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THE FALL OF EPISCOPACY IN SCOTLAND  
1688-1691

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# ABSTRACT

## THE FALL OF EPISCOPACY IN SCOTLAND 1688-1691

Thesis submitted for MPhil degree 2011

This thesis attempts to shed light on a little-studied moment in the history of the Williamite revolution in Scotland, namely what factors led to the abolition of episcopacy in July 1689 and the establishment of Presbyterian church government in June 1690. It attempts to analyse the various political forces at play and the ideas which motivated the lead figures.

### **Chapter One William of Orange and the Scots**

This chapter discusses the status of the Scottish bishops in the Restoration Church of Scotland, their distinction from the bishops of the Church of England. It describes the coming of William, the return of the Scottish exiles with him, and the gathering of the Scottish notables in London in the winter of 1688/9. The much-quoted account by bishop Rose is critically analysed. The pro-episcopal and pro-Presbyterian factions are identified. The Presbyterian appeal to William and the *Memorial* written in answer by Sir George Mackenzie and viscount Tarbat are discussed.

### **Chapter Two Episcopacy Abolished**

The main part of the chapter is devoted to the Convention of the Estates and the first session of Parliament: how the Presbyterians with radical political ideas won control. The Claim of Right and Act of Grievances, and the Club's challenge to William. The resonance of the Club's agenda with the political aims of the Covenanting period, are analysed. The frustrations of the Parliamentary session which resulted in the abolition of episcopacy, but not the establishment of Presbyterianism.

### **Chapter Three Rabblings and Deprivations**

This chapter examines in some details the reasons for the radicalization of the south-west of Scotland: the influence of the Protesters and the religious revivalist movement of the mid-century. The role of the Cameronians in the rabblings is examined and the ideas current among them. The documentary material gathered by John Sage is assessed. The Cameronians and the Convention. The second part of the chapter describes the deprivations ordered by the Privy Council in April 1689, John Sage's conspiracy theory, William's failure to understand the particularly Scottish ideas within



## List of Abbreviations

*DNB* – *Oxford Dictionary of National Biography*

*DSCHT* – *Dictionary of Scottish Church History and Theology*

*RSCHS* – *Records of the Scottish Church History Society*

*Leven and Melville* – *Letters and Papers chiefly addressed to George, earl of Melville, 1689-91*, Edinburgh, 1843 (Bannatyne Club, vol. 81).

**THE FALL OF EPISCOPACY IN SCOTLAND  
1688-1691**

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# THE FALL OF EPISCOPACY IN SCOTLAND

## INTRODUCTION

This dissertation is an attempt to shed light on the events and circumstances that brought about the fall of episcopacy in Scotland, the personalities involved and the ideas that motivated them. The period covered is from late 1688 to 1691, that is. from the coming of William of Orange until the aftermath of the first General Assembly of the revolutionary age.

It is the contention of this dissertation that the abolition of the order of bishops and the establishment of Presbyterianism was not a foregone conclusion. The Restoration Church of Scotland was, after all, founded on Presbyterian structures – kirk sessions, presbyteries, and synods – with the bishops re-imposed by the monarch to preside over the synods and ordain the clergy. True there was no General Assembly and the role of elders was much diminished, but in church practice there was little to distinguish the Restoration Church from what had come before, a point that was made by many English visitors. It can be argued that for most Scots the realities of parish life continued in their accustomed way and people were mostly indifferent as to whether the Church of Scotland was labelled as ‘Presbyterian’ or ‘episcopalian’. This was not true, however, of the south-west where the spirit of the Covenant lived on, becoming more radicalized by the ‘Protester’ movement, whose fiery declarations, fuelled by the ham-fisted efforts of the Stuart government to suppress rebellion, erupted into an on-off guerrilla war. The Cameronians of the south-west stood for ‘pure Presbytery’ and were defiant of any interference at all from the civil authorities; they initiated the systematic evictions (the ‘rabblings’) of the clergy in the south-west. Their views were shared by many, but by no means all, of the Scottish exiles living in the Netherlands who flocked back to Scotland with William of

Orange and who looked to him to put an end to the Catholicism and arbitrary rule of James VII. The radical majority of the Scottish Convention of Estates and Scottish Parliament of 1689 (the 'Club'), however, pressed primarily for political change and only incidentally for ecclesiastical change: it can be argued that the abolition of the order of bishops was as much a political move to weaken the Committee of Articles (a body which the parliament had failed to get abolished) than a move to re-establish Presbyterianism. Nonetheless systematic evictions of clergy, not by the mob, but by order of the Privy Council, continued in southern Scotland. It is not until the next session of Parliament in 1690 that the voices of politically and ideologically motivated Presbyterians, most notably Sir James Stewart of Goodtrees, become dominant, the result being the establishment by Parliament of an exclusivist and hard-line form of Presbyterianism in the summer of 1690. The ensuing General Assembly of the autumn of 1690 gave further sanction to the continuing eviction of all episcopally ordained clergy. The result was the destruction of the Restoration Church of Scotland, not only its bishops, but also almost its entire parish system. The pamphlet war (not examined in this work) which erupted after these events polarized the antagonists into 'episcopalians' and 'presbyterians', thereby creating a kind of smoke-screen of propaganda behind which the actuality of what happened has been lost. In general Scottish historiography has either overlooked, or distorted, the cultural revolution and church purge of 1688-91.

Tim Harris in *Revolution: the Great Crisis of the British Monarchy* has written of this period in Scottish history,

the Glorious Revolution in Scotland has been poorly understood because it has been so little studied. No full-scale treatment of the events of the winter and spring of 1688-89 exists that is comparable to those we possess for England, and we have no scholarly analysis of the Scottish constitutional settlement of 1689 (as encapsulated in the Claim of Right and the Articles of Grievances) on a par with what we have for the English Declaration of Rights.<sup>1</sup>

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<sup>1</sup> Tim Harris, *Revolution: The Great Crisis of the British Monarchy 1685-1720*, (London, 2007), p.365.



