asked for advice on how to cope with local Catholics.<sup>53</sup> This issue appeared on the Church’s national political agenda in 1703 when a petition from

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<sup>51</sup> NLS Wodrow Quarto XXVIII, f.151; NAS PC 1/52/520, 524-6; Birkeland, ‘Politics and Society in Glasgow’, 103-6.

<sup>52</sup> The presbyteries of Kirkcudbright and Dumfries both provided long lists of papists in 1705 and 1707 (NAS CH 1/2/5/3(197, 205)). A ‘Representation anent the state of Poperie in the Synod of Dumfries’ complained that local papists ignored the act of Parliament banning Catholics from inheriting estates (NAS CH 1/2/5/3(206)).

<sup>53</sup> NAS CH 1/2/22/3(258); CH 1/2/23/3(195); CH 1/2/23/3(181).

the Commission of the General Assembly asked Anne to 'give express orders that the laws for preventing the growth of popery...may be duly executed'.<sup>54</sup>

In the meantime, the synod of Dumfries attempted to handle the problem by raising local antagonism towards Catholics. The synod's 'Act against papists and trafficking priests' of April 1703 recommended that ministers purchase and distribute small books explaining the errors of papacy and 'exhort & excite their people to do what is proper for them in obedience to the Law in opposing the growth of popery...And that with a prudent courage & zeal, [the people] bestir themselves in apprehending these Trafficquing papists That they may be punished according to Law.'<sup>55</sup> At their next meeting in October 1703, the Synod agreed to 'be careful and diligent in Instructing their flocks in the Nature of the National Covenant & all the heads and Articles thereof in opposition to popery, prelacy & all other Errors.'<sup>56</sup>

Soon after, in December 1703 and January 1704, reports of a plot for a Jacobite invasion (later known as the Scotch or Queensberry plot) raised concerns for a return of the Catholic Pretender. Primed by their ministers to take action against papists, in mid-January an organised crowd searched for priests and Jesuits in selected houses of Nithsdale nobles and gentry with 'a great many Acts of oppression and violence.'<sup>57</sup> Soon after on 2 February, a 'great Convocatione of the Leidges' gathered at Dumfries 'in a war lyke manner' to burn 'priest vestments & popish books & trinkets,' probably seized in the January raids, at the town cross. By appearing on the day of the Candlemas fair in Dumfries, the organisers guaranteed themselves a large audience for their demonstration. In

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<sup>54</sup> NAS CH 1/2/4/1(3).

<sup>55</sup> NAS CH 2/98/1(176).

<sup>56</sup> NAS CH 2/98/1(186).

<sup>57</sup> NAS PC 1/53/126.



choosing to burn the items, the crowd and its two gentleman leaders appropriated the state's usual method of indicating public disapproval of Catholicism, implying in their independent action that the state should have done the same already.<sup>58</sup>

These major crowd events in Edinburgh, Glasgow and Dumfries demonstrate popular political practices also seen in 1706-7. High levels of political communication in Edinburgh facilitated the mobilisation of residents by oppositional factions, but the crowd still exhibited traditional early modern objectives in seeking to assert community interests and punish government figures perceived to have failed to defend those interests. In Glasgow and Dumfries, members of a dominant Presbyterian culture protested against the state's laxity in removing prelatical and popish threats to the Kirk and state. Political news and print gave Presbyterians in these towns an understanding of how their local problems fit into a national picture, priming them to take action when these problems seemed acute. The crowds then appropriated state rituals, such as public burnings, illuminations or bell-ringing, to express their dissatisfaction with the government.

#### *Anti-Treaty Crowds, 1706-7*

Crowd activity in 1706-7 followed the pattern of print communication, Country coordination, clerical agitation and organised demonstrations seen in 1699-1705, yet exceeded these prior activities in scale, complexity and duration thanks to a dramatic increase in public communication and oppositional

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<sup>58</sup> NAS PC 1/53/144; Dumfries Archives A2/8(7).

organisation. Within this, local politics and religious culture still played a significant role, shaping the nature of crowd activities and their appearance in certain areas. As shown in Chapter 3, proliferating public discourse had created widespread awareness of union issues by 1706. From the summer of 1706, a fresh wave of Country and Court print, sermons and speeches, plus the circulation of the treaty articles and minutes of parliament, brought new levels of detail to popular understandings of the union. Church ministers in many areas spoke out against the union or held prayer sessions to plead for God's guidance in the union affair. In the Edinburgh streets, Country agitators targeted the concerns of the lower orders with carefully pitched arguments on sovereignty, the Church and taxation while Country party leaders encouraged the appearance of crowds in the streets.

Aided by deliberate tailoring to a plebian audience, anti-union arguments resonated with enough listeners to produce grass-roots events in Edinburgh, Glasgow, Stirling and Dumfries. Responding to parliamentary milestones, local anger in Edinburgh broke out in retributive outbursts against Court supporters of the treaty, while Glasgow crowds rose up when the provost refused to address against the treaty. Further episodes of rioting broke out in Glasgow in response to attempts to punish the initial rioters. As word of the treaty debates spread, non-violent protest events were staged in Glasgow, Stirling and Dumfries. These appropriated familiar political rituals, such as processions, book-burnings and declarations, to communicate popular rejection of the treaty.

Alongside local activities, anti-treaty leaders in Edinburgh sought to organise crowd appearances on a national scale through musters of armed men, gatherings of freeholders in Edinburgh and armed risings. Such activities sought

to bring public pressure to bear on the government through the Act of Security's provision for mustering, the Claim of Right's protection of the subject's right to petition and traditions claiming personal attendance by barons at Parliament. While avoiding any personal responsibility, the Dukes of Athol and Hamilton encouraged these appearances, organised at the shire level by their lieutenants. At the same time, however, Court leaders exerted strong pressure on their followers in the localities to resist anti-treaty activities while Court propaganda provided positive arguments for incorporation. As a result, crowd events tended to occur in areas where local opinion divided on union and anti-unionists felt driven to protest against local pro-unionists.

As in prior years, crowds in Edinburgh displayed a close connection to national political discourse. As shown in Chapter 4, anti-incorporation pamphlets and talk filled the Scottish public sphere from October onwards. Oppositional writers and speakers designed their arguments to reach 'the several Orders or Divisions of the People': for example, 'some Popular Speeches let fall by those Gentlemen who opposed the Treaty, and industriously spread about the Town' sought to convince the middling sorts that 'the Sovereignty of Scotland was to be Subjected to the English' while 'the poorer sort that understood less, had the same Thing in other Words...That the Crown of Scotland was Betray'd; That it was to be carryed to England, and never to be seen here more.'<sup>59</sup> Tracts and speeches targeted popular concerns for the security of the Church and heavy taxation and tapped into patriotic pride in an independent Scotland. Sermons by anti-union ministers contributed to printed arguments. On 27 October, one minister preached on the text, 'Behold I Come quickly. Hold fast that which thou hast; let no man

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<sup>59</sup> Defoe, *History of the union*, 17; Defoe, *History of the union*, Minutes, 10.



take thy Crown.' According to Defoe, the minister 'pretended not to mean an Earthly Crown but made his Wholl sermon a bald allegory against the Union.'<sup>60</sup> Ministers also took advantage of two fast days held in Edinburgh on 31 October and 10 November to lead prayers for God to guide the Parliament.<sup>61</sup>

Observers noted the efficacy of political discourse in turning many ordinary citizens in Edinburgh against the union treaty. During the reading of the articles of union from 16 October, 'Without Doors, strange Use was made of these Articles of Taxes, and the People were made to believe, their Salt, their Malt, their Beer, their Fish, would all be loaded with insupportable Taxes, and their whole Trade would be ruin'd, their Houses plunder'd for Taxes, and their People starv'd.'<sup>62</sup> According to John Clerk of Penicuik, 'the strangest chimeras to inflame the mob...were industriously spread about and swallowed.'<sup>63</sup> The Earl of Mar reported to London that many believed 'they were to loss the Crown and wou'd be taxt excessively.' These messages led commoners to 'speak openly against the Union.'<sup>64</sup>

Factional leaders did not hesitate to provide fuel for popular anti-unionism, though they avoided any overt connection with rabble-rousing. During the reading of the articles, the opposition 'sent messages to every shire in the kingdom, imploring the populace to provide whatever instant aid it could in the present crisis.' As a result, the 'buildings and streets around Parliament Hall were thronged, and there was every prospect of violence.'<sup>65</sup> In particular, the Duke of

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<sup>60</sup> *The Letters of Daniel Defoe*, ed. George Harris Healey (Oxford, 1955), 137.

<sup>61</sup> *Letters of Daniel Defoe*, 140; A. Ian Dunlop, *William Carstares and the Kirk by Law Established* (Edinburgh, 1964), 116.

<sup>62</sup> Defoe, *History of the union*, Minutes, 10.

<sup>63</sup> Sir John Clerk of Penicuik, *History of the Union of Scotland & England*, ed. Douglas Duncan (Edinburgh, 1993), 100.

<sup>64</sup> *Report on the Manuscripts of the Earl of Mar and Kellie* (London, 1904), 298.

<sup>65</sup> Clerk of Penicuik, *History of the union*, 97.

Hamilton, a leader of the Country party, praised the 'great number of apprentices and younger sort of people' escorting his chair from Parliament House to his lodgings every night after the Parliament adjourned.<sup>66</sup> Court ministers claimed that he 'encourages them not a litle;' on one occasion, 'he told the mob as they went home that he wisht they had evry one a vote in the House, for they wou'd vote like honest men.'<sup>67</sup> Hamilton also contributed to the formation of the highly effective rumour that the honours of Scotland were to be sent down to London after the Union.<sup>68</sup> According to Mar, 'One night after the Parliament rose some boys got into the House. [Hamilton] call'd to make way for them to see the Crown, for perhaps they wou'd never see it more.'<sup>69</sup> Not long into the parliamentary session, the Court had come to expect rioting, reporting to London that oppositional leaders 'take themselves to the mob and cajol them all they can, in so much that they have got the mob and populace on their side intirely, and it is hardly to be doubted but before this affair end there will be some mobish affair.'<sup>70</sup>

Primed by pamphlets, speeches, sermons and street talk, the anti-union crowd in Edinburgh only needed a trigger for action. The Parliament's debates on Article XVIII relating to customs and excise taxes provided this on 23 October, though the mob had started to turn ugly the preceding day when the House debated the Equivalent and read Article XVIII. After escorting Hamilton home as usual on 22 October, the crowd had returned to the high street, throwing stones and calling the treaty negotiators 'traitors.'<sup>71</sup> Some said that the crowds were

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<sup>66</sup> 'Scotland's ruine', 143.

<sup>67</sup> *Mar manuscripts*, 296, 300.

<sup>68</sup> Clerk of Penicuik claimed that this rumour was 'what chiefly upset' the Edinburgh mob (Clerk of Penicuik, *History of the union*, 100).

<sup>69</sup> *Mar manuscripts*, 300.

<sup>70</sup> *Mar manuscripts*, 296.

<sup>71</sup> *Letters of Daniel Defoe*, 133.

encouraged that night with money distributed by 'two top peers,' though the government lacked any direct evidence of this.<sup>72</sup> On 23 October, crowds in Parliament Close pressed up to the doors of the House towards the end of the day, causing the House to adjourn for fear of an invasion. A large throng escorted Hamilton as usual, first to the Duke of Athol's lodgings and then to Hamilton's lodgings in the Abbey. After this, some converged on the home of Sir Patrick Johnston, a former provost of Edinburgh, pro-union MP for the city and one of the negotiators of the union treaty. Expressing typical retributive sentiments, the attackers shouted 'that they wou'd massacre him for being a betrayer and seller of his country.' They also cursed two Court ministers who lived in the same building, though the local figure of Johnston attracted the most ire. Stones broke Johnston's windows while a group tried to hammer down his door. The arrival of a detachment of town guards prevented a break-in. A crowd estimated at several thousand roved the streets until at least midnight, throwing stones and beating drums to raise more supporters. The crowds dispersed early in the morning when the Duke of Queensberry secured permission from the city magistrates to bring royal troops in through the Netherbow port to the high street and Parliament Close.<sup>73</sup>

The deployment of troops in the city to protect the Parliament quieted the crowds for a time, but violence broke out again in November. On 1 November, as the Parliament debated whether to begin voting on the articles or take a recess for members to consult their constituents, the 'Clamour without was so great That a Rabble was feared tho' the Guards are Numerous and were Drawn Out in

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<sup>72</sup> *Mar manuscripts*, 300.

<sup>73</sup> *Mar manuscripts*, 298-9; *Letters of Daniel Defoe*, 135-6; Defoe, *History of the union*, 28-9; 'Scotland's ruine', 143; Clerk of Penicuik, *History of the union*, 101-3.



Readyness.<sup>74</sup> The troops managed to discourage open rioting, but some in the town still sought to punish their leaders for a perceived betrayal of national interests. On 15 and 16 November, following Court victories on Articles II (the Hanoverian succession) and III (the British Parliament), angry bystanders threw stones at the Duke of Queensberry's coach as it left Parliament Close for Holyrood Palace. Some stones came from the windows of houses on the high street, indicating a degree of planning on the part of these attackers. On both days, the parliament adjourned late in the evening, allowing the stone-throwers to act under cover of darkness. The uproar was greater on 16 November, when the crowds managed to injure one of the Duke's servants and made his coach horses gallop off at high speed.<sup>75</sup>

As in prior riots, the actions of the Edinburgh crowd revealed both internal divisions within the city and popular reactions against leaders representing unpopular national policy. In the first major riot of 23 October, participants' targeting of the city's pro-union MP, Sir Patrick Johnston, reflected the split in the city between pro- and anti-treaty elements. While Edinburgh's provosts and leading magistrates traditionally backed Court positions, Robert Inglis, Edinburgh's second MP, chose to betray his usual Court affiliation to vote against the treaty.<sup>76</sup> Later in November, the crowd turned its ire on the Queen's Commissioner, attempting as in 1705 to express its resentment towards unwanted royal policy with a direct attack on the Queen's representative.

As in Edinburgh, Glasgow saw repeated rioting in response to the parliamentary debates. During October, copies of the treaty made their way to the

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<sup>74</sup> *Letters of Daniel Defoe*, 142.

<sup>75</sup> *Mar manuscripts*, 326-7; *Letters of Daniel Defoe*, 151; Clerk of Penicuik, *History of the union*, 132.

<sup>76</sup> Riley, *Union of England and Scotland*, Appendix A.

provinces, along with pamphlets, speeches and prints of the parliamentary minutes. Local ministers drew public attention to the union question from early October after an act passed by the Synod of Glasgow & Ayr on 1 October called on clergy to 'excite themselves & one another & the people under their inspection and charge' to pray for divine guidance for Parliament that 'the rights & liberties of this Nationall church, now happily established by Law, may be confirmed & secured from danger.'<sup>77</sup> Another day of prayer held in Glasgow on 3 November on the orders of the Commission of the General Assembly allowed ministers to repeat this message.<sup>78</sup> James Clerk, minister at Glasgow's Tron church and 'a major figure in the church at Glasgow', continued to preach against the treaty on 7 November, calling on his parishioners to act to defend the city and its church.<sup>79</sup> That afternoon, drums called people out onto the streets in an initial show of force. The next day, a group of artisans accompanied deacons of trade to the Council-House at the Tolbooth to demand that the provost address the Parliament against the union. On the provost's refusal, 'the People fell a Shouting, and Raging, and Throwing Stones, and Raised a very great Uproar.' Like Patrick Johnston in Edinburgh, John Aird, the provost of Glasgow, was a respected member of the local community, but his stance against addressing invited the retribution of the anti-incorporation crowd. As a public punishment, the mob attacked the provost's house and took away some arms and goods; they also broke the windows of a local laird who had supported the provost's refusal to address.<sup>80</sup>

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<sup>77</sup> NAS CH 2/464/2(103-5).

<sup>78</sup> In response to presbyterial lobbying, the Commission's 22 October Act concerning Solemn Prayer and Humiliation recommended that presbyteries hold local fast days to pray for divine guidance for Parliament (Defoe, *History of the union*, Appendix, 2-3).

<sup>79</sup> Birkeland, 'Politics and Society in Glasgow', 129.

<sup>80</sup> Defoe, *History of the union*, 59-61.

Over the next few days, local organisers solicited signatures for an independent address to Parliament against the treaty from the inhabitants of Glasgow. This unorthodox petitioning process echoed events in 1700 when the town council had refused to address in favour of the Darien colony and Country representatives had generated an independent address with over 470 signatures.<sup>81</sup> This time, local organisers collected over 380 signatures using the same petition text as the Convention of Royal Burghs. While many signatures were given freely, letters to government ministers from some Glasgow residents accused organisers of pressuring them to sign under threat of violence. Daniel Defoe later claimed that 'Youths and meer Childrens Hands' had been taken.<sup>82</sup> The address was conveyed to Edinburgh and presented to Parliament on 15 November.<sup>83</sup>

News from Edinburgh of the 12 November passage of the Act of Security for the Church sparked another brief outburst in Glasgow to protest Parliament's failure to include key amendments requested by the second petition of the Commission of the General Assembly.<sup>84</sup> More serious altercations began on Saturday 23 November when a crowd tried to free a tobacco spinner named Parker who had been imprisoned for selling goods taken from the provost's house in the 8 November riot. This new crowd was led by a former sergeant from a Scottish regiment serving in Flanders named George Finlay. Said to be a Jacobite, Finlay had no apparent employment at the time of the riots though his mother ran an alehouse in the city's east end, giving him ample access to town gossip and political news. An aggressive crowd led by Finlay entered the Tolbooth on 23 November to demand a bond that had been prepared for Parker's release.

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<sup>81</sup> See Chapter 5 for more on Glasgow addressing in 1700 and 1706.

<sup>82</sup> *Letters of Daniel Defoe*, 150; Defoe, *History of the union*, 62.

<sup>83</sup> Defoe, *History of the union*, 62.

<sup>84</sup> *Letters of Daniel Defoe*, 148; *Mar manuscripts*, 322.



Recognising that the mob 'had now the full Command of the Town,' the magistrates handed it over. Though they had secured their immediate objective, the crowd expressed their ongoing resentment by attacking the provost with stones and curses as he made his way home, forcing him to hide in a nearby house. A loosely organised crowd then searched for weapons in the homes of other town officers who had not opposed the treaty and accosted passers-by with the threatening question, 'Are you for the Union?' Later that night, a mob estimated at 100 persons or more returned to the Tolbooth but was repelled by a select party of the town guard. Taking shelter in heads of closes and doorways, the rioters stoned the guard in return.<sup>85</sup>

In the ensuing week, Finlay set up headquarters with an armed guard in the old bishops' castle near the Cathedral. Reports came to town of a planned rendezvous at Hamilton of armed men from Stirling, Angus, Galloway and Lanarkshire, with the intent of descending on Edinburgh to raise the Parliament. On Friday, 29 November, Finlay and an armed following marched from Glasgow towards Hamilton. Though initially reported in Edinburgh at 100 men, Finlay's group numbered forty-five to forty-nine.<sup>86</sup> These small numbers reflected a split in Glasgow between those willing to take to arms for the treaty and those appalled at the prospect of popular violence as the rioting 'divided the honest party' in the town.<sup>87</sup> Moreover, Finlay's status as a Jacobite reduced the willingness of Presbyterians to follow him.

Finlay's departure from Glasgow did not stop the tumults in the town. Many of those unwilling to march against Parliament still felt justified in

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<sup>85</sup> Defoe, *History of the union*, 62-6; 'Scotland's ruine', 147.

<sup>86</sup> *Letters of Daniel Defoe*, 163; *Mar manuscripts*, 339; Defoe, *History of the union*, 66.

<sup>87</sup> NLS Wodrow Quarto XL, item 8 (2 Dec 1706).

protesting state efforts to quell crowd protests. On Monday 2 December, the Parliament's Proclamation against Unlawful Convocations of 29 November and its Act against Musters of 30 November arrived in Glasgow and were read out at the Tolbooth before a 'vast Multitude.' The crowd expressed its disapproval of the messages with stone-throwing, hoping to disrupt the reading and prevent the legal promulgation of the announcements, thus weakening the ability of the state to enforce the new law. In response, the town guard advanced on the mob, clubbing some rioters with their muskets. The crowd overcame and disarmed the militia, aided by the desertion of some tradesmen from the guard. After seizing more arms from the Tolbooth, the crowd regrouped at the bishop's castle. That afternoon, a party searched targeted houses for arms, taking some plunder as well. According to later reports, this armed, organised party 'was follow'd by a vast Throng of Boys and Idle Fellows.'<sup>88</sup> Like the 1703 anti-toleration riots, young men and Glasgow University students had a prominent role in the crowds, in keeping with the typical concentration of apprentices, journeymen and other young men not yet of householder status in early modern mobs.

Finding no supporters at Hamilton, Finlay and his small army returned to Glasgow on Wednesday 4 December and handed over their weapons to the deacons of trade on Thursday. Soon after, royal dragoons entered Glasgow and arrested Finlay and one follower, a man called Montgomery. Drums beat briefly on their arrival and a few stones were thrown as they left, but no other resistance was shown. On the troops' departure, however, 'the Rabble Rose again and Took all the Magistrates prisoners and Declared that if their Two men were not Restored and sent home Again they would Treat the Magistrates just in the same

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<sup>88</sup> Defoe, *History of the union*, 67-8.

Manner as they should be Treated.’ As Finlay had agreed a ‘Cessation of Arms’ with the magistrates, his supporters judged his arrest to have betrayed this agreement. Unable to quell the crowd’s retributive anger, two deacons of trade and two baillies were forced to set off for Edinburgh.<sup>89</sup> A small crowd in Edinburgh, led by a hat-maker’s servant, attempted to free the Glasgow prisoners by force on their arrival at the Castle, but were prevented by the prisoners’ guard.<sup>90</sup>

The Glasgow riots reflected a fundamental split in the community between pro- and anti-unionists, pulled in opposite directions by competing partisan discourses and obligations. Glasgow’s provost and other prominent figures were influenced in favour of the treaty by past dealings with the Court, as indicated in a July 1706 letter from the provost to the Earl of Mar expressing the town’s deep obligations to the current government. Magistrates in Glasgow had to remember that they ‘depend[ed] upon their friends that are in court for good offices to the Town.’<sup>91</sup> In particular, Glasgow risked losing a tax on ale secured by the city in 1705 after two years of lobbying.<sup>92</sup> Others, however, saw a greater danger to the town from the threats presented by union, while Jacobites saw an opportunity to turn conflict into rebellion and a Stuart restoration.

Within the town’s divided leadership, the deacons of trade tended to back an anti-union position. Before the first tumult of 7 November, the trades had marched through Glasgow ‘with this inscription on their hatts, No incorporating Union’. Though peaceful, the march had ignored an order from the town

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<sup>89</sup> Defoe, *History of the union*, 70-1; *Mar manuscripts*, 351; *Letters of Daniel Defoe*, 166-8; NAS PC 1/53/492; *Post Man* (Thurs. 12 Dec.-Sat. 14 Dec. 1706).

<sup>90</sup> *Mar manuscripts*, 350.

<sup>91</sup> NLS Wodrow Quarto XL, item 12.

<sup>92</sup> *Glasgow burgh extracts*, 391.



magistrates against their appearance.<sup>93</sup> The deacons then led the request to the provost for an address and the deacons of the tailors and the shoemakers later took the town's independent petition to Edinburgh for presentation to Parliament. On 18 November, the trades joined with the merchants to agree measures with the town council to prevent further tumults, including a daily mustering of the guard and a curfew for 'all women, boys, young men, and servants'.<sup>94</sup> However, when the town council tried to get masters to take responsibility for their households as an additional measure, the deacons refused.<sup>95</sup> The uncooperative behaviour of the trades weakened the guard, as it relied on artisans for its membership and lesser officers.<sup>96</sup> On 23 November, those magistrates resisting the crowd at the Tolbooth had to select certain captains to serve with them. They also moved the militia's weapons to the Tolbooth for fear of a mutiny. Later, on 2 December, some artisan members abandoned the guard in the face of a new riot.<sup>97</sup>

As in Edinburgh and Glasgow, the shaping of opinion on union in Dumfries contributed to an outburst of crowd anger against the treaty. Alongside printed discourse, sermons played an important role in raising local awareness of the union issues. Since 10 October, the Synod of Dumfries had been operating under an 'Act respecting the Union with England,' based on a similar act voted by the Synod of Glasgow & Ayr, ordering clergy to encourage parishioners to pray for divine guidance in the Parliament's consideration of the treaty. As in 1703-4 when the Synod ordered parishes to be stirred up against papists, in 1706 its

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<sup>93</sup> *Mar manuscripts*, 318.

<sup>94</sup> *Glasgow burgh extracts*, 399-402.

<sup>95</sup> NAS PC 1/53/492.

<sup>96</sup> In 1704, the captains of the guard companies included one hammerman, four maltmen, two cordiners, one weaver, one tailor, one heftmaker, one mealman and a dyster (*Glasgow burgh extracts*, 374).

<sup>97</sup> Defoe, *History of the union*, 64-5.

clergy sought to 'stir up the godly within their bounds, to a just Concern, in their Prayers to God, for the Interest of the Church and Nation, in this present Juncture.'<sup>98</sup>

Primed by anti-treaty discourse, many ordinary people turned out for a major demonstration in Dumfries on 20 November. A large crowd, reported as 'many Thousands' and 'two or three thousand' by sympathetic sources and two hundred by Daniel Defoe, formed at the market cross in Dumfries to protest against the terms of the treaty. According to the protesters, their followers surrounded the fire with 'double Squadrons of Foot and Horse, in Martial Order.' As in 1704 when popish items were burned at the Dumfries cross, the organisers burned the articles of union, holding them up in flames on a pike 'to the view of all the People' who indicated their approval 'by Huzza's and Chearful Acclamations.' A list of the treaty negotiators and the minutes of the negotiations were also burned, mirroring in paper form the Edinburgh crowd's attack on the traitor Sir Patrick Johnston.

Following this symbolic rejection of the treaty, the ringleaders posted a declaration against the ratification of the articles of union. This paper repeated arguments seen in Country propaganda, describing the articles as 'utterly destructive' of 'this nation's independency, crown rights and our constitute laws, both sacred and civil' and declaring that Parliament could not take away the nation's fundamental rights without the people's permission. The writers intended their paper to act as a form of legal protest against the treaty, asserting that 'whatever ratification of the foresaid union may pass in Parliament, contrary to our fundamental laws, liberties and priviledges concerning church and state,

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<sup>98</sup> NAS CH 2/98/1(252-3). On 1 October, the Synod of Glasgow & Ayr passed a similar act and ordered its correspondents to distribute it to neighbouring synods (CH 2/464/2(103-5)).

may not be binding upon the nation now, nor at any time to come.' To reinforce this, they sent their statement to Edinburgh 'to be Printed and kept in Record' as 'the Testimony of the South part of this Nation.'<sup>99</sup>

As in Glasgow and Edinburgh, the Dumfries crowd reflected divisions in the community over union, as well as the presence of an ongoing tradition of political activism in the area. Against the strong influence of the Queen's Commissioner, the Duke of Queensberry, in the area, many local gentlemen, clergy and parishioners opposed the treaty. On 29 October, a group of thirty-one freeholders subscribed a set of printed instructions to their MPs requiring them not to vote for any treaty articles removing their constituents' interests in 'Our Church Government by Law Established, Our Liberty, and our Trade.'<sup>100</sup> In the shire, two MPs voted for the treaty while two voted against, as did the burgh's MP.<sup>101</sup>

A burning of the articles of union occurred in Stirling as well, where the town's leadership also split over the treaty. Stirling's provost and MP, Lt. Col. John Erskine, found himself caught between local anti-treaty concerns and his obligations to the Earl of Mar and the Crown as the commander of the royal forces at Stirling Castle. Erskine played a double game, voting for the union in Parliament but opposing it through the petitions of the Convention of Royal Burghs and his burgh.<sup>102</sup> On 16 November, Stirling's burgh council ordered an address against the union to be signed by 'the council and communitie.' The council mustered 'the haill inhabitantis within this burgh and territories thereof, betuixt sixtie and sixtine yearis' on Monday 18 November to sign the address,

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<sup>99</sup> *An account of the burning of the Articles of the Union at Dumfries* (1706); 'Scotland's ruine', 177-9; Defoe, *History of the union*, 41-2.

<sup>100</sup> *Instructions for the Commissioners of the Sheriffdom of Dumfreis* ([1706]).

<sup>101</sup> Riley, *Union of England and Scotland*, Appendix A.

<sup>102</sup> *Extracts from the Records of the Convention of the Royal Burghs of Scotland (1677-1711)* (Edinburgh, 1880), IV, 399-400.



with a penalty of five pounds for anyone not appearing. Erskine presented the address to the assembly, 'and with his sword Drawn in One hand, and his pen in the Other, signd it, and made the Rest do so also.'<sup>103</sup>

Stirling's official resistance, however, did not extend to crowd disorder. A burning of the articles of union was organised by Patrick Stivinson, a former treasurer of Stirling, on Wednesday 4 December, with the apparent cooperation of members of the town guard. As Captain William Holburn of the Queen's forces at the Castle reported to Erskine in Edinburgh, 'This day at twelve a'clock I was standing near the cross at Stirlin, and ther cam some ruffians out from a sham gward the toun keeps since the dragouns went from this and brought the articles of the Treatie of Union to the cross, kindled a fire and threw the articles in it with severall huzas.' In addition, a declaration against the union was posted to the cross, as in Dumfries. Several town leaders played a significant role in organising the demonstration, supported by substantial anti-treaty feeling in the town. According to Holburn, 'This partie was headed by Patrick Stivinson late thesaurer. The gward was commanded by Baillie Allen who at that time was out of the way, whither designedly or not I shall not say. This rascall Stivenson was ensign of the guard.' The town, he said, was full of 'seditious people,' with the guard 'good for nothing but to raise tumults.'<sup>104</sup> The council, however, denied any involvement of town magistrates in the burning, disowning the event in the council records and blaming it on 'some drunken people and boyes...who wer lykewayes ignorant of the late act of parliament against tumultuarie and irregular meetings and convocations of the leidges, the same never having been proclaimed

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<sup>103</sup> *Extracts from the Records of the Royal Burgh of Stirling, 1667-1752* (Glasgow, 1889), 109; *Letters of Daniel Defoe*, 153.

<sup>104</sup> *Mar manuscripts*, 347, 353.

here.’ To cover their backs, the town sent a baillie to Edinburgh with letters to the Duke of Queensberry and Erskine providing their version of events and asking for advice on how to proceed.<sup>105</sup>

Alongside these disturbances in Edinburgh, Glasgow, Dumfries and Stirling, other popular actions reveal coordination by Country party operatives working at the national level to organise crowd appearances across multiple localities. These activities, including musters, armed marches on Edinburgh and gatherings of freeholders in Edinburgh, still relied on opinion-shaping and popular engagement, but instigation for action came from noble, baron and clerical leaders acting at the local level according to national party objectives. Through musters and gatherings of freeholders, oppositional nobles sought to pressure Parliament with apparently legitimate convocations of the lieges. With armed marches, a narrower, more radical group of Country party leaders and clerics stepped closer to open rebellion. Though anti-union risings have been associated with the Cameronians, there is more evidence of planning for rebellion on the part of Jacobite gentlemen and fundamentalist clergymen within the established church. Despite the aggressive plans of middling barons and clergy, however, political caution kept prominent nobles like Athol and Hamilton from whole-hearted support of armed activity, leading them to quash plans hatched by their followers.

Musters of armed men began to appear in November, called by shire, burgh and parish leaders affiliated with the Country party. These seem to have been intended as shows of force to remind the Court of the armed men available to oppositional nobles within a few days’ march of Edinburgh. The Act of Security provided a legal basis for musters in its order ‘that the whole protestant

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<sup>105</sup> *Stirling burgh extracts*, 110.

heretors and all the burghs within the same [kingdom] shall forthwith provide themselves with fire arms for all the fencible men who are Protestants within their respective bounds' and 'to discipline and exercise their said fencible men once in the moneth at least' for the ready defence of the kingdom against a Jacobite invasion.<sup>106</sup> Most musters took place in Lanarkshire, with those around the Hamilton area supported by the Duke of Hamilton's mother, Duchess Anne. Writing at the time that she was 'more than can be expressed against this union,' the Duchess reported 'We have frequent rendezvous here...and as long as we have law for it, let them say what they will of me, I will encourage them.'<sup>107</sup> Local clergy also urged mustering, with the Synod of Glasgow & Ayr recommending 'frequent rendezvous and exercises of the fencible men through all the Burghs and paroches of this countrey, that in case their service and assistance shall be required for the defence and maintenance of the liberties and rights of the church and Nation they may be in all suitable readiness to answer the call.'<sup>108</sup>

Alongside legal musters, other shows of popular force were planned, each of which drew on recent political precedents. By the end of October, rumours in Edinburgh speculated on a possible walkout of Parliament by the Country coalition, like that of 1702, followed by an armed insurrection.<sup>109</sup> Early in November, clergy in Edinburgh told Daniel Defoe that some in the north and west were organising an association oath with 50,000 subscribers. Following the example of a popular association oath proposed in 1696 and echoing the National

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<sup>106</sup> Gordon Donaldson, *Scottish Historical Documents* (Glasgow, 1999), 268.

<sup>107</sup> Rosalind K. Marshall, *The Days of Duchess Anne* (London, 1973), 220.

<sup>108</sup> NLS Wodrow Quarto LXXIII, f.271.

<sup>109</sup> *Letters of Daniel Defoe*, 137.



Covenant, the oath reportedly obliged its takers to 'stand by One Another in Defence of the present Establishment in Church and state.'<sup>110</sup>

These rumours indicated the presence of several different strategies for coordinated crowd action against the Parliament. While some ideas did not advance beyond talk, others began to take shape in November. With the blessing of the Dukes of Hamilton and Athol, Cunningham of Aiket, a Presbyterian and former army major who had gone to the Darien colony, recruited zealous Presbyterians in the western shires to rendezvous at Hamilton and march to Edinburgh to raise the Parliament while the Duke of Athol's Jacobite followers seized the Stirling pass. Lockhart claimed that this venture had the restoration of the Stuart monarchy as its ultimate aim, though it is unlikely that Aiket proposed this to the western Presbyterians. The project advanced to the point of a call to arms, with Finlay's small band marching from Glasgow on 29 November in expectation of joining an army of many thousands at Hamilton.<sup>111</sup> At the same time, reports came to Edinburgh of similar preparations in Hamilton, Dumfries, Annandale, Galloway and Stirling.<sup>112</sup> According to Lockhart, however, the Duke of Hamilton cancelled the expedition at the last minute, writing letters to halt any moves towards Edinburgh.<sup>113</sup>

Notably, while the risings in the southwest have been attributed to 'Cameronians,' John Hepburn himself did not support armed action.<sup>114</sup> While ordinary Cameronians may have been involved in local preparations for an

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<sup>110</sup> *Marchmont papers*, 116; *Letters of Daniel Defoe*, 140.

<sup>111</sup> Lockhart predicted that the rising would encompass 'above seven or eight thousand men, well armed (all with guns and swords, five or six hundred with bayonets for the muzzles of their guns and twice as many of them on horseback)' ( '*Scotland's ruine*', 181-2).

<sup>112</sup> *Mar manuscripts*, 337; *Letters of Daniel Defoe*, 163.

<sup>113</sup> '*Scotland's ruine*', 180-3.

<sup>114</sup> '*Scotland's ruine*', 182.

insurrection, Hepburn did not support popular action beyond the Societies' petition to Parliament, which was signed by a few ministers and elders rather than a profusion of followers.<sup>115</sup> Instead of the radical Cameronians, fundamentalist Church ministers appear to have been key organisers for local musters and preparations for armed action. While many clergy hesitated to involve themselves in civil affairs, others were sure that 'if the ministry and the body of the people hold together, they will be soe considerable a party that the court will scarce venture to disoblige them.'<sup>116</sup> As seen in Glasgow, some anti-union clergy, according the Earl of Mar, 'preach[ed] little less to their people than to arms.'<sup>117</sup> A minister told Defoe in mid-November that 'Weather permitting They would have been at Edinburgh before Now with 15000 men.'<sup>118</sup> At the end of November, Robert Wylie called on his parishioners to join the rising, while the parish's second minister offered to captain them.<sup>119</sup>

Though clashes between Hanoverian and Jacobite interests as represented by the Dukes of Hamilton and Athol led to disruptions in oppositional activity at the national level, at the middling levels Presbyterians and Jacobites pursued parallel plans for armed resistance to the treaty. To advance this unlikely alliance, Jacobite propagandists sought to convince Presbyterians that their king would be sympathetic to the Kirk if the godly helped in his restoration. In November 1706, a minister stated that 'the Jacobites (if we may believe them) swear that if the Presbyterians stand fast nou to the Liberties and sovereignty of the Kingdome, for

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<sup>115</sup> 'Scotland's ruine', 179-80; NAS PA 7/28/22.

<sup>116</sup> NLS Wodrow Quarto XL, item 8 (4 Nov. 1706).

<sup>117</sup> *Mar manuscripts*, 334.

<sup>118</sup> *Letters of Daniel Defoe*, 150.

<sup>119</sup> *Mar manuscripts*, 337.

ever they shall be for presbitry.'<sup>120</sup> Though historians now view this as a naïve hope, some in Scotland clung to the idea of a Protestant Stuart restoration. In 1702, John Spottiswoode, an advocate and baron of Berwickshire, proposed that the Stuart heirs be invited to live in Scotland and take instruction in religion, with the aim of restoring them if they turned Protestant.<sup>121</sup> At the time of the planned rising, Mar reported Jacobite rumours of a landing of the Pretender with claims 'that he had turn'd Protestant, and offers not only to establish and confirm Presbitry, but the Solemn League and Covenant.'<sup>122</sup> In Daniel Defoe's view, it was likely that Presbyterians would 'Joyn the Worst of their Enemies against the Union' if open insurrection broke out.<sup>123</sup>

With the cancellation of the late November rising, some anti-treaty clergy still looked to civil war to rescue the Church. As one minister wrote from Edinburgh on 2 December, 'There is no other way left to break the project but the appearance of the country...Addresses and Representations being slighted there seems noe other way left but armes.' He noted that major obstacles lay in the path of this plan, including the English forces known to be at the borders and the neutralisation of the leadership of Athol and Hamilton thanks to their disagreements over the succession. Moreover, the people 'cannot be expected to appear without a good force, and the primores Regni to lead them.' Nevertheless, in his view 'there seems noe way left but the honest party to rise without the Influence any of the sides and to chuse ane honest leader, and come in, and these 2 D[uke]s and others from the parties to joyn them without any of their men when

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<sup>120</sup> NLS Wodrow Quarto XL, item 8 (4 Nov. 1706).