If we lack political analysis for those events, even more do we lack ecclesiastical analysis. There is no history of late seventeenth-century Presbyterianism, no study of the many strands that stretched from the extremist Cameronian ideology which rejected all interference from the State, to the more accommodating, ‘Erastian’ way of thinking, or of the way that people moved across them. There has been no study of the effect of King James’s Indulgences, for instance. Crucially too there has been no full study of the political ideas of the Presbyterians, or of the legacy of the Covenant.

A pioneering work in this field was William Law Mathieson’s *Politics and Religion: A Study in Scottish History from the Reformation to the Revolution* (Glasgow, 1902) which is balanced and still valuable. More recently Clare Jackson’s *Restoration Scotland, 1660-1690: Royalist Politics, Religion and Ideas* (Woodbridge, 2003) fills a large gap in the intellectual history of Scotland in the late Stuart period without, however, embedding her findings in the political realities of the time. For pure politics P.W.J. Riley’s *King William and the Scottish Politicians* (Edinburgh, 1979) is exhaustive, but because of his deliberate exclusion of any consideration of ideological or religious motivation, is lacking in depth.

For ideological background to the period John Coffey’s *Politics, Religion and the British Revolutions: the Mind of Samuel Rutherford* (Cambridge, 2002) is invaluable as is E. Calvin Beisner’s unpublished PhD thesis on James Stewart of Goodtrees: *His Majesty’s Advocate: Sir James Stewart of Goodtrees and Covenant Resistance Theory under the Restoration* (St Andrews, PhD, 2002) which concentrates mainly on his Covenanting writings and has rather less to say about his political activities in the Revolution period. On the ecclesiastical background to the period there are valuable studies of the Restoration church by Julia Buckroyd (*Church and State in Scotland, 1660-1681*, Edinburgh, 1980; *The Life of James Sharp*, Edinburgh 1987), and by W.R. Foster (*Bishop and Presbytery*, London, 1958).

On the Episcopalians Tristram Clarke's detailed unpublished study, *The Scottish Episcopalians, 1689-1720* (Edinburgh PhD, 1987) provides a wealth of valuable archive material not available anywhere else. David Bertie's *Scottish Episcopal Clergy, 1689-2000* (Edinburgh, 2000), which gives potted biographies of all episcopally ordained clergy, is an indispensable work of reference. For the Episcopalians of the Aberdeen region, Ian Butterworth's 1978 thesis, *Episcopalians in Scotland 1689-1745 with special reference to the North-East and the Diocese of Aberdeen* (MTh, unpublished, Aberdeen) has much of value.

For the Presbyterians, apart from the magnificent *Fasti Ecclesiae Scoticae*, one quickly enters the world of hagiography: a notable example of the genre for this period being John Warrick's *Moderators of the Church of Scotland, from 1690 to 1740* (Edinburgh and London, 1914). Like a breath of fresh air is Hector Macpherson's *The Cameronian Philosopher Alexander Shields* (Edinburgh and London, 1932), important among other respects for the negotiations of the Cameronians with the established church.

A scrupulous piece of recent research is Ginny Gardner's *The Scottish Exile Community in the Netherlands, 1660-1690*, (East Linton, 2004) which has an excellent chapter on the involvement of the exiles in Revolution politics.

The *Oxford Dictionary of National Biography* with its frequently updated entries available on-line has been an essential tool. Rather less rewarding for this period is the *Dictionary of Scottish Church History and Theology* (Edinburgh 1993).

Newer publications that have proved useful for particular chapters include, for Chapter One, in addition to Tim Harris's *Revolution*, Roger Morrice's extraordinary *Entring Book* (eds. Stephen Taylor, Mark Knights, et al., vols. iv,v,vi, Woodbridge, 2007) a vivid contemporary diary of events at William's court. Morrice, an English non-conformist, who had personal links with the Scots, provides factual information and commentary not available

elsewhere. For Chapter Two, John R. Young's 'The Scottish Parliament and the Covenanting Heritage of Constitutional Reform', 2002, puts the demands of the Club in a historical perspective. For Chapter Three light on an obscure but important aspect of Scottish religious life is shed by Leigh Eric Schmidt's *Holy Fairs: Scottish Communion and American Revivals in the early modern period* (Princeton, 1989). For Chapter Four, E. Calvin Beisner's thesis (mentioned above) has been vital. For Chapter Five two new Dutch studies, David Oonekink's study of the earl of Portland, *The Anglo-Dutch Favourite: the Career of Hans Willem Bentinck, 1<sup>st</sup> earl of Portland* (Aldershot 2007), and Wout Trost's *William III, the Statholder King: a Political Biography* (Aldershot, 2005) are valuable. In the Epilogue Karen Cullen's *Famine in Scotland* (Edinburgh 2010), Michael Graham's new study of the Aikenhead case, *The Blasphemies of Thomas Aikenhead: Boundaries of Belief on the Eve of the Enlightenment* (Edinburgh 2008) and Colin Kidd's exhaustive study of the Scottish sects who carried on the Covenanter ideology, 'Conditional Britons: the Scots covenanting tradition and the eighteenth century British State' (*English Historical Review*, November 2002) are referred to.

Otherwise I have used already long familiar publications, the invaluable *Leven and Melville Papers*, for instance, and other publications of the Bannatyne Club, the nineteenth-century Episcopalian historians, George Grubb and John Parker Lawson, and contemporary pamphlets written by John Sage, Alexander Monro, and John Cockburn (1652-1729). In order to capture something of the 'discourse of the age' relevant texts are quoted in full and where possible direct quotations are used.

Perhaps with further research into the rich archives of the period the story may one day be told differently.