<sup>121</sup> [John Spottiswoode], *A speech of one of the barons of the shire of B[erwick]*, (1702), 5-6.

<sup>122</sup> *Mar manuscripts*, 340.

<sup>123</sup> *Letters of Daniel Defoe*, 137.



they come near the toun.’<sup>124</sup> The commitment of some clergy to a rising can also be seen in a draft manifesto in Robert Wylie’s papers, intended to be read on the occasion of an insurrection. This justified a rising as ‘called of God’ to stop those who would betray ‘the known mind of the nation their constituents.’<sup>125</sup>

To support these various plots for open rebellion, operatives in Edinburgh sought to persuade the Queen’s Scottish troops to reject the treaty, hoping to weaken the government’s ability to put down any armed action. This project developed alongside the Country coalition’s petitioning activities, with regiments being encouraged to address against the union. Anticipating difficulty in getting officers to address, organisers prepared a petition for rank and file soldiers to submit to their officers. This asserted their dislike of the treaty and their unwillingness to fight their fellow subjects in its defence. In addition, soldiers were to be warned that ‘if this union go on, they will certainly be carried abroad and will never be trusted in their own dissatisfied country.’<sup>126</sup> The subversion program seems to have had an effect by mid-November, when some in Edinburgh had deep concerns about the reliability of the forces: ‘The few Troops They have here are Not to be Depended Upon—I have this Confesst by Men of the best Judgement—The officers are good but Even the Officers Own They Dare Not Answer for Their Men.’<sup>127</sup>

Despite these plans, the Duke of Hamilton’s discouragement and a proclamation against musters turned those involved in the opposition at the national level to more peaceful proposals for a gathering of freeholders in Edinburgh. Address subscribers were to assemble to demand answers to their

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<sup>124</sup> NLS Wodrow Quarto XL, item 8 (2 Dec. 1706).

<sup>125</sup> NLS Wodrow Quarto LXXIII, f.283-7.

<sup>126</sup> NLS Wodrow Quarto LXXIII, f.280-1.

<sup>127</sup> *Letters of Daniel Defoe*, 147.

petitions and sign a national address to the Queen. Similar ideas had been raised earlier in the session, but a meeting of addressers now gained acceptance as a legal alternative to armed resistance.<sup>128</sup> This notion was strengthened by pamphlet assertions of the traditional right of proprietors to attend Parliament in person.<sup>129</sup> According to Lockhart, the Dukes of Athol and Hamilton agreed on a freeholder gathering, with letters being sent out to the shires to call in sympathetic gentlemen. In Lanarkshire, for example, Hay of Craignethan, sheriff deputy under the Hamiltons, sent out a circular letter to a reported 69 local heritors.<sup>130</sup> Participants also came from the north, with unusual numbers of Highlanders being noted in Edinburgh in December, including known Catholics and Jacobites.<sup>131</sup>

While presented as a legal action, the gathering still offered the possibility that 'vast hosts of anti-unionists in Edinburgh would frighten parliament into dissolving itself.'<sup>132</sup> As with the planned rising, however, internal dissention plus an act of Parliament stopped the gathering. Though several hundred gentlemen had come to Edinburgh by late December, Athol and Hamilton could not agree on the text of the national petition, splitting over the Hanoverian succession.<sup>133</sup> In addition, an act of Parliament on 27 December against convocations undermined the idea that such a gathering would be safe and legal for propertied participants.<sup>134</sup> By early January, many freeholders had gone home again.<sup>135</sup>

The Duke of Hamilton proposed one last national crowd activity in early January as the Estates began to debate Article XXII on representation in the

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<sup>128</sup> NLS Wodrow Quarto LXXIII, f.276.

<sup>129</sup> [George Ridpath], *Considerations upon the union* (1706), 58-9.

<sup>130</sup> *Letters of Daniel Defoe*, 184; *Mar manuscripts*, 363.

<sup>131</sup> *Letters of Daniel Defoe*, 182; NAS PC 1/53/493.

<sup>132</sup> Clerk of Penicuik, *History of the union*, 152.

<sup>133</sup> 'Scotland's ruine', 184-8; *Mar manuscripts*, 363-4.

<sup>134</sup> *APS*, vol. xi, 371.

<sup>135</sup> *Letters of Daniel Defoe*, 188.

British Parliament. Hamilton returned to a motion made earlier by Annandale for the settlement of the Hanoverian succession with limitations, proposing to ally this with a formal protest against the treaty, a walkout of oppositional MPs and a national address to the Queen. Like the gathering of freeholders, the idea of a walkout had been in circulation earlier in the session, with the passage of Article XXII noted as the deadline for such an event.<sup>136</sup> Though Athol again refused to accept an address with the Hanoverian succession, Hamilton's faction readied for a walkout and prepared a draft national address. Adherents were primed to gather in Parliament Close to support the MPs as they left the House. On the day, however, the Duke of Hamilton complained of a toothache and tried to stay away. When his followers insisted on his attendance, he appeared in the House but refused to lead the exodus.<sup>137</sup>

The collapse of the walkout scheme marked the end of organised crowd activities against the treaty. Country party leaders had hoped to use the pressure of crowds against the government, putting great effort into pamphlets and word of mouth to convince ordinary subjects of the dangers presented by the treaty. In areas where Court propaganda and patronage held sway, local conflict resulted in rioting and demonstrations as anti-unionists protested against local Court supporters. These activities followed recent precedents, revealing the role of elite communications and coordination in shaping opinion and instigating action as well as the importance of popular political culture in determining the form of crowd behaviours. Alongside these grassroots appearances, national party leaders sought to organise activities across localities, hoping to take advantage of standing law allowing the mustering of armed men and the convocation of freeholders.

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<sup>136</sup> NLS Wodrow Quarto LXXIII, f.276.

<sup>137</sup> *'Scotland's ruine'*, 188-96.



Presbyterians and Jacobites worked to coordinate these attempts in the north and southwest, overcoming in the short term the inability of their ducal leaders to agree on national strategies.

### *Impact of Anti-Treaty Crowds*

Although ducal conflict and wavering leadership reduced the impact of anti-union crowds, the potential power of popular activity had always been uncertain. By law, crowds had no legitimacy in early modern politics, though in practice, authorities recognised the need to assuage popular dissatisfaction to maintain public order. Contemporaries sometimes acknowledged the moral pressure implied in crowd protests, but state authority had to be maintained, placing distinct limits on the ability of crowds to disrupt normal governmental proceedings. As a result, the Court could take strong steps against crowds during the 1706-7 session, banning tumultuous assemblies and deploying troops. Though Court responses like the use of troops have been termed ‘unusual expedients,’ such actions followed clear precedents from similar events in earlier years.<sup>138</sup> Though oppositional speakers in the 1706-7 Parliament protested against these actions and asserted that the crowds represented the voice of the people, none were ready to go beyond parliamentary speeches to risk their estates in leading an armed insurrection. Moreover, many in Parliament were unwilling to accept rioting as a legitimate way to express the voice of the nation. Tumults and armed resistance carried too much of a threat of Covenanting and Jacobite civil war to be

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<sup>138</sup> Ferguson, *Scotland's relations with England*, 256.

acceptable to many moderates. Rumours and reports of disorder contributed to an atmosphere of fear in Edinburgh, driving some to support the government in spite of concerns with union. Nevertheless, while fear of disorder, noble caution and governmental repression removed the possibility of a serious disruption of Parliament, crowds did succeed in adding pressure to arguments for amendments to the treaty.

Burgh councils were expected to enforce standing laws against tumult to maintain the peace. Parliamentary statutes made under James II and IV banned disorder in burghs, while a law of James VI ordered 'That no person within burgh take upon hand under whatsoever pretext to convocat without the knowledge and License of the Magistrats under the pain to be punished in their body and goods with all Rigor.' Moreover, this law required burgh residents to cooperate with the magistrates in controlling crowds and punishing the disorderly 'under the pain of being repute Fosterers and Mantainers of the said Tumults.' More particularly, a law of James VI banned anyone from invading the King's Privy Council or interfering with the king's officers in their pursuit of his business, under penalty of death.<sup>139</sup>

As laws alone could not stop tumults, burgh leaders often tried to talk crowds down before violence could erupt. In early 1703, Glasgow town leaders met with Colin Bell, the coordinator of the Episcopal meetings, to try to persuade him not to antagonise local Presbyterians any further. Failing this, they managed to avert a riot at Bell's house in late February, but could not stop crowds from gathering the following Sunday in response to an altercation in the street.<sup>140</sup> Similarly, before the anti-Catholic demonstration in Dumfries in February 1704,

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<sup>139</sup> NAS PC 1/53/389.

<sup>140</sup> NLS Wodrow Quarto XXVIII, f.151-2; NAS PC 1/52/524.

the town's magistrates met the leaders of the protesters at the bridge leading into the town hoping to dissuade them from entering the burgh with hostile intent.<sup>141</sup>

When negotiation failed, the town guard formed the magistrates' second line of defence. A volunteer militia consisting of officers and men drawn from burgess households, the guard or trained bands were charged with keeping the peace, suppressing immorality and maintaining a night watch. As burgess members of their own community, however, guardsmen could have conflicting interests. Since 1682, Edinburgh had supplemented its town guard with paid forces, whose numbers rose and fell according to the dangers of invasion and insurrection. After the June 1700 Darien riot, Edinburgh increased its paid guard by ninety men as its volunteer force had proved inadequate during the riot.<sup>142</sup>

In increasing its mercenary guard, Edinburgh councillors hoped to avoid having royal troops brought into the city.<sup>143</sup> Unlike other Scottish burghs, Edinburgh's city privileges included an exemption from the burden of quartering. The admission of royal troops to the city of Edinburgh was understood as a high affront to the city's privileges, but in the interests of order, the king's government could call in forces if necessary. After the June 1700 Darien riot, royal troops came into Edinburgh from their usual quarters in the suburb of Canongate. During the tumult, rioters had secured the Netherbow port to prevent troops from marching into the city, but on the following day a Privy Council act authorised the placement of 145 soldiers in the city at the Council-House, the Tron and the

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<sup>141</sup> Dumfries Archives A2/8(7).

<sup>142</sup> *Edinburgh extracts 1689-1701*, xix-xx, 265.

<sup>143</sup> As the town council stated in its minutes, a paid guard 'is the most effectual mean for preserving the privileges of the town and the preventing the imposing of [royal] guards upon them' (*Edinburgh extracts 1689-1701*, 265).



Netherbow port, along with two field guns at the port, which was chained open.<sup>144</sup> Shortly after, a letter from the king to the Privy Council confirmed his approval of the use of royal troops to keep the peace in Edinburgh.<sup>145</sup> In addition, a Privy Council proclamation banned unauthorised bonfires in all Scottish burghs and empowered magistrates to call in troops to stop such illuminations.<sup>146</sup> On the morning of the 11 April 1705 riot, Chancellor Seafield had alerted the Commander of the Queen's forces to the danger of the crowds and troops were sent to the execution at Leith to keep the peace.<sup>147</sup> Though the executions of Green and two of his crew calmed the crowds, the Privy Council warned that if Edinburgh could not suppress further rioting, 'we may be obleidged to bring in sufficient Guards into the said citie to abyde and quarter therein' for the security of the King's Council, Parliament and Courts.<sup>148</sup> The crowd's attack on the king's Chancellor justified this threat, being seen as a serious challenge to monarchical authority. In Glasgow, the magistrates relied on quartered royal troops to quell the anti-toleration riot of 7 March 1703; afterwards, the Privy Council approved this use of the forces and considered sending more soldiers.<sup>149</sup>

Along with the forcible restraint of tumults by guardsmen and royal soldiers, burgh councils and the Privy Council also reasserted law and order after episodes of rioting. Proclamations condemned disorder, reiterated standing law against tumults and renewed the obligations of burgh residents to prevent disorder. After the Darien rioting, the Edinburgh council required its

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<sup>144</sup> NAS PC 1/52/109.

<sup>145</sup> NAS PC 1/52/121.

<sup>146</sup> NAS PC 1/52/111.

<sup>147</sup> George P. Insh, *The Company of Scotland* (London, 1932), 308-9.

<sup>148</sup> NAS PC 1/53/390. The Council also threatened to remove the King's courts from Edinburgh to another town if the city could not keep them safe.

<sup>149</sup> NAS PC 1/52/526.

householders to guarantee the good behaviour of servants and apprentices, while a Privy Council proclamation after the *Worcester* disturbance required the same from all householders as well as the masters of Edinburgh University. The 1705 proclamation also stated that any person found on the street after being ordered to retire would be considered participants in the riot and liable to arrest.<sup>150</sup> The Council also took care to reverse assertions of crowd authority, with the Netherbow port being chained open for eight months after 20 June 1700 and the liberated Tolbooth prisoners being recaptured, tried and banished from Edinburgh.<sup>151</sup>

In 1706, the state took similar measures to control anti-union crowds. Sir James Murray of Philliphaugh's comment from June 1700 also applied in October 1706: 'if there is not vigour shewed upon this occasion, which may frighten people from such abuses and insolence, the government and such as own it, shall probably be very soon trampled upon.'<sup>152</sup> The scale of the 23 October riot in Edinburgh and the inability of the town guard to repress it impelled the government to bring in troops to restore the peace. During the disturbance, the Duke of Argyll and Earl of Mar had urged the city's leaders to re-assert control, but when it became clear that the town guard could not stop the tumult, the Duke of Queensberry secured the city's approval to bring in troops.<sup>153</sup> The regiments entered with a deliberate show of strength and authority, as reported by Daniel Defoe: 'about Midnight A body of the Guards besides those posted at the Cannon Gate Entred the City, Drums beating, March't up the High street to the Parliament Close, and His Grace the Duke of Argyll Mounted at the head of the Horse

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<sup>150</sup> *Edinburgh extracts 1689-1701*, 267; NAS PC 1/53/390.

<sup>151</sup> NAS PC 1/53/114, 179.

<sup>152</sup> *Edinburgh extracts 1689-1701*, 314.

<sup>153</sup> *Mar manuscripts*, 299; Defoe, *History of the union*, 29.



Guards to have seconded them. After the foot Came my Ld Provost, the Bayliffs and Magistrates.'<sup>154</sup>

Next, the Privy Council issued a proclamation requiring the town to prevent further disturbances. Echoing its 1705 proclamation, the 'Proclamation against Tumults and Rables' condemned the crowd's attacks on government figures as that 'which all persons of Justice, Reason and honour ought to detest and prevent in the severest and strictest mainer.' The Council ordered the town magistrates to ensure that the householders and masters of Edinburgh University controlled their servants and students and required burgh residents to assist in repressing any future tumults. Anyone found on the streets during a riot would be considered participants and liable to arrest by the town guard or royal troops. In addition, the soldiers were indemnified from any 'slaughter, Mutilation wounds Blood or Bruises' caused in their control of crowds.<sup>155</sup> The town council reinforced this proclamation with further orders on 24 October, including a requirement that landlords hand in lists of lodgers in the city, a measure that had been recommended in June 1700.<sup>156</sup>

The Privy Council asked Parliament to confirm its actions on 24 October, winning a vote of thanks from the House.<sup>157</sup> From this point, two regiments of foot contributed to a distinct lessening of crowd disturbances in Parliament Close. After disorder broke out again in mid-November, the Privy Council turned again to Parliament. After a debate, Parliament responded by empowering one of its

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<sup>154</sup> *Letters of Daniel Defoe*, 136.

<sup>155</sup> NAS PC 13/3/1706(24 October). A similar indemnity had been announced in 1693 after rioting in Edinburgh (Houston, *Social change*, 310).

<sup>156</sup> *Extracts from the Records of the Burgh of Edinburgh, 1701-1718*, ed. Helen Armet (Edinburgh, 1967), 128.

<sup>157</sup> *APS*, vol. xi, 309.



committees to investigate the latest tumult and take steps to prevent further disorders.<sup>158</sup>

News of musters and risings led the Privy Council to turn to Parliament again on 29 November, reporting ‘irregular and tumultuary meetings by some people of the common & meanest degree in armes and of abuses committed by them at Glasgow Steuartrie of Kirkcudbright and Dumfreis and severall places of Lanerk shire and that there were papers dropt inviting people to take up armes & to provide ammunition & provision in order to their marching to disturb the Parliament.’ Few in Parliament could justify a vote against the threat of armed revolt, leading to a large majority of 144 to 4 for a Proclamation against Unlawful Convocations. This banned not only meetings in burghs but ‘riseing in arms, convocating our Leidges in the open fields and marching in formed bodies arm’d through the Country and entering into our Royal Burghs boden in fear of weir And entering into bands leagues and associations for prosecuting illegal and unwarrantable ends.’ The proclamation threatened to prosecute participants as ‘open Tratours’ rather than just rioters, raising the legal stakes for protesters. As in the Edinburgh proclamation, this national proclamation authorised the use of troops, pardoning in advance any injuries or deaths caused by the forces. A further Act against Musters passed on 30 November suspended the clauses in the Act of Security authorising musters and removed any legal basis for armed gatherings.<sup>159</sup>

This Proclamation and Act gave the government firm grounds to expect and require burghs to maintain the peace. On 30 November, the Privy Council sent the Proclamation and Act to the town councils of Glasgow and Dumfries for

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<sup>158</sup> *Ibid*, 331.

<sup>159</sup> *Ibid*, 341-4.

local promulgation, demanding that they restore order in their burghs.<sup>160</sup> After Finlay's arrest sparked more rioting in Glasgow, the Council ordered the magistrates to secure guarantees from their householders for the good behaviour of their dependents. They also called in the masters of Glasgow University to demand that they maintain better control of their students.<sup>161</sup> In addition, troops were used to enforce the 29 November proclamation in Glasgow. The Earl of Mar had decided after the first mobs in Glasgow that no troops could be spared from Edinburgh to march to Glasgow, recommending instead that the Glasgow ringleaders be pursued and the provost encouraged with a payment of £100.<sup>162</sup> However, news of a planned armed assembly at Hamilton led the government to dispatch troops towards Linlithgow to meet any party coming towards Edinburgh.<sup>163</sup> At the request of the Glasgow magistrates, troops were then sent to Glasgow to arrest Finlay on 5 December.<sup>164</sup> Around 14 December, a 'Detachment of Foot and Dragoons' were sent to Glasgow to quarter.<sup>165</sup>

The Court's ability to send forces to Glasgow was improved by the dispatch of eight regiments of English troops to the borders and Northern Ireland in late November.<sup>166</sup> This gave the Court the confidence to send more troops from Edinburgh to the provinces, while news of the English troops dissuaded further armed risings. The voting of cess in early November also helped by guaranteeing funds for overdue army salaries, improving the loyalty of the royal

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<sup>160</sup> NAS PC 1/53/491-2.

<sup>161</sup> *Mar manuscripts*, 353; NAS PC 1/53/492-3.

<sup>162</sup> *Mar manuscripts*, 325-6.

<sup>163</sup> *Ibid*, 340.

<sup>164</sup> *Letters of Daniel Defoe*, 165.

<sup>165</sup> *Ibid*, 172.

<sup>166</sup> At the end of November, three regiments of foot were moved to the borders and five regiments (three of horse and one each of foot and dragoons) to Northern Ireland. Early in December, a further 800 horse were sent to the borders (*Mar manuscripts*, 336, 353).



troops.<sup>167</sup> In addition, Court figures fought back against oppositional attempts to co-opt the forces as the Earl of Leven convened the troops to assure them that they would not be sent abroad after the Union.<sup>168</sup>

As oppositional plans turned to a gathering of freeholders in December, the Privy Council continued to use the powers of the city of Edinburgh and Parliament to reduce any extra-parliamentary danger. As freeholders poured into Edinburgh, the Council required the city magistrates to seize arms and any horses over the value of 100 merks belonging to unqualified persons. The Council also renewed earlier orders for the provision of lists of strangers lodging in the town and ordered the magistrates of Stirling, Leith and Queensferry to notify them of travellers moving through their towns towards Edinburgh.<sup>169</sup> On 27 December, the Court secured a further Parliamentary proclamation banning meetings of addressers. Subjects, the proclamation asserted, should 'rest assured and contented That we and our Estates of Parliament have and will proceed...with all due regard and tenderness to the honour and interest of this our ancient Kingdom, both as to their civil and religious concerns.' Declaring the attempts to call addressers to Edinburgh 'unwarrantable & seditious,' the proclamation threatened to prosecute 'illegal convocations' for sedition.<sup>170</sup>

Court measures to repress risings were aided by the government's use of agents and informants. Agents provided intelligence on the planned risings, allowing the Court to prepare repressive moves in advance. Cunningham of Aiket, for example, seems to have acted as a spy for the Court while coordinating the rising in the southwest. For his services, Cunningham received £100 and a

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<sup>167</sup> *Ibid*, 317.

<sup>168</sup> *Letters of Daniel Defoe*, 142.

<sup>169</sup> NAS PC 1/53/493-4.

<sup>170</sup> *APS*, vol. xi, 371.



company of foot after the Union.<sup>171</sup> Government knowledge of the late November rising allowed ministers to ready the Proclamation against Unlawful Convocations and Act against Musters, while their familiarity with subsequent plans for a gathering of freeholders in Edinburgh led to the second proclamation of 27 December, a move not anticipated by the opposition.<sup>172</sup> In the latter case, ministers heard of the plans when a heritor in Lanarkshire turned in a copy of a circular letter to the Duke of Queensberry.<sup>173</sup> Agents and sympathisers also contributed to the Court's counter-persuasion work. Sponsored by Secretary Harley through Daniel Defoe, one J. Pierce travelled through Galloway to convince John Hepburn and the Cameronians that rebellion would aid the Jacobites. By late December, Defoe could report to Harley that Pierce had 'Opened [Hepburn's] Eyes in Severall things...and he Authourizes me to assure you there is No Danger from him.'<sup>174</sup>

The Court also deployed its influence in the Church to calm popular anger. The government did not have control over the clergy at the grassroots, as indicated by its decision not to order ministers to announce the Proclamation and Act of 29-30 November for fear of inadequate cooperation.<sup>175</sup> Nevertheless, it had more control in the Commission of the General Assembly through Court-affiliated ministers and ruling elders. Led by William Carstares, the Commission of the General Assembly voted on 6 December to send a letter to the presbyteries to 'Recommend to all our Brethren, that as they have in their Stations access, they

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<sup>171</sup> Clerk of Penicuik, *History of the union*, 144; 'Scotland's ruine', 180; Riley, *Union of England and Scotland*, 285.

<sup>172</sup> *Mar manuscripts*, 364.

<sup>173</sup> 'Scotland's ruine', 187.

<sup>174</sup> *Letters of Daniel Defoe*, 180-1.

<sup>175</sup> The Duke of Argyll proposed the use of the clergy to promulgate the proclamation and act, but other Court figures judged that this might damage their cause as ministers in riot areas would not be willing or able to comply, giving the people grounds to claim that the proclamation and act were not in force locally (*Mar manuscripts*, 340).

do Discountenance and Discourage all Irregularities and Tumults.’<sup>176</sup> Printed sermons by William Wisheart, the Commission’s moderator, illustrate how some clergy followed this recommendation. Wisheart urged ‘all sober and well-meaning People’ to prevent ‘great Confusions in this Nation’ by avoiding crowd activities and trusting in Parliament to resolve the union issue.<sup>177</sup> The Commission’s letter forced presbyteries like Hamilton to defend their actions, as Hamilton wrote back claiming that stories of tumults in their bounds were exaggerated.<sup>178</sup>

The Commission’s move against popular disorder, however, did not just reflect Court influence among its leadership. Many ministers in the Church, regardless of their views on the treaty, were uncomfortable with uncontrolled rioting. Though Covenanting political thought contained strong justifications for popular defences of the true religion, many clergy remained unsure about rabbles and open rebellion. Robert Wodrow displayed this internal conflict in his comments on the 1703 anti-toleration riots in Glasgow and the 1706 riots in Glasgow. In 1703, he wrote:

I am as much as any against rabbles and risings without countenance of laufull authority, yet it seems to me reasonable that quhen inferior officers of justice are out of the road of their deuty and slack in the execution of laues, its private persons deuty to remonstrate and seek for redresse, and quhen none can be had, I cannot see but the pouer of defending themselves, their libertyes, property, religion, and the standing laues of the realme devolves itself naturally on private persons, or the people.<sup>179</sup>

Wodrow was most comfortable with petitioning as a form of popular remonstrance and could justify organised armed resistance, but uncontrolled crowds were not acceptable. In a letter of 12 November 1706, Wodrow

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<sup>176</sup> Defoe, *History of the union*, Appendix, 25; NAS CH 1/3/9(60-1).

<sup>177</sup> William Wisheart, *Two sermons on Jeremiah 30.7* (Edinburgh, 1707), 9, 11, 12.

<sup>178</sup> NAS CH 1/2/5/4(256).

<sup>179</sup> *Early letters*, 260.



denounced the recent rioting in Glasgow, stating 'I love no such methods, I would have all order preserved.'<sup>180</sup> Importantly, in 1703 he distinguished between the violence of lesser persons and actions of 'the reflecting part' who sought 'to make a litle noise (since the offence was so plainly given) and let the worlde see that they wer not to be coued into the slavry of prelacy by a shamm toleration founded (as was pretended) on the Queen's letter.'<sup>181</sup> Making similar distinctions, clerical letters from Edinburgh denounced the 1706 Glasgow rioters as 'a Rabble of whores & scumm' and 'a pack of graceless Rakes whom noe man of Religion can own.' The independent violence of plebian mobs threatened to destroy the efforts of those organising the November rising, for 'their motions have drawn out the parliaments proclamation and act against tumults, and mustering,' becoming 'one of the Best handles ever the court had under the collour of Lau and Reason to crush all opposite measures to the union.'<sup>182</sup>

If even anti-union ministers had concerns with the lawlessness of crowds, propertied gentlemen of moderate religious principles would have seen riots and risings as reminders of Covenanting disorder and harbingers of Jacobite rebellion. This risk was magnified by Country discourse highlighting the dangers of the crowds. In conversation, the Earl of Mar reported, 'opposers stick not to say that the Parliament will be rais'd by force' and that 'the Commissioner will never live to touch this Act.'<sup>183</sup> As discussed in Chapter 5, parliamentary speakers referred to the addresses as evidence of widespread discontent with the treaty, raising the spectre of popular violence if the treaty were to pass. Rumour magnified the scale of popular resistance, with reports of an association oath sworn by 50,000 and

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<sup>180</sup> NLS Wodrow Quarto XL, item 12, f.44.

<sup>181</sup> *Early letters*, 261.

<sup>182</sup> NLS Wodrow Quarto XL, item 8 (2 Dec. 1706).

<sup>183</sup> *Mar manuscripts*, 310, 313.



plans for a rising of 15,000 circulating in Edinburgh in early November.<sup>184</sup> A few weeks later, 6,000 armed men were reported to have attended the burning of the articles in Dumfries, with a total of 12,000 ready to march to Edinburgh.<sup>185</sup> These accounts joined 'stories handed about of a great Muster of severall parishes at the Kirk of Shotts and of intimations made to them to repair to Edinburgh with ten dayes provisions and also of another such meeting at Lesmahagow.'<sup>186</sup> These reports of activity in the west reinforced fears created by radical pamphlets justifying popular resistance.<sup>187</sup>

Highlighted in talk and print, the dangers of popular resistance began to outweigh the risks of the treaty for some, turning moderate opinion against crowds and reinforcing the government's efforts to block popular action. The association of the Glasgow riots with the Jacobite Finlay also contributed to the cooling of interest in active resistance among some Presbyterians. As Defoe reported on 22 November, 'The Eyes of the people begin a little to Open and I had the honour to hear an Assembly man tell me yesterday he was afraid Some were gone too far and that they were to be onley the Cats foot, and he would have no more to do in it.'<sup>188</sup> Defoe did his best to encourage this shift through his propaganda, blaming the Jacobites for inciting riots and urging his readers to see the treaty as the only means to secure a Protestant successor.<sup>189</sup> In particular, his *Letter to the Glasgow Men* attacked the participation of gentlemen in rioting, warning Presbyterians that they were acting as stooges for the Jacobites. Defoe

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<sup>184</sup> *Letters of Daniel Defoe*, 140, 150.

<sup>185</sup> Defoe, *History of the union*, 41.

<sup>186</sup> NLS Wodrow Quarto LXXIII, f.282.

<sup>187</sup> See Chapter 4 for a more detailed discussion of these pamphlets and their effect on moderate opinion.

<sup>188</sup> *Letters of Daniel Defoe*, 153.

<sup>189</sup> See Chapter 4.

made a point of distributing this letter in the southwest, printing around 2,500 to send to Glasgow, Lanark, Hamilton, Stirling and Dumfries.<sup>190</sup>

Against this, some Country speakers in Parliament attempted to claim the crowds as the voice of the people and to reject the government's control measures. Nevertheless, most votes on crowd control showed large majorities against popular resistance, with the state's use of troops and banning of seditious meetings being seen as acceptable approaches to crowd control. After the 23 October riot in Edinburgh, some, like Andrew Fletcher, attempted to justify the rioting, claiming the mobs represented 'the true spirit of this country'; while others tried to downplay the rioters, arguing that 'it was only children.'<sup>191</sup> The Duke of Athol and Marquis of Annandale both spoke in Parliament against the continuing presence of royal troops in Edinburgh, arguing that they restricted free debate within the House and represented an attempt to overawe members. In addition, the earl of Errol claimed that the dragoons infringed his hereditary right to protect Parliament as Lord High Constable, as well as the rights of the Earl Marischal, the City of Edinburgh and Parliament itself. A total of fifty-one MPs adhered to his protest, including leading anti-treaty nobles, but in spite of this 'a great plurality' of the House passed a vote of thanks to the Privy Council for their actions in suppressing the rioting.<sup>192</sup> Opponents found it difficult to find any justification for the crowd's attack on the Queen's Commissioner on 18 November, though the steps to be taken by Parliament were debated.<sup>193</sup> The Proclamation against Unlawful Convocations and Act against Musters of 29-30 November offered better grounds for opposition, with Lord Fountainhall renewing

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<sup>190</sup> *Letters of Daniel Defoe*, 170.

<sup>191</sup> *Mar manuscripts*, 299-300.

<sup>192</sup> Clerk of Penicuik, *History of the union*, 104-6; *APS*, vol. xi, 309; *Mar manuscripts*, 300.

<sup>193</sup> *Mar manuscripts*, 327; Clerk of Penicuik, *History of the union*, 132; *APS*, vol. xi, 331.



the argument that the rioters expressed 'the genius of the nation' while others upheld the people's right to muster under the law. Voting against mob control measures, however, was difficult to sustain in the eyes of most contemporaries, leading a number of anti-unionists to abstain from voting.<sup>194</sup> The remaining MPs voted 144 to 4 to approve the Proclamation against Unlawful Convocations.<sup>195</sup>

Only the attempt to ban meetings of freeholders attracted significant objections in open voting. A vote of 112 to 62 for the Proclamation Discharging Unwarrantable Convocations indicated greater MP willingness to vote in public against the government, indicating the greater constitutional legitimacy of freeholder petitioning. This viewpoint was expressed by George Lockhart of Carnwath and forty-four adherents in a protest against any curtailment of the rights and privileges of the barons, freeholders & heritors, but the Chancellor's argument that 'Such riotous gatherings were...bound to lead to acts of violence and public disorder' convinced most MPs to support the government.<sup>196</sup>

Though anti-treaty nobles and gentlemen can be found arguing in favour of crowd opinion or opposing crowd control measures, they were less enthusiastic about leading an insurrection against the treaty. As John Clerk of Penicuik later observed of the 23 October riot in Edinburgh, 'many people seemed unsure of what plans were afoot; they milled about the streets in a state of confusion, and confined themselves to scattering taunts and threats. What the conspiracy lacked above all was a leader: the assemblies and riots were poorly co-ordinated.

Though many had secretly fomented insurrection, no one was bold enough to lead

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<sup>194</sup> *Mar manuscripts*, 339.

<sup>195</sup> *APS*, vol. xi. 341-2.

<sup>196</sup> *Ibid.* 371; Clerk of Penicuik, *History of the union*, 152.



it openly.’<sup>197</sup> The oppositional addressing campaign, musters and plans for freeholder gatherings brought subjects together in a more disciplined way through local organisers, but at no point did a national leader emerge for a popular uprising against Parliament.

Prominent anti-treaty nobles and gentlemen avoided any direct involvement in seditious activity, hedging their risks in an uncertain political environment. In this, they followed practices typical of their political class, few nobles or gentry being willing to risk their estates and names on open rebellion without a clear probability of success.<sup>198</sup> In keeping with their usual practices, Country nobles led parliamentary opposition factions while using servants and followers to organise less legitimate forms of resistance. In 1701, the Duke of Hamilton managed to dodge responsibility for the dangerous Darien ‘talliduce’, leaving junior functionaries of the African Company to take the blame.<sup>199</sup> The Hamilton family used lesser men in a similar way at the union, including the sheriff deputy of Lanarkshire, the treasurer of Hamilton burgh, ministers at Hamilton parish and the Duchess’ page.<sup>200</sup> Though the Duchess had encouraged musters in Lanarkshire, her reaction to the proclamation against musters indicated her family’s unwillingness to risk an open confrontation with law and order. On receiving the proclamation, the Duchess ‘sent Orders to all the places in her Country & perticularly to her Own Tenants not to Meet Upon any Terms,’

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<sup>197</sup> *Ibid*, 102.

<sup>198</sup> Nobles had not led a popular rebellion in Scotland since the civil war period. At the Covenanter risings of 1666 and 1679, ‘not one of them was prepared to take up arms...and so renew the combination of radical peers with fanatical ministers’ (Gordon Donaldson, *Scotland: James V to James VII* (Edinburgh, 1971), 367).

<sup>199</sup> See Chapter 2 for a discussion of the talliduce episode.

<sup>200</sup> Marshall, *Duchess Anne*, 221; ‘*Scotland's ruine*’, 187; *Letters of Daniel Defoe*, 184; *Mar manuscripts*, 337.

threatening them with dispossession if they appeared in arms.<sup>201</sup> A similar attitude is revealed in her son's last-minute cancellation of plans for a march on Edinburgh from Hamilton.

Resistance could be offered only so far as legitimate means could be found to justify it to the Queen after the event; beyond this, resistance turned into rebellion with potentially disastrous consequences. Given this, representations of public opinion offered the opposition a way to reject the treaty without incurring personal responsibility: speakers were only acting in their traditional role as advisors to the Queen by warning her of the risk of popular dissatisfaction with the proposed union. Crowds, as well as addresses, provided grounds for Country leaders to warn of the risks of disorder in Parliament and call for a recess to inform the Queen of the nation's aversion to union. On 15 November, for example, the Duke of Hamilton asked for a new parliament to be elected to better represent negative sentiments on union, for 'he was afraid of troubles here and of a civill war.'<sup>202</sup>

Though the government's repressive steps prevented this strategy from stopping the treaty, crowds still had an impact on the nature of the Union. At the same time as the government took steps to control crowds, it acknowledged the need to offer concessions to remove major objections to the treaty. In keeping with earlier episodes, some negotiation and compromise followed rioting to help restore order.

Recognising that troops alone could not quell popular discontent, authorities sought to remove sources of trouble where practicable. Following the 1703 anti-toleration riots in Glasgow, the Privy Council clarified its position on

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<sup>201</sup> *Letters of Daniel Defoe*, 165.

<sup>202</sup> *Mar manuscripts*, 323.



unqualified preachers. Though the Council warned the Glasgow magistrates that ‘a mobb and rable can never be Justified; whither the Episcopall Minister that preaches be qualified or not,’ they acknowledged that ‘non should be Employed to preach but such as are qualified.’<sup>203</sup> After recommending that unqualified preachers be reported to the Lord Advocate, the Council proceeded to prosecute several unqualified ministers in 1703.<sup>204</sup> Action was also taken against Catholics after the 1704 riots in Dumfriesshire. In its first reaction to the Nithsdale disorders, the Council appointed a committee not only to consider how to repress the tumults but also how to arrest priests in the area, while a later committee prepared a proclamation ‘anent preists and Trafecquing papists.’<sup>205</sup> This proclamation, published in March, acknowledged ‘Complaints and Informations from severall pairts of the Kingdome’ as well as a General Assembly petition on the growing Catholic threat. The Council ordered local officers to enforce standing laws against papists, offered a reward for the arrest and conviction of Catholics and ordered presbyteries to send in lists of known Catholics.<sup>206</sup> In addition, the Council scheduled a burning of seized Catholic items at Edinburgh, echoing the independent action seen at Dumfries.<sup>207</sup> During the *Worcester* crisis, the Privy Council agreed on 11 April to ignore the Queen’s request for a reprieve and continue with three of the scheduled hangings in order to preserve ‘the publict peace.’<sup>208</sup>

Actions to assuage popular concerns also followed rioting in 1706.

Crowds gave weight to the concurrent addressing campaign and supported

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<sup>203</sup> NAS PC 1/52(527).

<sup>204</sup> NAS PC 1/53(70-4).

<sup>205</sup> NAS PC 1/53(126, 144).

<sup>206</sup> NAS PC 1/53(194-5).

<sup>207</sup> NAS PC 1/53(184-5).

<sup>208</sup> Insh, *Company of Scotland*, 310.



concerns being expressed by Court MPs on aspects of the treaty. Under this combined assault, the government began to consider amendments. Though courtiers in London warned the Earl of Mar against changes, fearing that this would 'unhinge the whole,' Mar and his colleagues argued that some were necessary, or 'the whole affair will fail.'<sup>209</sup> Popular agitations contributed to the risk of failure, as Daniel Defoe explained to an English correspondent: Parliament and the government, he said, 'are every day bullyed and worried with pamphlets, Addresses, Representations and protests. There is indeed a happy Majority in the House but it is next to miraculous that they are not...hurried into despair of success and so to give up the cause.'<sup>210</sup> During November and December, concessions were negotiated in response to popular complaints on the security of the Church, the burden of taxation under union and the loss of Scottish sovereignty.