## CHAPTER ONE

### **William of Orange and the Scots London, December 1688 to February 1689**

The fall of episcopacy in Scotland was neither expected nor inevitable. Yet a bare eight months after the landing of Prince William of Orange and the flight of James VII/II the act abolishing prelacy passed into Scottish legislation. How this happened was due to several factors that were as much ideological as political. One was the power-vacuum left after the withdrawal of James's troops from Scotland and the long delay before William established firm authority in Scotland. Another was the general climate of anti-Catholic and pro-Presbyterian ideas circulating among the Scottish exiles who came over with William; the exiles injected confidence into the Presbyterians of Scotland who were split between the hard-line illegal 'Cameronians' and the 'indulged' majority. All these groups, with the possible exception of the Cameronians welcomed William who himself stood for Protestantism, broadly defined. All strands were united in being anti-Catholic. Though William would have accepted a Protestant episcopacy – as in England, specifically anti-episcopalian demands and policies soon crystallized among those Scots who welcomed William, and their voices drowned out those in favour of retaining episcopacy. The anti-episcopal ideas of the Presbyterians had long roots in the radical Covenanting thinkers of previous decades for whom episcopacy, being, so it was alleged, not scriptural, was by definition to be abominated as a symptom of Roman Catholicism. A decisive factor leading to the abolition of episcopacy was the pent-up hostility towards the Stuart regime among the burghers and landowners who made up the

majority of delegates to the Scottish Convention of Estates called by William in March 1689.

As a background to all these factors was the generally low esteem in which the bishops were regarded in Scotland. While the bishops of the Church of England came to be symbols of national protest against James II's arbitrary rule, winning widespread popularity after seven of them were sent to the Tower in the summer of 1688, it was not so with the Scottish bishops. Being the personal appointees of the monarch, most of them felt themselves to be entirely beholden to him for their tenure in office. They took to extreme the doctrines of non-resistance, passive obedience and indefeasible hereditary succession,<sup>2</sup> and crucially they mostly lacked personal support among the influential landowning class.<sup>3</sup> The English non-conformist diarist Roger Morrice (1628/9-1702), an acute and - allowing for his non-conformist stance - largely accurate observer of political events, recorded the weekly happenings at William's court in his *Entring Book*. He had close contacts among Scottish Presbyterians, and summarized the attitude of the Scots towards bishops as follows: 'Bishops were formerly and of late years imposed upon them [the Scots] by force, and no sort of men neither good nor bad loves them there.'<sup>4</sup> So badly regarded was the bishops' subservient attitude towards James that when the earl of Argyll (Archibald, 10<sup>th</sup> earl, first duke, d. 1703) administered the Scottish coronation oath to William on 11 May 1689, he referred in his address to the 'treachery of our clergy'.<sup>5</sup>

When the revolution crisis came the Scottish bishops appealed not to the nobility who might have been their natural supporters, but to their colleagues in the Church of England to whom they had to explain their

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<sup>2</sup> Tristram Clarke, 'The Williamite episcopalians', *RSCHS*, 1990, vol. xxiv, pt. 1, p. 34.

<sup>3</sup> See Julia Buckroyd, 'Anti-clericalism in Scotland during the Restoration,' in Norman Macdougall, ed., *Church, Politics and Society in Scotland 1408-1929*, Edinburgh, 1983.

<sup>4</sup> Roger Morrice, *The Entring Book of*, vol. iv, ed. Stephen Taylor, Woodbridge, 2007, p. 445.

<sup>5</sup> *Account of the Proceedings of the Estates in Scotland 1689-90*, vol. 1. ed. E.W.M. Balfour-Melville, Edinburgh, 1954, p. 86.

apparent cravenness in the face of James's unpopular religious policies. John Paterson (1632-1708), the last archbishop of Glasgow, wrote to William Sancroft (1617-1693), archbishop of Canterbury, himself one of the seven imprisoned bishops, justifying their position as follows:

I sall humbly beseech your Grace to consider the unequall circumstances and ground of law upon which Episcopacie stands in England from these upon which it is founded here; and your Grace will see cause to pitie and forgive rather then to wonder or quarrell at anie yeeldings or condescensions latelie made by anie of our order to the King's most importunate desires ... The King's supremacie by the first Act of Parliament, 1669, is so asserted and establisht, that by the words of that law, it is in the King's power not onlie to dispose of the persons and places of all Bishops at his pleasure, by removing them from their offices and benefices<sup>6</sup> ... but even to change Episcopacie it self into anie other form of government. Now this cannot be legallie done in England, your Lordships offices and benefices being secured by the right of freehold; and when your rights are invaded, the nobilitie and gentry of England are readie and zealous to owne and support you in them.<sup>7</sup>

If the Scottish bishops lacked the tenure granted to the English bishops as well as their popularity, two other factors further distinguished them from their English counterparts. Firstly, when Charles II re-imposed episcopacy at the time of the Restoration Settlement he was careful not to repeat the mistakes of his father: so the new Episcopal Church of Scotland had no set liturgies, no vestments, in fact none of the practices that archbishop Laud and Charles I had tried to foist on Scotland. The Restoration Scottish bishops presided over what was in effect a Presbyterian church structure: the kirk sessions, presbyteries and synods still functioned as before, only now the bishops were grafted on as presidents of the synods, and with authority to

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<sup>6</sup> Bishop Bruce was deprived by the king in 1686 and archbishop Cairncross in 1687 for their anti-Catholic stance. Four of the six bishops on the committee of the Lords of the Articles opposed the Toleration of 1687 but later acquiesced. See, T.N. Clarke, *The Scottish Episcopalians 1688-1721*, unpublished PhD, Edinburgh, 1987, p. 5.

<sup>7</sup> 'Paterson to Sancroft, 20 December 1688', in, W.N. Clarke, ed., *A Collection of Letters ... addressed to Sancroft archbishop of Canterbury*, Edinburgh, 1848, pp. 93-4.

ordain.<sup>8</sup> All that was lacking was a General Assembly. Doctrinally too there was nothing to distinguish the Restoration Episcopal church of Scotland from its Presbyterian predecessor: both subscribed to the 1560 Scots Confession and to the Westminster Confession. For most parishioners it is likely that little changed in their church life: that is the opinion arrived at by W.R. Foster in his study based on the records of parishes in the north-east of Scotland.<sup>9</sup> He concluded that Scotland had a settlement, unique in Europe, which embraced both Calvinism and episcopacy. Another historian, Ian Cowan, summarizes it:

[W]hile it may be accepted that a majority of the populace was committed to the established episcopal church before the Revolution it may be equally true that when in turn presbyterianism came to represent the national conscience it too could fairly claim to represent the majority viewpoint.<sup>10</sup>

The second factor distinguishing Scottish from English episcopacy is that the Scottish bishops had roles in the administration which were unlike anything south of the border: they sat on the Privy Council and were leading members of the Lords of the Articles, the committee which controlled the business of the uni-cameral Scottish parliament. The result was that the bishops, usually living at a distance from their dioceses, became associated in people's minds with the regime. Besides which, since the restored episcopacy failed to develop any sense of its own *divino jure* status the Episcopalian establishment adopted 'a predominantly pragmatic, indifferentist, and Erastian attitude which ultimately undermined its own chances of survival'.<sup>11</sup> It also, probably from fear of taint from Roman Catholicism, failed to present itself as heir to Scotland's historic church.