A mild petition from the Commission of the General Assembly on 17 October had asked that presbytery be confirmed as the only church government in Scotland 'in the most effectual manner for their unalterable security to the people of this land.' In response, the government introduced an Act for Security of the Protestant Religion on 4 November, just after the first article of union had been voted.<sup>211</sup> While opponents attempted to load this with deal-breaking amendments, supported by a more aggressive Church petition of 8 November, the government managed to convince a large majority to support the act as a sufficient security for the Church, winning the vote by 111 to 38.<sup>212</sup> Concern for popular resistance whipped up by oppositional ministers may have aided the Court in their task, as

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<sup>209</sup> *Mar manuscripts*, 329-30.

<sup>210</sup> *Letters of Daniel Defoe*, 186.

<sup>211</sup> *APS*, vol. xi, 315.

<sup>212</sup> *Ibid.* 321-2.

the Act of Security was debated after the first Edinburgh riots and during the initial wave of locality addresses and rumours of musters and Cameronian risings.<sup>213</sup>

On the act's passage on 12 November, the Earl of Mar expressed the government's hope that 'the ministers and populace will be pleased and the humor against the Union abate.'<sup>214</sup> Contemporary reports confirm that the Act did assuage the concerns of many moderate ministers and Presbyterians; as John Clerk of Penicuik observed, the Act 'did something to calm the outcries of the mob and the fears of the clergy; in the churches, the trumpets of sedition began to fall silent.'<sup>215</sup> Defoe also reported that the Act had quieted many ministers in Edinburgh, though strident anti-unionists like John Bannatyne and Thomas Linning continued to agitate in the country.<sup>216</sup> The Act did not remove Church resistance, but it reduced it to more isolated pockets in the southwest.

While rumours of Cameronian resistance plus Church petitions pressured Parliament for an act to secure Presbyterian government, rioting also led to concessions on taxation, trade and the Scottish crown.<sup>217</sup> Recognising that 'the addresses and the humor that's now in the country' had contributed to the defection of several Court followers on the vote for the first article of the treaty, the Earl of Mar warned London that 'people who wish well to the Union...think that there will be a necessity of explaining the Excise, the Salt, the Drawbacks, and some other things on Trade.' A month later, after another wave of Edinburgh riots and news of musters and risings, 'even those who were sincere for the affair'

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<sup>213</sup> See Chapter 5 for more on addresses.

<sup>214</sup> *Mar manuscripts*, 319.

<sup>215</sup> Clerk of Penicuik, *History of the union*, 121.

<sup>216</sup> *Letters of Daniel Defoe*, 152.

<sup>217</sup> *Letters of Daniel Defoe*, 172; Whatley, 'Economic Causes and Consequences', 160-2.



were still 'resolv'd to make some explanations to satisfy the generality of the country.'<sup>218</sup> In response, the Court negotiated limited amendments to certain articles, including a proportional excise on Scots small ale, an exemption from tax on Scots salt in the short term and a reduced tax in the long term, and a temporary exemption from malt tax. Later, in January, Parliament approved an amendment to Article XXIV requiring that the Scottish crown, sceptre and sword of state be kept in Scotland. While crowd agitation on this issue had quieted, the threat of popular discontent still inspired this amendment to prevent future disorder.<sup>219</sup>

As with the Act for Security of the Protestant Religion, these changes helped to quell dissatisfaction, especially on the popular issues of ale, malt and salt. Following a vote for an explanation to Article VII on ale taxes, Mar observed that it would 'please the country here extreamly, and it was impossible for us to carry this article without it.'<sup>220</sup> In his memoirs, John Clerk of Penicuik confirmed the perception that this move helped to reduce popular objections to the treaty.<sup>221</sup>

Though rioting was recognised as unlawful, difficulties in controlling popular outbursts allowed crowd activities to have an impact on the final shape of the union treaty. Violent protests, combined with an aggressive addressing campaign, drove the government to offer concessions on popular concerns for the Church, taxation and the Scottish crown. Country leaders sought to exert additional pressure on Parliament through nationally organised musters, a gathering of addressers in Edinburgh and a planned walkout from the House, but repressive measures taken by the government to maintain order called the bluff of

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<sup>218</sup> *Mar manuscripts*, 312-3, 342.

<sup>219</sup> *APS*, vol. xi, 401.

<sup>220</sup> *Mar manuscripts*, 337.

<sup>221</sup> Clerk of Penicuik, *History of the union*, 144.



the party's noble leaders. With effective Court management, attempts to use crowds to reinforce representations of negative public opinion remained localised or rhetorical.

### *Conclusions*

Histories of Union have tended to provide polarised characterisations of anti-union mobs as either the true voice of the people or a public opinion manipulated by Jacobites and Cameronians. By either measure, crowds had little impact on the making of Union, being irrelevant to an elite political process. Such perspectives present an inaccurate picture of the dynamics and potential power of crowds in early modern national politics. Riots and protests on national political matters in this period contained complex combinations of popular and elite influences, including national political propaganda and news, coordination by party operatives, traditional popular crowd practices and local power relations. Through these influences, crowd activities in the emerging Scottish public sphere translated conflict over national political issues to a local stage. Protests in Edinburgh, Glasgow, Stirling and Dumfries against the treaty in 1706-7 followed prior rioting on Darien, toleration and Catholics. In addition, national political leaders in 1706 organised musters and freeholder gatherings to support representations of public opinion in addresses. Plans were also made for armed risings, coordinated by Presbyterian and Jacobite gentlemen and clergy with links to party nobles. However, noble caution and disagreements at the national level handicapped these larger activities, while moderates feared the potential

instability of armed resistance and civil war. Concern for popular disorder allowed the state to make strong moves against crowds, removing any legal basis for collective resistance. Crowds did not have the political legitimacy to dictate terms to Parliament, but the Court did recognise a pragmatic need to assuage popular concerns with some concessions on the treaty.

## **Chapter 7: Conclusions**

Since the first histories of the Union of 1707, historians have tended to portray opinion on union as divided between the people and their elites. Within this popular-elite dichotomy, the apparently universal rejection of incorporation by the Scottish people has been assumed. Some scholars have blamed this aversion on Jacobite and Cameronian agitations while others have seen it as a spontaneous eruption of the people's natural patriotism. Correspondingly, elite support for union has been portrayed as either the product of thoughtful consideration of Scotland's best interests or venality and intimidation. In either case, the impotence of popular opposition to the treaty has been emphasised, with the Scottish Parliament rejecting public opinion as misguided or irrelevant.

A fresh look has shown these conceptions of public opinion in early modern Scotland to be over-simplified and therefore unhelpful in understanding the role of public opinion in the making of the Union. Public opinion emerged in pre-Union Scotland with the development of an openly adversarial Country party seeking to generate popular support as a power base from which to oppose the Court. By the late 1690s, opposition factions in the Scottish Parliament had begun to coalesce around two rising magnate leaders, the Duke of Hamilton and Earl of Tullibardine, forming what contemporaries recognised as a Country party. This loosely organised party contained a variety of political and religious viewpoints, all joined in opposition to Court ministers and their followers. Seeking leverage against the Court, the Country party used print propaganda, petitioning and protests to develop and express public support for its oppositional platform. The party's activities capitalised on a rising flow of political



communication and awareness established since the Revolution through regular political assemblies as well as growth in the book trade, literacy and networks of exchange between Edinburgh, London and the Lowlands.

From 1699, increasing quantities of Country party discourse attacked the nature of Scotland's regnal union with England, calling for reforms to protect Scottish interests within the British kingdom. By 1705, Country discourse had set wide expectations within Scotland for a treaty of union that would improve trading relations with England, strengthen the Scottish Parliament and preserve the Presbyterian Church. The Crown's proposal of an incorporating union in 1706 betrayed these expectations, sparking renewed Country opposition. Seeking to defeat the treaty with public opinion, Country writers asserted the sovereignty of parliamentary constituents while party operatives generated representations of anti-treaty opinion to Parliament. These included instructions against the treaty, followed by dozens of addresses from shires, burghs, parishes and presbyteries as well as national petitions from the Commission of the General Assembly and the Convention of Royal Burghs. Organisers encouraged the participation of over 20,000 ordinary subjects in the locality petitions, hoping both to indicate local unanimity and suggest the dangers of disappointing such a large body of supporters. At the local level, crowd protests appeared against the union, while at the national level Country leaders sought to organise musters and gatherings of freeholders to pressure parliament with the threat of mass resistance.

In Parliament, Country speakers called on the House to listen to the views of the people, citing instructions, addresses and crowds as evidence of the aversion of the nation to the treaty. In reply, Court leaders maintained their traditional stance against popular participation in politics, rejecting the authority

of public opinion and undermining the legitimacy of representations of opinion. Outside the House, the Court acknowledged the growing power of public opinion by producing pro-treaty propaganda, as it had done since 1702, but rather than encouraging public activism, these tracts and sermons sought to sway audiences in favour of the treaty while urging trust in Parliament. Pro-government writers took care to stress the primacy of Parliament over the people while rejecting adversarial addressing and crowd activities as disorderly and dangerously democratic. As in prior years, Court leaders exerted their influence to discourage addressing against the treaty and recommended strong repression of riots, meetings and risings.

Though Court management techniques limited the impact of anti-treaty public opinion, Court managers found that their traditional methods of interpersonal persuasion, networking and patronage could not hold their majority together. The pressures exerted by negative public opinion shook loose some Court voters, requiring the government to consider selected concessions on trade, taxation and religion. An act for the security of the Church, combined with amendments on popular issues like salt and malt taxes and traders' concerns for shipping and drawbacks, succeeded in reducing opposition to the treaty to the point where the Court could maintain its edge in voting. As concessions were made, many clergy quieted their public opposition to the treaty and moderate pamphlets began to urge support for the amended treaty to protect Protestant Britain against a Jacobite revolution. This shift towards reluctant support for the treaty also reflected growing apprehension at the radical turn taken by anti-treaty resistance towards assertions of popular sovereignty, revivals of Covenanted politics and calls for armed rebellion.



These dynamics challenge many assumptions about the nature of Scottish public opinion at the time of the Union. The participation of Scots across social levels in national political debate through an emerging public sphere contradicts the notion of a spontaneous popular mentality rooted in traditional patriotism. In addition, the idea that anti-union opinion was the product of manipulation disappears when the combined influence of party propaganda and instigation with grass-roots political culture and concerns is recognised as fundamental to the formation and expression of public opinion in an early modern context.

In turn, these findings raise questions on the dominant 'political job' narrative of Union, in which a bribed and coerced Parliament is seen to have betrayed the people of Scotland in a process controlled by Court magnates. While a unanimous Scottish stance against the union has been assumed from addresses and rioting, this is undermined by the realisation that the Country party sought to instigate these to back its claims that 'the nation' opposed the union. Equally, the assumption that MPs should have voted according to the will of the people rests on an anachronistic understanding of the power and legitimacy of public opinion in this time. Expressions of public opinion did help to determine the final form of the treaty as a result of the limited ability of early modern public opinion to push authorities into negotiation and compromise. Influenced by public discourse, thousands of ordinary subjects participated in the expression of anti-incorporation opinion to the government in 1706-7, organised by middling barons, burgesses and clergy at the local level. These activities affected the parliamentary debates and the nature of the Union, revealing the growing importance of the public sphere in pre-Union Scottish politics and demonstrating the Court's inability to secure the Union with private management practices alone.



## **Appendix A**

### **National Addresses**

<b>Addressing Body</b>	<b>Date</b>
Commission of the General Assembly	17 October 1706
Commission of the General Assembly	8 November 1706
Commission of the General Assembly	15 November 1706
Commission of the General Assembly	16 January 1707
Convention of Royal Burghs	6 November 1706
Company of Scotland Trading to Africa and the Indies	26 December 1706
Cameronian Societies of the South & Western Shires	12 November 1706

## **Appendix B**

### **17 October 1706 Address of the Commission of the General Assembly**

**The Humble Address and Petition of the Commission of the General Assembly of the Church of Scotland**

**Humbly Sheweth**

That where we are called by our great Lord and Master and intrusted by the late General Assembly of this Church to advert to the interest and concerns of this Church on all occasions that may offer for promoting of it's good and advantage, and the preventing of any hurt or prejudice it may suffer; And whereas by the late Act of parliament for a Treatie with England for an Union of both Kingdoms It is provided that the Commissioners for that Treaty should not treat of or concerning any alteration of the Worship, Discipline and Government of the Church of this Kingdom as now by law Established Likeas her Majesty in her Gracious letter to the Parliament, hath been pleased on the present occasion, to renew the Assurances her Majesty formerly gave of her Resolution to maintain the Government of the Church as by law Established; Therefor, and in regaird there can be nothing more Important to the Glory of God and to the perpetuall peace and happinness of this kingdom, nor agreeable to her Majesties most gracious pleasure nor more becoming the wisdom and faithfulness of this high and Honourable Court of Parliament, We do most humbly and earnestly supplicat and beseech your Grace and Lordships that yow may be pleased to Establish and confirm the true protestant Relgion and all our sacred and Religious concerns in the most effectual manner for their unalterable security to the people of this land and all succeeding generations; And especially that her Majesty with advice and consent of the Estats of parliament would be pleased to ratify and confirm the fifth act of the first parliament of King William and Queen Mary, Entituled Act ratifying the Confession of faith and settleing Presbyterian Church Government and the other acts of parliament relateing thereto in prosecution of the Declaration of the Estates of this kingdom, Containing the Clame of Right of the date the Eleventh of Aprile One thousand Six hundred eighty nine yeares, Expresly providing and declareing that the foresaid true protestant Religion contained in the abovementioned Confession of faith with the purity of worship presently in use in this Church and the Presbyterian Church Government and Disciplin, That is to say, the Government of the Church by Kirk sessions, Presbyteries, Provincial Synods and General Assemblies, which we are perswaded are agreeable to the word of God and founded thereon, and which are Established by the forsaid Acts of Parliament pursuant to the clame of Right shall remain and continue unalterably And that the said Presbyterian Government shall be the only Government of the Church within this kingdom And that this Provision shall be held and observed in all time coming as a fundamentall article and Essential Condition of any Treaty or Union that shall be concluded betwixt the two kingdoms, And that it be farder settled with all the security that your Grace and the Estats of Parliament shall judge to be sufficient.

And your Petitioners do and shall ever pray that God only wise may guide your Grace and the Estates of Parliament, not only to the full and effectual Establishment of our forsaid Religion and Church Government and the Concerns thereof, But likewise in this whole great and weighty affair of the depending Treaty, that the Result and issue thereof may be the Glory of God, the good and advantage of the people of this Nation in all things both Religious and Civil, and for continuing of peace and amity in this whole Island, and preserving under the Divine Protection the Protestant Interest at home and abroad against all the Contrivances of its restless Enemies.

Signed in presence, in name and at the  
appointment of the Commission of the General  
Assembly, By  
William Wisheart Moderator

NAS PA 7/20/6



## **Appendix C**

### **8 November 1706 Address of the Commission of the General Assembly**

**The humble Representation and Petition of the Commission of the General Assembly of this National Church**

**Humbly Sheweth,**

**That besides the General Address already made by us for Secureing the Doctrine Worship Discipline and Government of this Church and now under your consideration, which with all gratitude we acknowledge, There are some particulars, which in pursuance of the design of our said address we do with all humility lay before your Grace and Lordships.**

- 1) That the Sacramentall Test being the Condition of access to places of trust and to benefites from the Crown, all of our Communion must be debarred from the same, if not in Scotlnd, yet through the rest of the Dominion of Brittain which may prove of most dangerous consequence to this Church.**
- 2) That this Church and Nation may be Exposed to the further danger of new oaths from the parliament of Brittain, unless it be provided that no oath, bond of Test of any kind shall be required of any Minister or Member of the Church of Scotlnd, which are Inconsistent with the known principles of this Church.**
- 3) There being no provision in the Treaty of Union for secureing of this Church by a Coronation oath That therefor in the Coronation oath to be taken by the Sovereigns of great Brittain, they be engagded to maintain the Doctrine, Worship, Discipline and Government of this Church and the Rights & priviledges thereof as now by law Established.**
- 4) That in case the proposed Union be concluded, the Church will suffer prejudice, unless there be a Commission for plantation of kirks and valuation of teynds, and making up the Register of that Court which was burnt, and a Judicatory in Scotland for redressing Greivances and judging Causes which formerly were judged by the privy Council, such as the growth of popery and other Irregularities, and with which Judicatory the Church may correspond, anent Fasts and Thanksgivings.**
- 5) Likewise we do humbly represent, That in the second part of the oath of abjuration in favours of the Succession in the protestant lyne, There is reference made to some Acts of the English parliament which every one in this Nation who may be obliged to take the said oath may not so well know, and therefor cannot Swear with Judgement, as also there seems to us to be some qualifications required in the successour to the Crown which are not suteable to our principles.**
- 6) And in the last place, In case this proposed Treaty of Union shall be concluded, this nation will be subjected in its Civill interests to a Brittish parliament, wherein twenty six prelates are to be Constituent members and Legislators, and lest our silence should be Constructed to Import our consent to or approbation of the Civil places and power of Church men, We crave leave in all humility & due respect to your Grace and Honourable Estates of parliament to Represent, That it is contrary to our known principle and Covenants that any Churchman should bear Civil offices or have power in the Comonwealth.**

**These things we humbly beseech your Grace and Lordships to Consider and provide suitable Remedies thereto. And we shall pray that the only wise God may so direct and Guide your Grace and Lordships in these and all the other matters that lye before you, That the result of your consultations may be, the glory of God, the advantage of Religion, the peace and comfort of her Majesty (whose long and prosperous reigne we heartily pray for) the preservation of peace and truth in both kingdoms and the welfare of this Church as nation in particular; the satisfaction of all who truely love & fear the Lord therein, the peace of your own Consciences, and your comfort in the day of your accounts.**



**Appendix C cont.**

Signed in name, in presence and at the  
appointment of the forsaid Commission of the  
General Assembly By  
Will: Wishcart Modcrator

NAS PA 7/20/19

## **Appendix D**

### **6 October 1706 Address of the Convention of Royal Burghs**

The address of the Commissioners to the General convention of the Royall Burroues of this ancient kingdome convened at Edinburgh the twenty ninth of October last upon the great concerne of the union proposed betwixt Scotland and England, for conserting such measures as should be esteemed proper for them to take with relatione to their trade and other concerns.

Humbly Sheweth

That as by the claim of right It is the priviledge of all subjects to petition so at this time wee being mostly impouered by our constituents, and knouing the sentiments of the people we represent, It is our indispenceable duty to signifie to Your Grace and the honourable Estates of parliament, That as we are not against a Honourable and safe union with England, consisting with the being of this kingdome and parliaments therof; without which we concive neither our religious nor our civil interests and trade, as we now by law enjoy them, can be secured to us and our posteritie; Farr less can we expect to have the conditione of the people of Scotland with relatione to these great concerns, made better and improven without a scots parliament;

And seeing by the articles of union now under the consideration of the Honourable Estates of parliament, It is agreed that Scotland and England shall be united into one kingdome, and that the united kingdome be represented by one and the same parliament, by which our monarchie is suppress, our parliament extinguished, And in consequence our religione, Church governement, claim of right, lawes, liberties, trade and all that is dear to us; dayly in danger of being encroached upon, altered or wholly subverted, by the English in a British parliament; wherein the mean representation allowed for Scotland can never signifie in securing to us the interests reserved by us; or granted to us by the English.

And by these articles our poor people are made lyable to the English taxes which is a certain unsupportable burden, Considering that the trade proposed is uncertain, involved, and wholly precarious, Especially when regulat as to export and import by the lawes of England; and under the same prohibitions, restrictions, customes and duties, And considering that the most considerable branches of our trade are different from those of England, and are, and may be yet more discouraged by their lawes, And that all the concerns of trade and other interests, are after the union subject to such alterations, as the parliament of Brittain shall think fitt.

Wee therfor humbly supplicat your Grace and the Honourable Estates of parliament And do assuredly expect that you will not conclude such an incorporating union as is contained in the articles proposed: But that you will support and maintain the true reformed protestant religion and church government as by law established, The Sovereignty and independency of this croun and kingdome, and the rights and priviledges of parliament, which have been generously asserted by you in the \_\_\_\_\_ session of this present parliament, And do further pray that effectual means may be used for defeating the designes and attempts of all popish pretenders whatsoever to the succession of this croun and kingdome: And for securing this natione against all the attempts and encroachments that may be made by any persons whatsoever upon the Sovereignty, religion, lawes, liberties, trade and quiet of the same: And we promise to maintain with our lives and fortunes, all those valuable things in opposition to all popish and other enemies whatsoever, according to our lawes and claim of right.

Signed by order and in presence of the  
Conventione by  
Ja: Macclellan preses

NAS PA 7/20/18

## **Appendix E**

### **Locality Addresses**

	<b>Shires</b>	<b>Royal Burghs</b>	<b>Towns</b>	<b>Parishes Alone</b>	<b>All Parishes</b>	<b>Presbyteries</b>	<b>Total</b>
<b>Addresses</b>	15	23	8	30	40	3	79
<b>Localities</b>	15	22	9	50	67	3	116

#### **Explanatory Notes**

**Shires:** Midlothian and Lanarkshire both submitted two copies of their addresses with different sets of signatures on different dates. Though presented separately, these have been counted as one address as they used the same text.

**Burghs:** Address tally includes two different addresses from Ayr

**Towns:** Localities tally includes Stonehaven, which addressed jointly with Kincardineshire

**Parishes alone:** Includes addresses from parishes only. Some addresses came from multiple parishes, giving a higher total for localities than addresses.

**All parishes:** Includes parishes addressing with their towns or royal burghs. Addresses tally counts addresses from parishes alone plus ten addresses from parishes addressing with a town or burgh. Localities tally counts any parish included in any address.

These tallies include all locality addresses found in NAS PA 7/28 (shires, burghs and parishes) and 7/20 (presbyteries). These accord with the addresses listed in APS except for a reference to an address from the 'Toun and parochine of Lawder & Chinghill kirk' (APS, vol. xi, 359). As the original address (NAS PA 7/28/40) only cites the town and parish of Lauder and does not mention the nearby parish of Chinghillkirk or Channelkirk, this parish has not been included in these totals.



## Appendix F

### Locality Addresses by Shire, Synod & Presbytery

Address	Date	Shire	Synod	Presbytery
<b>Shires</b>				
1. Perthshire	Nov 1			
2. Midlothian (2 copies)	Nov 1, 27			
3. Linlithgowshire	Nov 1			
4. Forfarshire	Nov 2			
5. Dunbartonshire	Nov 4			
6. Stirlingshire	Nov 4			
7. Renfrewshire	Nov 6			
8. Fife	Nov 6			
9. Lanarkshire (2 copies)	Nov 14, 15			
10. Kirkcudbright	Nov 18			
11. Annandale	Nov 23	Dumfriesshire		
12. Roxburghshire	Nov 26			
13. Berwickshire	Dec 16			
14. Aberdeenshire	Jan 6			
15. Kincardineshire & Stonehaven	Jan 6			
<b>Royal Burghs</b>				
1. Linlithgow	Nov 4	Linlithgow		
2. Dysart & parish	Nov 4	Fife	Fife	Kirkaldy
3. Dunfermline	Nov 8	Fife		
4. Forfar	Nov 9	Forfar		
5. Crail	Nov 12	Fife		
6. Kirkcudbright	Nov 12	Kirkcudbright		
7. Rutherglen & parish	Nov 14	Lanark	Glasgow & Ayr	Glasgow
8. Glasgow	Nov 15	Lanark		
9. Lanark & parish	Nov 18	Lanark	Glasgow & Ayr	Lanark
10. Cupar	Nov 18	Fife		
11. St. Andrews	Nov 19	Fife		
12. Inverkeithing	Nov 23	Fife		
13. Culross & 4 parishes	Nov 23	Burgh: Perth Parishes: Fife	Fife	Dunfermline
14. Stirling	Nov 23	Stirling		
15. Annan	Nov 26	Annandale		
16. Lochmaben	Nov 26	Annandale		
17. Dunbar	Nov 28	Haddington		
18. Ayr Council	Nov 30	Ayr		
19. Burntisland & parish	Nov 30	Fife	Fife	
20. Ayr Inhabitants	Dec 3	Ayr		Kirkaldy
21. New Galloway	Dec 3	Kirkcudbright		
22. Lauder & parish	Dec 18	Berwick	Merse & Teviotdale	Earlston
23. Perth	Jan 10	Perth		

# Appendix F cont.

Address	Date	Shire	Synod	Presbytery
<b>Towns</b>				
1. Dunkeld & parish	Nov 4	Perth	Perth & Stirling	Dunkeld
2. Falkland & parish	Nov 6	Fife	Fife	Cupar
3. Bo'ness	Nov 8	Linlithgow		
4. Gorbals	Nov 15	Lanark		
5. Paisley	Nov 21	Renfrew		
6. Douglas & parish	Dec 10	Lanark	Glasgow & Ayr	Lanark
7. Maybole & 5 parishes	Dec 24	Ayr	Glasgow & Ayr	Ayr
8. Peterhead	Jan 6	Aberdeen		
<b>Presbyteries</b>				
1. Lanark	Nov 18	Lanark	Glasgow & Ayr	Lanark
2. Hamilton	Dec 11	Lanark	Glasgow & Ayr	Hamilton
3. Dunblane	Dec 11	Stirling	Perth & Stirling	Dunblane
<b>Parishes</b>				
1. Hamilton	Nov 6	Lanark	Glasgow & Ayr	Hamilton
2. Avendale	Nov 8	Lanark	Glasgow & Ayr	Hamilton
3. Blantyre	Nov 8	Lanark	Glasgow & Ayr	Hamilton
4. Tulliallan	Nov 8	Perth	Perth & Stirling	Dunblane
5. Bothwell	Nov 9	Lanark	Glasgow & Ayr	Hamilton
6. Cambuslang	Nov 9	Lanark	Glasgow & Ayr	Hamilton
7. Cambusnethan	Nov 9	Lanark	Glasgow & Ayr	Hamilton
8. Old Monkland	Nov 9	Lanark	Glasgow & Ayr	Hamilton
9. Kilbride	Nov 9	Lanark	Glasgow & Ayr	Hamilton
10. Dalserf	Nov 12	Lanark	Glasgow & Ayr	Hamilton
11. East Monkland	Nov 12	Lanark	Glasgow & Ayr	Hamilton
12. Shotts	Nov 12	Lanark	Glasgow & Ayr	Hamilton
13. Stonehouse	Nov 12	Lanark	Glasgow & Ayr	Hamilton
14. Carnwath	Nov 14	Lanark	Glasgow & Ayr	Lanark
15. Covington, Carstairs, Symington	Nov 14	Lanark	Glasgow & Ayr	Lanark
16. Liberton, Quothquan, Dunsyre	Nov 14	Lanark	1-2: Lothian & Tweeddale 3: Glasgow & Ayr	Biggar Lanark
17. Biggar	Nov 15	Lanark	Lothian & Tweeddale	Biggar
18. Crawford	Nov 18	Lanark	Glasgow & Ayr	Lanark
19. Crawfordjohn	Nov 18	Lanark	Glasgow & Ayr	Lanark
20. Glasgow Barony	Nov 23	Lanark	Glasgow & Ayr	Glasgow
21. Lesmahago	Nov 26	Lanark	Glasgow & Ayr	Lanark
22. St. Ninians	Nov 28	Stirling	Perth & Stirling	Stirling
23. Glen Ken (4 parishes)	Dec 3	Kirkcudbright	Galloway	Kirkcudbright
24. Carmichael, Pettinain	Dec 10	Lanark	Glasgow & Ayr	Lanark
25. Airth, Larbert, Dunipace, Denny	Dec 11	Stirling	Perth & Stirling	Stirling
26. Caputh, Lethandy, Alyth, Kinloch	Dec 11	Perth	Perth & Stirling	Dunkeld
27. Errol, Kilspindie, Kinfauns, St. Madoes, Inchtute, Kinnaird, Longforgan	Dec 11	Perth	1-4: Perth & Stirling 5-7: Angus & Mearns	Perth Dundee
28. Logie	Dec 11	Clackmannan	Perth & Stirling	Dunblane
29. Calder	Dec 18	Lanark	Glasgow & Ayr	Hamilton
30. Clackmannan	Dec 26	Clackmannan	Perth & Stirling	Stirling



**Appendix F cont.**

**Addresses by Shire**

<b>Shire</b>	<b>Key Country nobles</b>	<b>Addresses</b>	<b>% Total</b>
Lanark	Duke of Hamilton	30	38%
Fife	Duke of Athol	10	13%
Perth	Duke of Athol Earl of Errol	7	9%
Stirling	Duke of Athol	5	6%
Kirkcudbright		4	5%
Annandale (Dumfriesshire)	Marquis of Annandale	3	4%
Linlithgow		3	4%
Ayr		3	4%
Clackmannan		2	3%
Forfar		2	3%
Renfrew		2	3%
Berwick		2	3%
Aberdeen		2	3%
Midlothian		1	1%
Dunbarton		1	1%
Roxburgh		1	1%
Kincardine		1	1%
Haddington		1	1%



### Appendix F cont.

#### Parish & Presbytery Addresses by Synod & Presbytery

<b>Synod</b>	<b>Parish Addresses</b>	<b>Total Parishes</b>	<b>Presbytery Address</b>
Glasgow & Ayr	24	33	2
Perth & Stirling	8	17	1
Fife	4	7	
Lothian & Tweeddale	2	3	
Angus & Mearns	1	3	
Galloway	1	4	
Merse & Teviotdale	1	1	
<b>Presbytery</b>	<b>Parish Addresses</b>	<b>Total Parishes</b>	<b>Presbytery Address</b>
Hamilton	13	13	1
Lanark	9	12	1
Stirling	3	6	
Dunkeld	2	5	
Biggar	2	3	
Dunblane	2	2	1
Glasgow	2	2	
Kirkaldy	2	2	
Ayr	1	5	
Kirkcudbright	1	4	
Perth	1	4	
Dundee	1	3	
Dunfermline	1	1	
Earlston	1	1	
Cupar	1	1	

Addresses from more than one shire, presbytery or synod have been counted in each category.  
Parish addresses include those from parishes that addressed with their towns.

## Appendix G

### Voting of MPs in Addressing Shires, Burghs & Towns

Address	Date	Shire	Court	Squadron	Country
<b>Shires</b>					
1. Perthshire	Nov 1			2	2
2. Midlothian (2 copies)	Nov 1, 27		1	1	2
3. Linlithgowshire	Nov 1		1		1
4. Forfarshire	Nov 2			1	3
5. Dunbartonshire	Nov 4				2
6. Stirlingshire	Nov 4				3
7. Renfrewshire	Nov 6		1		1
8. Fife	Nov 6			1	3
9. Lanarkshire (2 copies)	Nov 14, 15			1	3
10. Kirkcudbright	Nov 18				2
11. Annandale	Nov 23	Dumfriesshire	2		2
12. Roxburghshire	Nov 26		1	2	1
13. Berwickshire	Dec 16		1	1	2
14. Aberdeenshire	Jan 6		1		3
15. Kincardineshire & Stonehaven	Jan 6			1	1
<b>Total</b>			<b>8</b>	<b>10</b>	<b>31</b>
<b>Royal Burghs</b>					
1. Linlithgow	Nov 4	Linlithgow			
2. Dysart & parish	Nov 4	Fife			1
3. Dunfermline	Nov 8	Fife			1
4. Forfar	Nov 9	Forfar		1	
5. Crail	Nov 12	Fife	Abs	Abs	1
6. Kirkcudbright	Nov 12	Kirkcudbright		1	Abs
7. Rutherglen & parish	Nov 14	Lanark			1
8. Glasgow	Nov 15	Lanark			1
9. Lanark & parish	Nov 18	Lanark	1		
10. Cupar	Nov 18	Fife		1	
11. St. Andrews	Nov 19	Fife			1
12. Inverkeithing	Nov 23	Fife		1	
13. Culross & 4 parishes	Nov 23	Burgh: Perth Parishes: Fife	1		
14. Stirling	Nov 23	Stirling	1		
15. Annan	Nov 26	Annandale			1
16. Lochmaben	Nov 26	Annandale			1
17. Dunbar	Nov 28	Haddington			1
18. Ayr Council	Nov 30	Ayr	1		
19. Bruntisland & parish	Nov 30	Fife		1	
20. Ayr Inhabitants	Dec 3	Ayr	As per 18		
21. New Galloway	Dec 3	Kirkcudbright			1
22. Lauder & parish	Dec 18	Berwick			1
23. Perth	Jan 10	Perth			1
<b>Total</b>			<b>4</b>	<b>5</b>	<b>12</b>

**Appendix G cont.**

Address	Date	Shire	Court	Squadron	Country	Shire Address
<b>Towns</b>						
1. Dunkeld & parish	Nov 4	Perth		2	2	Y
2. Falkland & parish	Nov 6	Fife		1	3	Y
3. Bo'ness	Nov 8	Linlithgow	1		1	Y
4. Gorbals	Nov 15	Lanark		1	3	Y
5. Paisley	Nov 21	Renfrew	1		1	Y
6. Douglas & parish	Dec 10	Lanark	As per 4			Y
7. Maybole & 5 parishes	Dec 24	Ayr	2		2	N
8. Peterhead	Jan 6	Aberdeen	1		3	Y
<b>Total</b>			5	4	15	

**Explanatory notes**

Voting based on P.W.J. Riley, *The Union of England and Scotland: A Study in Anglo-Scottish Politics of the Eighteenth Century* (Manchester, 1978), App. A. Cross-voters have been categorised as Court or Country based on their votes. Dumfriesshire voting records have been applied to the Stewartry of Annandale.



## Appendix H

### Use of Country Party Address Text

Address	Date	Country Text	Comments
<b>Shires</b>			
1. Perthshire	Nov 1	Yes	Adds legal argument against removal of Scots Parliament, loss of birthrights of peers & stronger statement of intent to defend sovereignty
2. Midlothian (2 copies)	Nov 1, 27	Yes	Same text for both addresses
3. Linlithgowshire	Nov 1	Yes	As per standard text
4. Forfarshire	Nov 2	Yes	As per standard text
5. Dunbartonshire	Nov 4	Yes	As per standard text
6. Stirlingshire	Nov 4	Yes	As per standard text
7. Renfrewshire	Nov 6	Yes	As per standard text
8. Fife	Nov 6	Yes	As per standard text
9. Lanarkshire (2 copies)	Nov 14, 15	No	Own text; same for both addresses
10. Kirkcudbright	Nov 18	Yes	Adds concern for security of church govt
11. Annandale	Nov 23	No	Willing for federal union to secure Protestant successor; echoes some phrases from standard text
12. Roxburghshire	Nov 26	Yes	Follows same structure; rewords and adds concern for insecurity of Scottish interests in British Parliament
13. Berwickshire	Dec 16	Yes	As per standard text
14. Aberdeenshire	Jan 6	Yes	Plus threat to trade outweighing other advantages of union
15. Kincardineshire & Stonehaven	Jan 6	Yes	Same as Aberdeenshire
<b>Total Using Party Text</b>		<b>13</b>	<b>87%</b>
<b>Royal Burghs</b>			
1. Linlithgow	Nov 4	Yes	Adds request for security of Protestant succession against Pretender
2. Dysart & parish	Nov 4	Yes	With same additions as Perthshire
3. Dunfermline	Nov 8	Yes	Minor compression of opening lines
4. Forfar	Nov 9	Yes	Adds emphasis on small representation in Parliament, loss of burgh rights
5. Crail	Nov 12	Yes	Omits reference to baron and freeholder rights.
6. Kirkcudbright	Nov 12	No	Uses Convention of Royal Burghs national petition
7. Rutherglen & parish	Nov 14	Yes	Adds request to preserve privileges of Parliament and Church according to covenanted work of reformation
8. Glasgow	Nov 15	No	Uses Convention of Royal Burghs national petition
9. Lanark & parish	Nov 18	No	Destroys constitution as confirmed by Claim of Right; concurs with other addressers; maintain sovereignty, Parliament & Church; set aside treaty & allow time for deliberation
10. Cupar	Nov 18	No	Uses modified Convention of Royal Burghs national petition
11. St. Andrews	Nov 19	No	Reject articles violating Claim of Right, peer, baron & burgh rights, Church govt; preserve imperial crown & sovereignty; closing similar to party text

### Appendix H cont.

Address	Date	Country Text	Comments
12. Inverkeithing	Nov 23	Yes	Omits reference to barons' rights, emphasises church government
13. Culross & 4 parishes	Nov 23	No	Not against safe union; loss of Parliament threatens Church, violates Covenant, heavy taxes; requests security of Protestant succession
14. Stirling	Nov 23	No	Threat of free trade & heavy taxes; asks for address to Queen, maintenance of sovereignty, Parliament, church govt, Protestant successor
15. Annan	Nov 26	No	Same as Annandale
16. Lochmaben	Nov 26	No	Same as Annandale
17. Dunbar	Nov 28	Yes	Adds complaint on threat to fishing from Article VIII (salt taxes)
18. Ayr Council	Nov 30	No	Wishes for union but asks for amendments on heavy taxes
19. Burntisland & parish	Nov 30	Yes	Some rewording; emphasises church government, trade interests
20. Ayr Inhabitants	Dec 3	No	Maintain Scottish sovereignty in union, secure Protestant successor, maintain church government and avoid new taxes
21. New Galloway	Dec 3	Yes	Adds emphasis on Claim of Right as security for church and liberty.
22. Lauder & parish	Dec 18	Yes	Omits reference to barons' rights
23. Perth	Jan 10	Yes	Adds fears for heavy taxes discouraging trade; requests steps to secure Parliament, trade & Church
<b>Total</b>		<b>12</b>	<b>52%</b>
<b>Towns</b>			
1. Dunkeld & parish	Nov 4	Yes	With same additions as Perthshire
2. Falkland & parish	Nov 6	Yes	With same additions as Perthshire
3. Bo'ness	Nov 8	Yes	Adds threat to trade of Article V (ship ownership)
4. Gorbals	Nov 15	Yes	Hamilton group
5. Paisley	Nov 21	No	Similarities to Convention text
6. Douglas & parish	Dec 10	No	Avendale group
7. Maybole & 5 parishes	Dec 24	No	Treaty threatens sovereignty, liberties, Church
8. Peterhead	Jan 6	Yes	Same as Aberdeenshire
<b>Total</b>		<b>5</b>	<b>63%</b>
<b>Presbyteries</b>			
1. Lanark	Nov 18	No	Warns of popular discontent; wants safe union with Scots parliament & Protestant successor with limitations; refers to CGA addresses; treaty contrary to Covenants
2. Hamilton	Dec 11	No	Concurs with CGA addresses; warns of popular discontent; treaty creates perjury; address Queen for Protestant succession & General Assembly
3. Dunblane	Dec 11	No	Concurs with CGA addresses; treaty breaches Covenants & threatens Church security.
<b>Total</b>		<b>0</b>	