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<sup>8</sup> Clarke, *The Scottish Episcopalian*, pp. 2-4.

<sup>9</sup> W.R. Foster, *Bishop and Presbytery: the church of Scotland 1661-1688*, London, 1958.

<sup>10</sup> Ian Cowan, *The Scottish Covenanters*, London, 1976, p. 138.

<sup>11</sup> Clare Jackson, *Restoration Scotland, 1660-1690: Royalist Politics, Religion and Ideas*, Woodbridge, 2003, p.104.

The first act of the drama took place in London. The diverse group of Scots who hastily gathered in London at William's court in the winter of 1688-89 included a large group of former exiles, opponents or victims of the Stuart regime, who had come over with him from the Netherlands in November, and another group who came south to greet him in December. The Scots were prepared for William's aims and intentions from the *Declaration for Scotland* which he had issued in October and in which he declared his wish to free Scotland 'from all hazard of Popery and Arbitrary Power', and to call a Parliament to redress grievances.<sup>12</sup> Many of these assembled Scots, though ostensibly welcoming William, were ambivalent in their attitude towards him, expecting him perhaps to act as a temporary Regent rather than to become their monarch; and they were, as soon emerged, deeply divided over the question of church government, which was not touched on in the *Declaration*. Those in favour of Presbyterianism became more quickly organized into a faction, while the traditional Episcopalians, lacking leadership either from their bishops or from the magnates, failed to organize themselves into a political force in time to have a voice in the Scottish Convention by the time it opened in March 1689. In matters ecclesiastical William himself turned out to be relatively indifferent, perhaps even indecisive, provided always the church remained Protestant and Reformed<sup>13</sup>. His attitude towards the Scottish church was rather on balance to have favoured Episcopalianism. The Scottish bishops themselves, stunned by the sudden change of regime, seem to have been at a loss what to do, and, with the possible exception of Alexander Cairncross (c.1637-1701), the former archbishop of Glasgow whom James had deposed in 1687, they

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<sup>12</sup> Tim Harris, *Revolution: the Great Crisis of the British Monarchy*, London, 2006, p.369.

<sup>13</sup> See Lionel Glassey, 'William II and the Settlement of Religion in Scotland, 1688-90', *RSCHS*, 1989, vol. xxiii, pp. 317-329.



failed to play politics for the sake of their church with the man who was to become their new monarch.

On 25 December the London Scots held a meeting with William, thanked him for his 'Glorious Enterprize' and requested he take over the civil and military administration of Scotland.<sup>14</sup> On 7 January William assembled all the Scottish peers and gentry then in London to a meeting at St James to consult with them what was to be done to 'secure the Protestant religion and restore their laws and liberties'. Thirty peers and eighty gentlemen withdrew to Whitehall and elected William duke of Hamilton (1634-1694) as chairman for their discussions. Hamilton was an experienced and wily politician, though given to erratic outbursts. He was typical of those Presbyterians who remained staunchly loyal to the monarch, which ever one it happened to be: he had held high office under Charles II, James VII, and under William he became President of the Convention of Estates. As events would show he was impatient with the Presbyterian hard-liners and would no doubt have tolerated episcopacy of the kind grafted on to the Presbyterian church structures under Charles II.

On 10 January the assembly unanimously agreed to invite William to assume the running of all civil and military affairs and to call a Convention of Estates to meet at Edinburgh on 14 March.<sup>15</sup> Crucially, for the composition of the Convention, it was agreed that while the shire franchise should remain the same, the burgh elections should be made by a general poll of all burgesses; and that all Protestants should be allowed to vote or to stand for election, a move which opened up the poll to the Presbyterians, who had previously been excluded by James's remodelling of the royal burghs.<sup>16</sup>

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<sup>14</sup> Harris, *Revolution*, p. 372; Morrice, *Entring Book*, vol. iv, p. 404 lists the names of those assembled as earls Crawford (William Lindsay, 1644-98), Dundonell, Drumlanrig (1662-1711, later 2<sup>nd</sup> duke of Queensberry), Leven (David Leslie, 1660-1728, 3<sup>rd</sup> earl), lords Ross (c. 1656-1738), Yester, the duke of Hamilton, 'and many others'.

<sup>15</sup> Harris, *Revolution*, pp. 379-80.

<sup>16</sup> Harris, *Revolution*, p. 387. Sir James Dalrymple (1619-95) is said to have had a principal part in issuing the instructions: only Papists were to be excluded from voting, the commissioners for the burghs should be chosen by a poll of freemen and not by the town councils as James had recently remodelled them, see,

There was no unanimity, however, over the question of church government. The divisions among the Scots were remarked on by Morrice three times:

- 22 December 1688: ‘There is great division amongst the Scotch nobility and gentry about Prelacy. Some are for retaining it. Some against it.’<sup>17</sup>
- 5 January 1689: ‘There is a very dreadful division amongst the Scotts about Church Governement some few in possession of power there are for the continuing of Diocesan Prelacy with all its appurtenances, the body of the Kingdome is against it, and for the Presbyterian Government.’<sup>18</sup>
- 12 January 1689: ‘Now of late there has been a great Division amongst the Scottish nobility here about continuing of Diocesan Prelacy there.’<sup>19</sup>

Morrice observed these dissensions, but did not interpret them: were these disputes only between Episcopalians and Presbyterians? Or could they also have been between the moderate Presbyterians and the hard-liners? or even perhaps, on the last occasion, arguments over the truth of the reports now coming in from the north that the clergy in the south-west were being rabbled out of their homes?