### Appendix H cont.

Address	Date	Country Text	Comments
<b>Parishes</b>			
1. Hamilton	Nov 6	Yes	Highly edited form adding privilege to petition according to Claim of Right; safe union only; maintain reformation as per National Covenant
2. Avendale	Nov 8	No	Similarities to Convention text; surrenders all to England; contrary to vows to God; safe union only
3. Blantyre	Nov 8	Yes	Hamilton group
4. Tulliallan	Nov 8	Yes	Adds betrayal of Covenants, risk to Church; asserts opposition to Pretender
5. Bothwell	Nov 9	No	Avendale group
6. Cambuslang	Nov 9	No	Treaty threatens Church, sovereignty (as defended by Hodges & Anderson), makes Scotland a colony
7. Cambusnethan	Nov 9	No	Avendale group
8. Old Monkland	Nov 9	No	Avendale group
9. Kilbride	Nov 9	No	Avendale group
10. Dalserf	Nov 12	No	Avendale group
11. East Monkland	Nov 12	No	Avendale group
12. Shotts	Nov 12	No	Avendale group
13. Stonehouse	Nov 12	No	Avendale group
14. Carnwath	Nov 14	Yes	Hamilton group
15. Covington, Carstairs, Symington	Nov 14	Yes	Hamilton group
16. Liberton, Quothquan, Dunsyre	Nov 14	Yes	Hamilton group
17. Biggar	Nov 15	Yes	Hamilton group
18. Crawford	Nov 18	Yes	Hamilton group
19. Crawfordjohn	Nov 18	Yes	Hamilton group
20. Glasgow Barony	Nov 23	Yes	Hamilton group
21. Lesmahago	Nov 26	No	Avendale group
22. St. Ninians	Nov 28	No	Contrary to constitution, Claim of Right, 1703 law, Covenants; bishops in Parliament; heavy taxes; safe union only; resist Pretender
23. Glen Ken (4 parishes)	Dec 3	No	Modified version of Convention of Royal Burghs text with reference to national perjury, breach of Covenants, bishops in Parliament
24. Carmichael, Pettinain	Dec 10	Yes	Hamilton group
25. Airth, Larbert, Dunipace, Denny	Dec 11		Willing for safe union & Protestant succession with limitations; perjury to Covenants; English irreligious & untrustworthy
26. Caputh, Lethandy, Alyth, Kinloch	Dec 11	Yes	Shorter version of Perthshire address
27. Errol, Kilspindie, Kinfauns, St. Madoes, Inchtute, Kinnaird, Longforgan	Dec 11	Yes	Shorter version of Perthshire address
28. Logie	Dec 11	Yes	Same as Tulliallan parish
29. Calder	Dec 18	No	Ancient sovereignty to be given up to English
30. Clackmannan	Dec 26	Yes	Substitutes church govt for baron & burgh rights
<b>Total</b>		<b>15</b>	<b>50%</b>
<b>Grand Total Using Party Text</b>		<b>45</b>	<b>57%</b>



## Appendix I

### Signatories

Address	Date	Numbers Signing	Named Signatories
<b>Shires</b>			
1. Perthshire	Nov 1	74	Barons and freeholders
2. Midlothian	Nov 1, 27	c. 1,120	Barons, freeholders and others
3. Linlithgowshire	Nov 1	56	Barons, freeholders and others
4. Forfarshire	Nov 2	176	Barons, freeholders, heritors and other gentlemen
5. Dunbartonshire	Nov 4	357	Barons, freeholders and others
6. Stirlingshire	Nov 4	323	Barons, freeholders and others
7. Renfrewshire	Nov 6	954	Barons, freeholders and others
8. Fife	Nov 6	140	Barons, freeholders and others
9. Lanarkshire	Nov 14, 15	177	Barons, heritors and freeholders
10. Kirkcudbright	Nov 18	63	Barons, freeholders and others
11. Annandale	Nov 23	176	Barons, freeholders and others
12. Roxburghshire	Nov 26	49	Barons, freeholders and others
13. Berwickshire	Dec 16	c. 1,000	Barons, freeholders and others
14. Aberdeenshire	Jan 6	c. 1,900	Barons, freeholders, heritors, gentlemen and others
15. Kincardineshire & Stonehaven	Jan 6	542 shire 87 town	Barons, freeholders, heritors, gentlemen and others
<b>Total</b>		<b>c. 7,194</b>	
<b>Royal Burghs</b>			
1. Linlithgow	Nov 4	153	Magistrates, town council, deacons of crafts & other burgesses
2. Dysart & parish	Nov 4	225	Town and parish
3. Dunfermline	Nov 8	180	Magistrates, town council, merchants, deacons of crafts and other tradesmen and inhabitants
4. Forfar	Nov 9	33	Provost, baillies, town council and burgesses
5. Crail	Nov 12	38	Magistrates, town council, merchants, deacons of crafts and other inhabitants
6. Kirkcudbright	Nov 12	37	Magistrates, town council and others the inhabitants
7. Rutherglen & parish	Nov 14	125	Magistrates, gentlemen, heritors, burgesses and inhabitants
8. Glasgow	Nov 15	388	Merchants and trades
9. Lanark & parish	Nov 18	211	Heritors, elders and masters of families
10. Cupar	Nov 18	155	Magistrates, Dean of Guild, Treasurer, Guild Council, Deacons of Trades, members of the town council and others gildry trades and burgesses
11. St. Andrews	Nov 19	125	Provost, baillies, councillors and citizens
12. Inverkeithing	Nov 23	105	Magistrates, town council, guildbrethren, deacons of crafts and other burgesses tradesmen and inhabitants
13. Culross & 4 parishes	Nov 23	691	Heritors, magistrates, town council and other inhabitants (of Culross town & parish); Heritors, elders and other inhabitants (of 3 more parishes)
14. Stirling	Nov 23	564	Provost, baillies, town council and other inhabitants
15. Annan	Nov 26	38	Magistrates, town council and other inhabitants
16. Lochmaben	Nov 26	57	Magistrates, town council and others the inhabitants
17. Dunbar	Nov 28	138	Magistrates, town council, burgesses and other inhabitants

### Appendix I cont.

Address	Date	Number Signing	Named Signatories
18. Ayr Council	Nov 30	1	Magistrates and town council
19. Burntisland & parish	Nov 30	115	Heritors and other inhabitants
20. Ayr Inhabitants	Dec 3	c. 1,100	Merchants, deacons, trades and other inhabitants
21. New Galloway	Dec 3	43	Magistrates, town council, burgesses and inhabitants
22. Lauder & parish	Dec 18	348	Baillies, councillors, burgesses inhabitants and parishioners
23. Perth	Jan 10	327	Citizens, burgesses, trades and other inhabitants
<b>Total</b>		<b>c. 5,197</b>	
<b>Towns</b>			
1. Dunkeld & parish	Nov 4	159	Heritors and other inhabitants of the town and parish of Dunkeld alias Caledonia
2. Falkland & parish	Nov 6	132	Magistrates, councillors and inhabitants of burgh; heritors of parish
3. Bo'ness	Nov 8	263	Heritors, merchants, masters of ships, mariners and other inhabitants
4. Gorbals	Nov 15	177	Feuars, masters of families and others inhabitants
5. Paisley	Nov 21	171	Heritors, minister, burgesses and other inhabitants
6. Douglas & parish	Dec 10	258	Heritors and commons
7. Maybole & 5 parishes	Dec 24	344	Gentlemen, heritors and other inhabitants (of parishes); magistrates and town council of Maybole
8. Peterhead	Jan 6	96	Gentlemen residents, baillies, town council and all other inhabitants
<b>Total</b>		<b>1,600</b>	
<b>Presbyteries</b>			
1. Lanark	Nov 18	18	(15 ministers and 3 elders)
2. Hamilton	Dec 11	20	(13 ministers and 7 elders)
3. Dunblane	Dec 11	12	(9 ministers and 3 elders)
<b>Total</b>		<b>50</b>	



**Appendix I cont.**

Address	Date	Number Signing	Named Signatories
<i>Parishes</i>			
1. Hamilton	Nov 6	290	Heritors, elders and masters of families
2. Avendale	Nov 8	202	Heritors and commoners
3. Blantyre	Nov 8	68	Parish of ...
4. Tulliallan	Nov 8	199	Parish of ...
5. Bothwell	Nov 9	184	Heritors, elders and masters of families
6. Cambuslang	Nov 9	115	Heritors, elders and heads of families
7. Cambusnethan	Nov 9	121	Heritors and commons
8. Old Monkland	Nov 9	204	Heritors and commoners
9. Kilbride	Nov 9	168	Heritors, session and inhabitants
10. Dalserf	Nov 12	109	Heritors and commoners
11. East Monkland	Nov 12	111	Heritors and commoners
12. Shotts	Nov 12	147	Heritors and commoners
13. Stonehouse	Nov 12	109	Heritors and commoners
14. Carnwath	Nov 14	335	Parishioners
15. Covington, Carstairs, Symington	Nov 14	241	Parishioners
16. Liberton, Quothquan, Dunsyre	Nov 14	172	Parish of ...
17. Biggar	Nov 15	140	Parishioners
18. Crawford	Nov 18	110	Heritors and householders
19. Crawfordjohn	Nov 18	111	Heritors and householders
20. Glasgow Barony	Nov 23	220	Heritors and several other persons
21. Lesmahago	Nov 26	285	Parish of ...
22. St. Ninians	Nov 28	566	Heritors and others inhabitants
23. Glen Ken (4 parishes)	Dec 3	267	Barons, freeholders, heritors and others
24. Carmichael, Pettinain	Dec 10	246	Parishioners
25. Airth, Larbert, Dunipace, Denny	Dec 11	572	Parishes of ...
26. Caputh, Lethandy, Alyth, Kinloch	Dec 11	673	Inhabitants
27. Errol, Kilspindie, Kinfauns, St. Madoes, Inchtute, Kinnaird, Longforgan	Dec 11	729	Inhabitants
28. Logie	Dec 11	335	Heritors, minister and elders together with heads of families
29. Calder	Dec 18	163	Heritors, liferenters, elders, parishioners and remanent indwellers
30. Clackmannan	Dec 26	309	The parish of ...
<b>Total</b>		<b>7,501</b>	
<b>GRAND TOTAL</b>		<b>c. 21,542</b>	



## Appendix J

### October 1706-January 1707 Calendar

<b>OCTOBER</b>						
<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thurs</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			
<b>NOVEMBER</b>						
<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thurs</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	
<b>DECEMBER</b>						
<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thurs</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					
<b>JANUARY</b>						
<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thurs</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

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*The Spottiswoode Miscellany* (Edinburgh, 1844).

*State-Papers and Letters Addressed to William Carstares*, ed. Joseph McCormick (Edinburgh, 1774).

Jeffrey Stone, *Illustrated Maps of Scotland from Blaeu's Atlas Novus* (London, 1991).

Joseph Taylor, *A Journey to Edenborough in Scotland*, ed. William Cowan (Edinburgh, 1903).

*Watson's Preface to the 'History of Printing'*, ed. W.J. Couper (Edinburgh, 1913).

Robert Wodrow, *Analecta* (Edinburgh, 1842).

## Printed Pamphlets

1689

*A letter from a clergy-man in the country, to a minister in the city, concerning ministers intermeddling with state-affairs in their sermons and discourse (Edinburgh, 1689).*

*A letter from the West to a member of the meeting of Estates of Scotland (1689).*

1698

*To His Grace His Majesties High Commissioner, and the Right Honourable the Estates of Parliament. The humble petition of the Council-General of the Company of Scotland trading to Africa and the Indies (1698).*

*[Commission of the General Assembly], A seasonable admonition and exhortation to some who separate themselves from the communion of the Church of Scotland wherein is also discovered, that the things they complain of are either false on the matter, or not sufficient to warrant a separation (Edinburgh, 1698).*

1699

*Philo-Britan [Walter Harris], The defence of the Scots settlement at Darien, answered, paragraph by paragraph (London, 1699).*

*Philo-Caledon [Archibald Foyer?], A defence of the Scots settlement at Darien: With an answer to the Spanish memorial against it. And arguments to prove that it is in the interest of England to join with the Scots, and protect it. To which is added a description of the countrey, and a particular account of the Scots colony (1699).*

*Philo-Caledon [Andrew Fletcher?], A short and impartial view of the manner and occasion of the Scots Colony coming away from Darien: In a letter to a person of quality (1699).*

*By the honourable Sir William Beeston Kt His Majesties Lieutenant...(Edinburgh, 1699).*

*The golden island or the Darian song: in commendation of all concerned in that noble enterprize of the valiant Scots, by a lady of honour (Edinburgh, 1699).*

*The history of the works of the learned: or an impartial account of books lately printed in all parts of Europe with a particular relation of the state of learning in each country. For the month of August 1699. (Edinburgh, 1699).*

*A letter giving a description of the Isthmus of Darian: (where the Scots colonie is settled;) From a gentleman who lives there at present (Edinburgh, 1699).*

*A short account from and description of the isthmus of Darien, where the Scots colony are settled (Edinburgh, 1699).*

1700

*Hugh Chamberlen, Several matters relating to the improvement of the trade in this kingdom by the use and establishment of a land-credit ([1700]).*

*[Robert Ferguson], A just and modest vindication of the Scots design, for the having established a colony at Darien, with a brief display, how much it is their interest, to apply themselves to trade, and particularly to that which is foreign (1699).*

*Philo-Caledon [Archibald Foyer], Scotland's present duty: or, A call to the nobility, gentry, ministry, and commonality of this land to be duely affected with, and vigorously to act for, our common concern in Caledonia, as a mean to enlarge Christ's kingdom, to benefit our selves, and do good to all Protestant churches (1700).*



[Francis Grant], *A brief account, of the nature, rise and progress, of the Societies for Reformation of Manners &c in England and Ireland: with a preface, exhorting the use of such societies in Scotland* (Edinburgh, 1700).

[Walter Harris], *A short vindication of Phil. Scot's defence of the Scots abdicating Darien being in answer to the challenge of the author of the Defence of that settlement, to prove the Spanish title to Darien, by inheritance, marriage, donation, purchase, reversion, surrender, or conquest. With a prefatory reply, to the false and scurrilous aspersions, of the new author of The just and modest vindication, &c. and some animadversions on the material part of it, relating to the title of Darien* (London, 1700).

[George Ridpath?], *An enquiry into the causes of the miscarriage of the Scots colony at Darien or an answer to a libel entituled a defence of the Scots abdicating Darien. Submitted to the consideration of the good people of England* (Glasgow, 1700).

[George Ridpath], *Scotland's grievances relating to Darien, &c. humbly offered to the consideration of the Parliament* (1700).

[William Seton of Pitmedden], *The interest of Scotland, in three essays* (Edinburgh, 1700).

[William Seton of Pitmedden], *Memorial to the members of Parliament of the Court party* ([1700]).

[William Seton of Pitmedden], *A short speech prepared to be spoken, by a worthy member in Parliament, concerning the present state of the nation* (1700).

David Williamson, *A sermon preached at Edinburgh in the Parliament-House, November 17<sup>th</sup> 1700* (Edinburgh, 1700).

*Caledonia; or the Pedlar turned Merchant. A tragic-comedy as it was acted by His Majesty's subjects of Scotland in the King of Spain's province of Darien* (London, 1700).

*A full and exact collection of all the considerable addresses...and other publick papers relating to the Company of Scotland trading to Africa and the Indies* (Edinburgh, 1700).

*A letter to a member of Parliament, occasioned, by the growing poverty of the nation, from the want and decay of trade, and wrong management thereof with some overtures, for encreasing and promoting the one, and rectifying the other* (Edinburgh, 1700).

*Memorial shewing the advantages the Kingdom of Scotland may have by the undertaking and improvement of fishings for export, whether by societies, or singular persons, mostly taken from the pens and mouths of men of the greatest knowledge and experience in fishing and trade* (1700).

*Scotland's right to Caledonia (formerly called Darien) and the legality of its settlement, asserted in three several memorials presented to his Majesty in May 1699* (1700).

*Some seasonable precautions to all that have any vote or influence in electing the Magistrates, Toun-Council, and Deacons of the City of Edinburgh* (1700).

#### 1701

James Donaldson, *Certain and infallible measures laid down whereby the whole begging poor of the Kingdom may be alimanted at much less charge than they are at present, and begging intirely supprest, &c* (Edinburgh, 1701).



[John Drummond, Earl of Melfort], *A letter directed to the Right Honourable the Earl of Perth, Governour to the Prince which is from the Earl of Melford, and dated at Paris the 8<sup>th</sup> instant, which being intercepted, was delivered into the English post instead of being sent to St. Germans* (Edinburgh, 1701).

John Hamilton, *A sermon preached before his Grace James Duke of Queensberry, etc. His Majestys High Commissioner and the Honourable Estates of Parliament in the Parliament House upon Sunday the 24<sup>th</sup> day of November 1700* (Edinburgh, 1701).

[John Hamilton Lord Belhaven], *A speech in Parliament on the 10<sup>th</sup> day of January 1701, by the Lord Belhaven, on the affair of the Indian and African Company, and its colony of Caledonia* (Edinburgh 1701).

William Wisheart, *A sermon preached before His Grace, James Duke of Queensberry, His Majesties High Commissioner, and the Honourable Estates of Parliament, in the Parliament-House, the 1<sup>st</sup> of December, 1700* (Edinburgh, 1701).

## 1702

[James Armour], *A premonitor warning: or advice by a true lover of his country unto all whose hands this may come* (1702).

J.B., *A memorial briefly pointing at some advantages of the union of the two kingdoms, humbly offered to the consideration of the Commissioners appointed for that end* (London, 1702)

Sir Francis Bacon, *A brief discourse of the happy union betwixt the two kingdoms of Scotland and England* (1702).

[Sir Alexander Bruce], *A speech in the Parliament of Scotland, in relation to Presbyterian government* ([1702]).

[Blackerby Fairfax], *A discourse upon the uniting Scotland with England: containing the general advantage of such an union to both kingdoms* (London, 1702).

William Nicholson, Archdeacon of Carlisle, *The Scottish historical library: containing a short view and character of most of the writers, records, registers, law-books, &c. which may be serviceable to the undertakers of a general history of Scotland, down to the union of the two kingdoms in K. James VI* (London, 1702).

[George Mackenzie, Viscount Tarbat], *Parainesis pacifica; or, a perswasive to the union of Britain* (Edinburgh, 1702).

[George Mackenzie, Viscount Tarbat], *[Speech in the Parliament of Scotland upon the union and upon limitations]* ([1702]).

[George Ridpath], *A discourse upon the union of Scotland and England* (1702).

Alexander Shields, *A sermon preached by Mr. Alexander Shields, in the Cannongate Meeting-House Feb 10 1691 Being his last publick sermon before he went to Flanders* (1702).

[John Spottiswoode], *A speech of one of the Barons of the shire of B---- [Berwick] at a meeting of the Barons and Freeholders of that shire, for choosing commissioners to represent them in the ensuing Parliament, summoned to convene at Edinburgh the 12<sup>th</sup> day of November, 1702* ([1702]).

William Wisheart, *Sermon preached before the synod of Lothian and Tweeddale. At Edinburgh the 5<sup>th</sup> day of May 1702* (Edinburgh, 1702).

*A copy of the oaths required by the laws of England* (1702?).



*Her Majesties most gracious letter to the Privy Council* (Edinburgh, 1702).

*A letter to Sir J.P. Bart. [Sir John Packington] A Member for the ensuing Parliament, relating to the union of England and Scotland* ([1702]).

1703

[John Bannatyne], *A letter from a Presbyterian minister in the countrey, to a Member of Parliament; and also of the Commission of the Church concerning toleration and patronages* (1703).

[Andrew Brown], *Some very weighty and seasonable considerations tending to dispose, excite and qualify the nation, for the more effectual treating with England in relation to an union of confederacy, as the nearest and most proper expedient to put the nation in a way of prosperitie and thriveing* (1703).

[Andrew Cant], *A sermon preached on the XXX day of January 1702/3 at Edinburgh By one of the suffering clergy in the kingdom of Scotland* (Edinburgh, 1703).

Robert Caddell, *A sermon preached on the XXX of January 1703* (Edinburgh, 1703).

[Robert Calder], *Reasons for a toleration to the Episcopal clergy; and objections against it answer'd* (Edinburgh, 1703).

James Drake, *Historia Anglo-Scotica: or an impartial history of all that happen'd between the kings and kingdoms of England and Scotland, from the beginning of the reign of William the Conqueror, to the reign of Queen Elizabeth comprehending their several homages, incursions, devastations, depredations, battles, sieges, leagues, truces, breaches, intermarriages, and divers other matters worth knowing* (London, 1703).

[Andrew Fletcher], *Overture for limitations on the successors of Her Majesty deceasing without heirs of her body, who shall be likewise Kings of England* ([1703]).

[Andrew Fletcher], *Speeches, by a member of Parliament, which began at Edinburgh the 6<sup>th</sup> of May 1703* (Edinburgh, 1703).

[George Garden], *The case of the Episcopal clergy and those of the Episcopal perswasion, considered, as to the granting them a toleration and indulgence. Second edition, revised and cleared from the mistakes of The gentleman's letter, etc* (1703).

[George Garden], *Letter to the Episcopal clergy in Scotland; being the sincere and humble advice of an unknown friend* (1703).

[Francis Grant], *An essay for peace, by union in judgement; about church-government in Scotland* (Edinburgh, 1703).

James Hadow, *A survey of the Case, &c* (Edinburgh, 1703).

[John Hamilton, Lord Belhaven], *A speech in Parliament, by the Lord Belhaven; upon the Act for Security of the Kingdom, in case of the Queen's death* (Edinburgh, 1703).

[John Hamilton, Lord Belhaven], *A speech in Parliament touching limitations.* ([1703]).

James Hart, *A sermon preached in the New-Church before the honorable magistrates of the City of Edinburgh on Tuesday October 5 1703, the day of their election* (Edinburgh, 1703).

[James Hodges], *A letter from Mr. Hodges at London. To a Member of Parliament of Scotland* (Edinburgh, 1703).



[James Hodges], *The rights and interests of the two British monarchies, inquir'd into, and clear'd; with a special respect to an united or separate state. Treatise I. Shewing the different nature of an incorporating and federal union; the reasons why all designs of union have hitherto prov'd unsuccessful; and the inconsistency of an union by incorporation with the rights, liberties, national interests, and publick good of both kingdom* (London, 1703).

[George Mackenzie, Earl of Cromarty], *A continuation of a few brief and modest reflexions, perswading a just indulgence to be granted to the Episcopal clergy and people in Scotland* ([1703]).

[George Mackenzie, Earl of Cromarty], *A few brief and modest reflexions, perswading a just indulgence to be granted to the Episcopal clergy and people in Scotland* ([1703]).

George Meldrum, *A sermon preached in the New Church of Edinburgh, on Sabbath, May 16, 1703; before His Grace James Duke of Queensberrie, Her Majesties High Commissioner; and many of the nobility...and the magistrates of the city of Edinburgh* (Edinburgh, 1703).

[James Ramsay], *A letter from a gentleman to a member of Parliament, concerning toleration* (1703).

[George Ridpath], *An historical account of the antient rights and power of the Parliament of Scotland. Humbly offer'd to the consideration of the Estates, when they come to settle limitations for the next successor* (1703).

[Sir Archibald Sinclair], *Some thoughts on the present state of affairs. Humbly offered to the High Court of Parliament by a lover of his Queen and country* (1703).

[James Webster], *An essay upon toleration, by a sincere lover of the Church and State* (1703).

David Williamson, *A sermon preached in Edinburgh at the opening of the General Assembly of this national Church of Scotland upon the 10<sup>th</sup> day of March 1703* (Edinburgh, 1703).

[Robert Wylie?], *An apology for Mr. James Webster's sermon preached on the 25 of July 1703. Before His Grace, Her Majesties High Commissioner, and the Honourable Estates of Parliament: Humbly offer'd to the consideration of those of the Presbyterian perswasion who condemned it* (1703).

[Robert Wylie], *A letter from a gentleman in the city, to a minister in the countrey* ([1703]).

[Robert Wylie?], *Plain grounds of Presbyterian government briefly proposed for the instruction of common people* (1703).

[Robert Wylie], *A short answer to a short paper, intituled, A few brief and modest reflections perswading a just indulgence to be granted to the Episcopal clergy and people in Scotland* ([1703]).

[Robert Wylie], *A speech without doors, concerning toleration* ([1703]).

*Draught of an Act for Toleration with a few short remarks thereupon* ([1703]).

*Her Majesties most gracious letter to the Privy Council of Scotland* (Edinburgh, 1703).

*The humble representation of the Commission of the late General Assembly* ([1703]).

*It is resolved, that the Parliament shall consider an act offered; whereby it shall be declared, that Scotland shall not be concerned in any war 'twixt England and any neighbouring potentate, without consent of the Scots Parliament, tho the King of England be the King of Scotland* [1703]



*Overture by way of act concerning the succession to the crown of Scotland. Offered to the consideration of the Parliament by the Earl of Marchmont the 6<sup>th</sup> of September 1703 (1703).*

*A panegyrick on a noble peer and worthy patriot (1703/4?).*

*A plea against pamphlets in a letter from a gentleman in the countrey to his correspondent in Edinburgh (Edinburgh, 1703).*

*Proposals concerning religion ([1703]).*

*A seasonable alarm for Scotland: in a letter to a gentleman in the city, to his friend in the countrey: concerning the present danger of the kingdom, and of the Protestant religion (1703).*

*Several grievances given by a countrey man, anent decay of trade within the kingdom of Scotland ([1703]).*

*A speech against pensioners ([1703?]).*

*To the King's Most Excellent Majesty, the humble address of the citizens and inhabitants that are of the Presbyterian perswasion in the city of Edinburgh and Canongate (1703).*

*To the Queen's Most Excellent Majestie, the humble address and supplication of the suffering Episcopal clergy in the kingdom of Scotland, whose names and designations are underwritten ([1703]).*

*Vindication of the Presbyterians of the Kingdom of Scotland from the false aspersions laid upon them, by the Episcopal party of the said kingdom, anent the taking away the life of King Charles the First. Contained in a letter and protestation given in by the Commissioners of Scotland, to the speaker of the House of Commons (Edinburgh, 1703).*

#### 1704

[William Alexander], *An essay, shewing, that there is no probability of there being so much French interest, as it's certain there's English influence in our present Parliament of Scotland (1704).*

[James Clark], *A letter dropt in the street, which may be called, a seasonable advertisement to the members of the ensuing General Assembly ([1704]).*

[George Garden], *The case of the Episcopal clergy and those of the Episcopal perswasion, considered, as to the granting them a toleration and indulgence, the second part; in a letter to Mr. George Meldrum (1704).*

[George Garden?], *A letter to Mr. James Webster (in name of the Episcopal clergy) concerning a sermon preached by him at Edinburgh, July 25 1703 (Edinburgh, 1703).*

[Francis Grant], *A letter from a country-gentleman, to his friend in the city: shewing the reasons which induce him to think that Mr. W---r is not the author of the Answer to the essay for peace, &c ([1704]).*

John Hay, Marquis of Tweeddale, *The speech of His Grace, John Marquess of Tweeddale Her Majesties High Commissioner to the Parliament of Scotland, August 5 1704 (Edinburgh, 1704).*

[James Johnston], *Reflections on a late speech by the Lord Haversham, in so far as it relates to the affairs of Scotland (London, 1704).*

George Mackenzie, Earl of Cromarty, *Speech of George Earl of Cromarty Lord Secretary to the Parliament of Scotland on Tuesday July 11 1704 (Edinburgh, 1704).*



[George Ridpath], *The proceedings of the Parliament of Scotland: begun at Edinburgh, 6<sup>th</sup> May, 1703. With an account of all the material debates which occur'd during that session* (1704).

[James Webster], *A discourse demonstrating that the government of the church, which is of divine right, is fixed and not ambulatory. In answer to An essay for peace, by union in judgement, about church government in Scotland* (Edinburgh, 1704).

[James Webster], *A letter from one of the Country party to his friend of the Court party* ([1704]).

*The Act of Security is the only rational method of procuring Scotland a happy constitution, free from the illegal invasions of its liberties and laws, and the base usurpation of its ancient sovereignty* (1704).

*Act For Security of the Kingdom as it was voted and approved by the Right Honourable the Estates of Parliament, at Edinburgh the 13<sup>th</sup> Day of August, One Thousand Seven Hundred and Three* (Edinburgh, 1704).

*The Act of Security. Pass'd in the Parliament of Scotland, and which had the royal assent on the fifth of August, 1704* (London, 1704).

*Attwood's imperiall forgerie, or the Justice turned state montebank. A mock song* ([1704?]).

*A discourse of present importance, humbly offered to the consideration of the Right Honourable Members of Parliament* (1704).

*The great danger of Scotland as to all its sacred and civil concerns, from these, who are commonly known by the name of Jacobites. In a letter to a friend* ([1704]).

*Her Majesties most gracious letter to the Parliament of Scotland. Together with His Grace the Lord Commissioner, and the Lord High Chancellor their speeches* (Edinburgh, 1704).

*Hereditary succession in the Protestant line, unalterable. In answer to the Scots Bill of Security* (London, 1704).

*The High-lander's answer to the L[or]d H[aversha]m's sp[ee]ch* (London, 1704).

*To His Grace John Marquess of Tweeddale, Her Majesty's High Commissioner, and the Right Honourable Estates of Parliament. The petition of the Court of Directors of the Company of Scotland, Trading to Africa and the Indies* ([1704]).

*A letter from a countrey gentleman to his writer in Edinburgh anent the exorbitant exactions of due in the publick offices within this Kingdom* ([1704])

*A manifesto, asserting and clearing the legal right of the Princess Sophia, and her issue, the serene House of Hanover, to the succession of Scotland* (1704).

*Overture for an act nominating persons to treaty with England* ([1704]).

*Representation from a friend in the countrey, to the honourable Members of Parliament, anent the several abuses and exorbitant exactions made upon Her Majesties subjects, by deputs and servants in publick offices* (1704).

*Scotland's interest: or, the great benefit and necessity of a communication of trade with England* (1704).

*Several reasons why the succession ought not to be declar'd by this Parliament, and all objections to the contrary, answer'd. Humbly offer'd in an address to the members of Parliament* (1704).



*A short and plain description of the royal-family of Great Britain shewing who of the descendents profess themselves Popish, and who not. With a brief and easy account of the Electoral House of Hanover in Germany (Edinburgh, 1704).*

*The sin and shame of Scotland upon account of the vast numbers of idle vagabond beggars swarming in all corners of it (Edinburgh, 1704).*

*A speech in Parliament touching the freedom and frequency of Parliament ([1704]).*

*A speech without doors anent the giving a subsidy before the passing an Act of Security, &c (1704).*

*A three-fold cord for ensuring and securing of Presbytery in Scotland. The first. Her Majesty's repeated promises and engagements in favours thereof. The second. Our laws and acts of Parliament, especially these near fifteen years bygone. The third. Our national claim of right, and the people their fixed resolution to stand by it ([1704]).*

*The toleration gazette from August 1703, to March 1704 ([1704]).*

*The tryal and examination of Mr. John Tutchin for writing a certain libel, call'd the Observer; before the Right Honourable the Lord Chief Justice Holt, etc, at Guild-Hall in the City of London, on Saturday the 4<sup>th</sup> of November 1704 (London, 1704).*

*A watch-word to Scotland in perilous times ([1704]).*

#### 1705

*[Hugh Chamberlen?], A present remedie for the want of money: or, some remarks, upon a paper, entituled an overture for supplying the present scarcity of money; with a defence of a former, which seems very much preferable to it, and is now by order of Parliament under the consideration of the Right Honourable the Committee for examination of accompts ([1705]).*

*Hugh Chamberlen and James Armour, Proposal by Doctor Hugh Chamberlen and James Armour for a land-credit presented to the Parliament, by the committee, to whom it was referred to be considered, and ordered by the Parliament to be printed ([1705]).*

*[John Clerk of Penicuik], The circumstances of Scotland consider'd, with respect to the present scarcity of money: together with some proposals for supplying the defect thereof, and rectifying the ballance of trade (Edinburgh, 1705).*

*[James Donaldson], A letter to a member of Parliament, from a wel-wisher of his country, in relation to coin ([1705]).*

*[James Donaldson], Money encreas'd and credit rais'd; a proposal for multiplying the tale of money, by coining a certain quantity of lye-money out of a third part of the plate of the kingdom, whereupon a national bank may be erected to the great encrease of money and credit (Edinburgh, 1705).*

*[William Forbes], A pill for pork-eaters, or, a Scots lancet for an English swelling (1705).*

*[George Garden], The case of the Episcopal clergy and those of the Episcopal perswasion, considered, as to the granting them a toleration & indulgence. The third part (1705).*

*[Francis Grant], A short history of the Sabbath; containing some few grounds for its morality, and cases about its observance; with a brief answer to, or anticipation of, several objections against both (Edinburgh, 1705).*



[John Hamilton, Lord Belhaven], *The Lord Belhaven's speech in Parliament, the 17<sup>th</sup> of July 1705* ([1705]).

[James Hodges], *Considerations and proposals, for supplying the present scarcity of money, and advancing trade* (Edinburgh, 1705).

[John Humfrey], *A draught for a national church accommodation; whereby the subjects of England and Scotland, however different in their judgements concerning Episcopacy and Presbytery, may yet be united, in regard to the Queen's headship over both, in one church and kingdom of Great Britain* (London, 1705).

[John Law], *Money and trade considered, with a proposal for supplying the nation with money* (1705).

[George Mackenzie, Earl of Cromarty], *A speech intended to have been spoken in Parliament by a Member who was necessarily absent* ([1705]).

[William Paterson], *The occasion of Scotland's decay in trade, with a proper expedient for recovery thereof, and the increase of our wealth* (1705).

[George Ridpath], *The reducing of Scotland by arms, and annexing it to England as a province, considered. With an historical account of the grievances the Scots complain they have suffer'd in their religion, liberty, and trade, since the union of the crowns; which they assign as the cause of their delay to come into the same succession with England, until they have a previous security against such grievances for time to come* (London, 1705).

[William Seton of Pitmedden], *Some thoughts, on ways and means for making this nation a gainer in foreign commerce; and for supplying its present scarcity of money* (Edinburgh, 1705).

[Sir Archibald Sinclair], *The state of the nation enquir'd into, shewing, the necessity of laying hold of the present opportunity, to secure our laws and liberties, from English influence; and procure a free trade with that nation* ([1705]).

[John Spreull], *An accompt current betwixt Scotland & England ballanced: togeter with an essay of a scheme of the product of Scotland, and a few remarks on each* (Edinburgh, 1705).

*A copie of a letter from some of the nobility of Scotland, to King James the 6<sup>th</sup> of ever blessed memory, concerning the union* ([1705?]).

*An essay concerning inland and foreign, publick and private trade; together with some overtures, shewing how a company or national trade, may be constituted in Scotland, with the advantages which will result therefrom* ([1705?]).

*An essay for promoting of trade, and increasing the coin of the nation, in a letter from a gentleman in the country to his friend at Edinburgh, a member of Parliament* ([1705]).

*An essay upon the union of the kingdoms of England and Scotland* (1705).

*Great Britain's union, and the security of the Hanover succession, consider'd. In a letter from Windsor of the 30<sup>th</sup> of December, 1704, to a Member of Parliament in London* (London, 1705).

*The humble address of the Right Honourable the Lords Spiritual and Temporal presented to Her Majesty, on Tuesday the 13<sup>th</sup> day of November 1705* (Edinburgh, 1705).

*A letter, to a member of Parliament, concerning the true interest of Scotland, with respect to the succession* ([1705?]).

*Some weighty considerations, why Scotland should stipulate terms of an union with England. By a letter from the country to his friend in Parliament* ([1705]).



*A speech concerning a treaty of union with England ([1705]).*

1706-7

[Patrick Abercromby], *The advantages of the Act of Security, compar'd with these of the intended union: founded on the revolution-principles publish'd by Mr. Daniel De Foe (1707).*

[John Arbuthnot], *A sermon preach'd to the people, at the Mercat Cross of Edinburgh; on the subject of the union (1706).*

[William Black], *Some considerations in relation to trade, humbly offered to His Grace Her Majesty's High Commissioner and the Estates of Parliament (1706).*

[Andrew Brown], *A scheme proposing a true touch-stone for the due trial of a proper union betwixt Scotland & England; especially as to its fitness for Scotland (Edinburgh, 1706).*

[James Clark], *Scotland's speech to her sons ([1706]).*

[John Clerk of Penicuik], *A letter to a friend, giving an account how the Treaty of Union has been received here. And wherein are contained, answers to the most material objections against it, with some remarks upon what has been written by Mr. H. and Mr. R [Hodges and Ridpath] (Edinburgh, 1706).*

[Daniel Defoe], *Caledonia, &c. A poem in honour of Scotland, and the Scots nation (Edinburgh, 1706).*

[Daniel Defoe], *An essay at removing national prejudices, against a union with England. Part III (1706).*

[Daniel Defoe], *A letter concerning trade, from several Scots gentlemen that are merchants in England, to their country-men that are merchants in Scotland (1706).*

[Daniel Defoe], *The rabbler convicted: or a friendly advice to all turbulent and factious persons, from one of their own number ([1706]).*

[Daniel Defoe], *A seasonable warning or the Pope and King of France unmasked (1706).*

[Daniel Defoe], *A short letter to the Glasgow-Men ([1706]).*

[Daniel Defoe], *Two great questions considered, I. What is the obligation of Parliaments to the addresses or petitions of the people, and what the duty of the addressers? II. Whether the obligation of the Covenant or the other national engagements, is concern'd in the Treaty of Union? Being a sixth essay at removing national prejudices against the union (1707).*

[Archibald Foyer], *Queries to the Presbyterian noblemen and gentlemen, barons, burgesses, ministers and commoners in Scotland, who are for the scheme of an incorporating union with England, according to the articles agreed upon by the commissioners of both nations ([1706]).*

[Francis Grant], *The patriot resolved, in a letter to an addresser, from his friend; of the same sentiments with himself; concerning the union (1707).*

[John Hamilton, Lord Belhaven], *The Lord Belhaven's speech in Parliament the second day of November 1706. On the subject-matter of an union betwixt the two Kingdoms of Scotland and England ([1706]).*

[John Hamilton Lord Belhaven], *The Lord Belhaven's speech in Parliament the 15<sup>th</sup> day of November 1706, on the second article of the treaty ([1706]).*



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