Fierce argumentation became characteristic of Scottish political life: even in early March, just before the opening of the Convention of the Estates, Morrice further reported,

Both parties when here desired new Commissioners for Scotland, some would have had most of the old ones continued, that would have been too grievous to the Presbyterians, others would have had all new ones put in, that would have been too grievous to the Prelatists, Others would have had an equall mixture of the old Ministers of State with the New Ministers of State, this was thought most equall towards the two parties, but it was also thought it would breed too great distraction in Counsells, and so there is no Commissioner named and

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*Annals and Correspondence of the Viscount ... Stair*, vol. 1, 1875, pp. 76-7. The return of the rights and privileges of the burghs was a point made in William of Orange’s *Declaration... for... Scotland* issued in the autumn of 1688.

<sup>17</sup> Morrice, *Entring Book*, vol. iv, p. 404.

<sup>18</sup> Morrice *Entring Book*, vol. iv, p. 463.

<sup>19</sup> Morrice, *Entring Book*, vol. iv, p. 472.

Consequently no Government in Scotland.<sup>20</sup>

Scotland was in political and juridical limbo.

In London in the winter of 1688-89 it was not hard to identify the members of the pro-Presbyterian party in the disputes that Morrice reported. They were those who were to sign the declaration of Grievances (see below). But who were the spokesmen for episcopacy? By 12 January, Morrice reported, bishop Alexander Rose of Edinburgh (1645/6-1720) and the former archbishop of Glasgow, Alexander Cairncross (c.1637-1701) were in London, the latter being 'often at the Prince's court'.<sup>21</sup> Cairncross was the protégé of the first duke of Queensberry (William Douglas 1637-1695) who had particularly recommended him to the archbishop of Canterbury in a letter of 24 December 1688;<sup>22</sup> he was also an associate of the former Lord Advocate, Sir George Mackenzie (1636/38-1691). He still styled himself archbishop of Glasgow in spite of having been deprived in 1687: his troubles having begun in 1686 when he failed to censure one of his clergy, James Canaries (1653/4 – 1698), for preaching and publishing a famous sermon denouncing Roman Catholicism.<sup>23</sup> Though there is little record of Cairncross's activities in London, it has been suggested that had he not been overtaken by the fast-moving events in the north, he might have led a Williamite episcopacy on the lines suggested by Canaries in another famous Edinburgh sermon of 30 January 1689.<sup>24</sup> Alexander Cairncross was probably the 'Scotch archbishop' mentioned by John Evelyn in his *Diary* as being among the guests at Lambeth Palace on 15 January 1689, along with Sir George Mackenzie, the Lord Advocate.<sup>25</sup> John Evelyn records that the 'Scotch archbishop' and the

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<sup>20</sup> Morrice *Entring Book*, vol. v, p.32. In fact the duke of Hamilton became Commissioner in June 1689.

<sup>21</sup> Morrice, *Entring Book*, vol. iv, p. 477.

<sup>22</sup> 'Duke of Queensberry to Archbishop Sancroft' in, Clarke, *A Collection of Letters*, pp. 98-100.

<sup>23</sup> On Canaries, see Harris, *Revolution*, pp. 384-5.

<sup>24</sup> Tristram Clarke, 'Cairncross, Alexander', *DNB*.

<sup>25</sup> *The Diary of John Evelyn*, ed. E.S. de Beer, Oxford, 1959, p. 897. R.H. Story, in *William Carstairs: A Character and Career of the Revolutionary Epoch (1649-1715)*, London, 1874, not knowing of Cairncross's presence in London, assumes the 'Scotch archbishop' was Alexander Rose.

Lord Advocate were appealing to the archbishop of Canterbury for his assistance. Evelyn learnt also that the Scottish bishops' fatal adherence to James might now be changing (perhaps under Cairncross's influence ?) and noted with some prescience:

I found by the Lord Advocate that the bishops of Scotland (who were indeed little worthy of that character, and had done much mischief in the Church<sup>26</sup>) were now coming about to the true interest, in this conjuncture which threatened to abolish the whole hierarchy in that kingdom; and therefore the Scottish archbishop and Lord Advocate requested the archbishop of Canterbury to use his best endeavours with the Prince to maintain the Church there in the same state as by law at present settled.<sup>27</sup>

At about this time Sir George Mackenzie of Rosehaugh and viscount Tarbat (Sir George Mackenzie, later first earl of Cromarty, 1630-1714) composed a *Memorial* addressed to William advocating episcopacy and pointing out the dangers of Presbyterianism. This *Memorial*, which was one of the only pro-episcopal tracts of the time, is discussed below. Other Episcopalians included the marquis of Atholl (1631-1703) who later, in April, wrote to William urging the retention of episcopacy,<sup>28</sup> though by this time he had actually withdrawn from active politics, pleading ill health. We might assume that bishop Henry Compton of London (1631/2-1713) who was close to William was another advocate – he was to become a lifelong supporter of Scottish Episcopalians,<sup>29</sup> and also Gilbert Burnet (1643-1715), though he was soon to turn his attention away from Scotland to become William's bishop of Salisbury.

The second Scottish bishop who came to London in the winter of 1688-89 was Alexander Rose, bishop of Edinburgh. He left a memoir of his time

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<sup>26</sup> A reference to the Scottish bishops support for James's policy of indulgences, an attitude which made them deeply unpopular in England where the stance of the 'Seven Bishops' against James had won wide popularity.

<sup>27</sup> Evelyn, *Diary*, iii, 250.

<sup>28</sup> Glassey, 'King William', p. 323.

<sup>29</sup> Edward Carpenter, *The Protestant Bishop, being the Life of Henry Compton, bishop of London, 1632-1713*, London 1956.

there,<sup>30</sup> which, though written twenty five years after the events he described, has a ring of veracity, The memoir tells vividly of his meetings with the English bishops, and of a brief and unproductive encounter with William; but it fails to give any picture of the wider political scene or of the players engaged on it, or of the debates then raging among the Scots about Scottish church government. In the virtual absence of other documents accounting for William's eventual decision to favour Presbyterianism over episcopacy, this letter has been extensively quoted and generally accepted as providing the conclusive account of William's decision to turn away from the bishops.

Bishop Rose tells how he came to London as emissary of the Scottish bishops who, hearing of William's threatened invasion, had met in conclave on 3 November to declare their support for James.<sup>31</sup> Rose's instructions were to renew tender of their duty to James and to seek advice and assistance from the English bishops if that should prove necessary. However, by the time bishop Rose arrived in London, James had fled and William had arrived. Having no instructions from Scotland as to what to do, Bishop Rose therefore recounts how he turned straight away to archbishop Sancroft:

The very next day after my arrival in London, I waited on the archbishop of Canterbury (to whom I had the honour to be known some three years before;) and after my presenting, and his Grace's reading of my commission, his Grace said, that matters were very dark, and the cloud so thick or gross that they could not see through it: They knew not well to do for themselves, and far less what advice to give to me.<sup>32</sup>

Nor did Sancroft in his depressed state of mind have any advice to offer Rose on his subsequent visits to him. Soon to declare himself a Nonjuror, he had no wish to have dealings with William, still less to concern himself with the

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<sup>30</sup> 'Letter of Alexander Rose, bishop of Edinburgh to bishop Archibald Campbell in London, 22 October 1713', NAS CH12/12/1833. Reprinted in Frederick Goldie, *A Short History of the Episcopal Church in Scotland*, Edinburgh, 1976. Referred to below as 'Rose, Letter'.

<sup>31</sup> Grub, *An Ecclesiastical History of Scotland*, vol. iii, Edinburgh, 1861, p.291.

<sup>32</sup> 'Rose, Letter'.

fate of the Scottish Church.<sup>33</sup> He had been impervious to the written appeals made to him in December by archbishop Paterson of Glasgow and archbishop Arthur Ross of St Andrews (1634-1704), as well as that by the duke of Queensberry, asking him to support episcopacy in Scotland;<sup>34</sup> and even unmoved by their arguments that the fate of episcopacy in England itself might be linked to that of Scotland, a reference to the Solemn League and Covenant of 1643 which pledged to establish Presbyterianism in both kingdoms.

Neither was any advice forthcoming from those to whom bishop Rose turned next. According to his account, William Lloyd (1627-1717), bishop of St Asaph, had nothing to say, while Gilbert Burnet, the Scotsman soon to become William's bishop of Salisbury declared disingenuously that 'he did not meddle in Scots affairs'. It was the Williamite bishop of London, Henry Compton, one of the signatories to the invitation to William, who, as Rose recollects, explained William's dilemma and gave Rose straightforward and sensible advice. Rose's memory of Compton's words to him has a ring of truth about it:

My Lord, you see that the king, having thrown himself upon the water, must keep himself a-swimming with one hand; the Presbyterians have joined him closely and offer to support him; and therefore he cannot cast them off, unless he could see how otherways he can be served. And the king bids me tell you, that he now knows the state of Scotland much better than he did when he was in Holland; for, while there, he was made believe that Scotland generally all over was Presbyterian, but now he sees that the great body of the nobility and gentry are for Episcopacy, and 'tis the trading and inferior sort that are for Presbytery: wherefore he bids me tell you, that if you will undertake to serve him to the purpose that he is served here in England, he will take you by the hand, support the Church and Order, and throw off the Presbyterians.<sup>35</sup>

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<sup>33</sup> James's departure seems to have been a shock from which Sancroft never recovered 'becoming the intensely private Sancroft of the last years', see Patrick Collinson, *From Cranmer to Sancroft*, London, 2006, chapter 8: 'William Sancroft, 1617-1693: a Retiring Disposition in a Revolutionary Age', p. 191 ff.; Morrice, *Entring Book*, iv, p.421 describes him as 'politically sick'.

<sup>34</sup> See Tim Harris, *Revolution*, p. 383; also Clarke, ed., *A Collection of Letters*, pp. 98-107.

<sup>35</sup> 'Rose, Letter.'

But bishop Rose was unable to give William a pledge to serve him, held back by his scruples of loyalty to his colleagues and his devotion to James whom, he suggests, he might well have followed into exile. He explained his position to Compton:

When I came from Scotland, neither my brethren nor I apprehended any such revolution as I have now seen in England; and therefore I neither was, nor could be, instructed by them what answer to make to the prince's offer: And therefore what I say is not in their name, but only my private opinion, which is, that I truly think they will not serve the prince so as he is served in England, that is, (as I take it,) to make him their king, or give their suffrage for his being king. And though as to this matter I can say nothing in their name, and as from them, yet for myself I must say, that, rather than do so, I will abandon all the interest that either I have or may expect to have in Britain.<sup>36</sup>

These things might have rested except that bishop Rose had to meet William face to face in order to request a travel permit for his journey home to Scotland.<sup>37</sup> Rose's account of this encounter has also often been quoted:

Upon my being admitted into the prince's presence, he came three or four steps forward from his company, and prevented me, by saying, My Lord, are you going for Scotland? My reply was, Yes Sir, if you have any commands for me. Then he said, I hope you will be kind to me, and follow the example of England. Wherefore being something diffculted how to make a mannerly and discreet answer without intangling myself, I readily replied, Sir, I will serve you so far as law, reason, or conscience shall allow me. ... [I]nstantly the prince, without saying any thing more, turned away from me and went back to his company.<sup>38</sup>

William's encounter with bishop Rose is not recorded by Morrice and the date when it took place is not known.<sup>39</sup> William's abrupt withdrawal may simply have been because he was absorbed in other matters, or that he did

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<sup>36</sup> 'Rose, Letter'.

<sup>37</sup> Interestingly, the travel document dated 2 March 1688/9 refers to 'The Lord Archbishop of Glasgow [i.e. Paterson] and the Lord Bishop of Edinburgh [i.e. Rose]. But Rose does not mention the presence of Paterson in London. See Clarke, *Scottish Episcopalians*, p. 10, n.38.

<sup>38</sup> 'Rose, Letter'.

<sup>39</sup> Clarke, *Scottish Episcopalians*, p. 10, suggests that it took place 'shortly after William had accepted the crown' at the very end of January.

not want to waste time engaging in conversation with such an intransigent supporter of James. Though William's withdrawal spelled the end of negotiations as far as bishop Rose was concerned, the struggle on the political level was far from over, though this is something bishop Rose ignores. There are several other oddities about bishop Rose's account: he seems to have heard about the rabblings of the clergy in the south-west, but he makes no mention of them to William; nor does he mention the presence of archbishop Cairncross, or dean Scott, or Dr James Fall (1646/7-1711), the principal of Glasgow University,<sup>40</sup> the last two of whom arrived in London at this time to plead protection for the rabbled clergy; did he have no contact or discussion with Sir George Mackenzie or lord Tarbat, or other pro-episcopal notables? He presents himself in the letter to Campbell as a lone figure, alone responsible for failing to save Scottish episcopacy. But the reality was different and bishop Rose was in effect quite a minor figure in the drama being played out.

When news of the rabblings reached London from Scotland it was at first furiously denied by the Presbyterians in London. But louder voices arrived to urge William to action. The dean of Glasgow, Dr Robert Scott (1641-d. after 1707) was commissioned on 22 January by the moderators and delegates of the presbyteries of Glasgow, Paisley, and Irvine to go London to plead with William for protection from the mobs.<sup>41</sup> On 17 January archbishop Paterson of Glasgow wrote to William via Gilbert Burnet to appeal for help; on 27 January he wrote to the archbishop of Canterbury to commend dean Scott and again appeal urgently for help.

Indeed, the furie of the covenanted and puritanicall partie is come to so great heights of barbaritie, that unless ane seasonable stopp be given it, our good brethren in the holie ministrie wilbe all, in that corner of Fife, and in a great part of the south, not only driven from their houses and charges, but expos'd to the greatest violences, and to the eminent

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<sup>40</sup> Clarke, *Scottish Episcopalians*, p. 30.

<sup>41</sup> Clarke, *Scottish Episcopalians*, pp. 22-24. He also carried petitions from the presbyteries of Dumbarton, Hamilton, Lanark, and Ayr.



hazard of their lives.<sup>42</sup>

On 6 February, presumably as a result of these appeals, William issued a Declaration for the keeping of the Peace in the Kingdom of Scotland which, while commanding all law officers and other government officials, being Protestant, to stay at their posts, expressly forbade

all Disturbances and Violence upon the account of Religion, or the Exercise thereof, or any such like Pretence, and that no Interruption be made in the free and peaceable Exercise of Religion, whether it be in Churches or in publick and private Meetings of those of a different Perswasion.... We do hereby require all Protestants ...that they will live peaceably together...

Furthermore all troops and militia forces were 'to separate, dismiss and disband themselves' and no one was 'to take arms or continue in arms upon any Pretence whatsoever.'<sup>43</sup>

The Declaration fell on deaf ears: Glasgow cathedral was rabbled on 17 February, attacks continued on the regular clergy in the shires, and on 13 February the men of the south-west gathered at Crawfordjohn as an irregular armed force to defend the Convention of the Estates due to open on 14 March.<sup>44</sup>

### **The Presbyterian Address and an Episcopalian Rejoinder**

The opposing factions marshalled their arguments in written appeals to William. Early in 1689 Presbyterian ministers gathered in Edinburgh and prepared an Address to Prince William of Orange. According to Morrice, who had personal connections with the Scottish Presbyterians, the authors were

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<sup>42</sup> See, Clarke, *Collection of Letters*, pp. 105-07. It is possible that the archbishop of Glasgow personally came to London at this time. See Tristram Clarke, 'Paterson, John', *DNB*.

<sup>43</sup> Text of William's Declaration is given in [John Sage], *The Case of the Present Afflicted Clergy in Scotland truly Represented*, London, 1690 p. 88.

<sup>44</sup> W. Macmillan, 'The Covenanters after the Revolution', *RSCHS*, x, 1950, p. 144.

Mr Law [John Law], Mr Rue [presumably Gilbert Rule (c. 1629-1701)<sup>45</sup>] and Mr Creighton [probably James Creighton or Crichton, minister of East Kilbride and dean of faculties at Glasgow University]<sup>46</sup> The Address, though dated 8 January 1689, arrived in London only about 13 February.<sup>47</sup> A slightly different version of the text is reproduced and commented on in the Mackenzie/Tarbat *Memorial*, though Wodrow describes that version as ‘a maimed and false copy’<sup>48</sup>. Both versions, however, ask for the same thing: the abolition of episcopacy, the restoration of the ministers deprived in 1661/2, and the establishment of a Presbyterian national church, and both versions harp on the grievances suffered by Scotland under the old regime. The Presbyterian Address also made the points that the nation thought that Presbyterian government ‘was of Divine Right’; that hundreds of ministers had been turned out of their livings without legal recourse (a reference to 1660/61); that ‘Prelacy was a burthen that they and their fathers had groaned under, and were never able to beare’. William was petitioned ‘to find out such Methods as they might in this case be eased and Prelacy be removed, and the Presbyterian government settled with due moderation.’<sup>49</sup>

In London the Address was signed by the earls of Argyll, Sutherland (George Gordon), Leven, and Forfar (Archibald Douglas, 1650-1712, 1<sup>st</sup> earl), as well as by lords Cardross (Henry Erskine, 1650-93), Ruthven (David, 2<sup>nd</sup> baron), Calville, Melville (George, 1636-1707). The earl of Crawford (William Lindsay, 18<sup>th</sup> earl, 1644-98) who arrived from Scotland was also a signatory, as were many others. The duke of Hamilton did not sign but declared he would be happy under Presbyterian government of the church. The earls of

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<sup>45</sup> Gilbert Rule returned to Scotland from Ireland at the time of the revolution and became minister of Old Greyfriars in Edinburgh in December 1688. In September 1690 he became Principal of Edinburgh University having ousted his predecessor, Alexander Monro. See Alexander Du Toit, ‘Gilbert Rule’, *DNB*.

<sup>46</sup> Morrice, *Entering Book*, v, p. 3 and nn.

<sup>47</sup> Morrice, *Entering Book*, v, pp. 2-3; the text is most likely to be that given in Robert Wodrow, *The History of the Sufferings of the Church of Scotland from the Restoration to the Revolution*, vol. iv, Glasgow, 1836, pp. 481-82.

<sup>48</sup> Wodrow, *History*, p. 482.

<sup>49</sup> Morrice, *Entering Book*, vol.v, pp.2-3.

Mar (c1675-1732) and Panmure (James Maule, 4<sup>th</sup> earl, 1658/9-1723) refused, as, not surprisingly, did Sir George Mackenzie and viscount Tarbat.<sup>50</sup>

In the meantime, George Mackenzie, the Lord Advocate, and his cousin, viscount Tarbat, who were both in London at the time had seen the text of the Presbyterian address and prepared *A Memorial* to the Prince of Orange rebutting the Presbyterian case.<sup>51</sup> They argued that episcopacy ensured a better and more stable system of Church government and led to a more cohesive society, while Presbyterianism was inherently antinomian, rebellious and dangerous to the state: and they proceeded to illustrate it. The epigraph ‘Forty years long have I been grieved with this generation’ (Psalm 90) harks back to the execution of Charles I just forty years before, alluding to the dangerously anti-monarchical strands in Scottish Presbyterianism and the bloodshed of the Covenanting and Commonwealth periods, with the implication that present-day Presbyterians had little changed. The authors give a caustic commentary on the Presbyterian Address, refuting the arguments and evidence provided point by point, and mocking the somewhat unctuous style. Among the points they make are:

- The Presbyterian church of the Netherlands is totally different from the Scottish Kirk. Would the Dutch Presbyterians presume to give orders to the State? To declare against public acts of the nation? Would they presume to purge the army? [A reference to the Act of Classes of 1649]. Take care, write the authors, ‘to conceal from the Prince how much you differ from Presbyterians in France and the Netherlands!’
- The Address speaks of the Kingdom of our Lord Jesus – but, say the authors, your Ruling Elders and you governed with such a Rod of Iron, as seems quite opposite to Christ’s sceptre and the teachings of the Sermon on the Mount. The Address speaks of purity and piety, but

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<sup>50</sup> Morrice, *Entring Book*, vol. v, pp. 2-4.

<sup>51</sup> *A Memorial for his Highness the Prince of Orange in Relation to the Affairs of Scotland: Together with the Address of the Presbyterian Party in that Kingdom to His Highness and some Observations on that Address*, by Two Persons of Quality, London 1690.

- says not a word about charity. In your conversation the Old Testament is applied ‘frequently and impertinently to every trifling occurrence’.
- The Address speaks of prelacy but ‘do you want to extirpate what has been the government of the Christian church for 1500 years and was planted by the Apostles?’ And who is demanding this? ‘A set of men who have renounced the Communion of all the Reformed Churches in Europe, Presbyterian or Episcopal.’
  - As for the Kirk it has become a kirk without prayers, whose worship is invisible, without canons or uniformity, and void of decency.

The *Memorial* is unique as a considered public appeal for episcopacy to William (in Jacobite eyes, the usurper), a stance which was at odds with that of the Scottish bishops who were Jacobite. It may well be that William took their words to heart, prompting him to instruct the duke of Hamilton to attempt once more to persuade the Scottish bishops to come to his side (see Chapter Two). But who else read it? The invective fell on deaf ears and seems to have carried no weight in Scotland where the Convention was opening, and, until very recently, has been largely overlooked by historians.<sup>52</sup> The *Memorial* was, however, the opening salvo in the prolonged pamphlet war that was to break out the following year.

For some reason the Presbyterian Address was not presented to William until 27 February.<sup>53</sup> As Morrice reports, William received the Address sympathetically, saying that he would ‘take all effectual courses in his power to secure the Protestant religion their Lawes and Libertyes’ and

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<sup>52</sup> It is not mentioned by Gordon Donaldson in *Scotland: James V to James VII*, Edinburgh and London, 1965, or by Grub in his *Ecclesiastical History*, or by John Parker Lawson in his *History of the Scottish Episcopal Church from the Revolution to the present time*, Edinburgh, 1843. Among recent writers Clare Jackson mentions it in *Restoration Scotland* (2003) and Tim Harris in *Revolution* (2006), but in both cases without analysis.

<sup>53</sup> A reason for the delay suggested by Mackenzie and Tarbat is that Presbyterian scruples may have been offended by the fact that in the intervening period William had taken communion in London – and from a bishop!

that he would ‘take the other particulars in their Address [presumably the question of episcopacy] into his serious Consideration’. In spite of the fact that no clear response was given to them either over the establishment of Presbyterianism or even over the question of episcopacy, Morrice reports that the delegates were ‘very well pleased’.<sup>54</sup> Maybe they assumed that when William spoke of Protestantism he had Presbyterianism in mind. This was not the only time that William’s interlocutors understood him to say more than he actually promised. The ferocious debates later in the Convention over whether William had read and agreed to the Grievances and the Claim of Right before or after taking the Scottish coronation oath are evidence of a sense that William had not performed what he was understood to have promised: he had indeed promised to redress ‘all grievances and prevent the like in future by good and wholesome laws’,<sup>55</sup> but he kept the initiative to decide how and when.

While the debates continued, however, on the level of practical politics, what Morrice called the ‘fatal animosities’ among the Scots in London had prevented the appointment of Commissioners for Scotland. William had given clear support to neither side. But by this time the London Scots were streaming north to prepare for the opening of the Convention. There was anxiety and a sense of urgency in the air. The news came that James had mustered a formidable army in Ireland and was expected soon to land in Scotland. There were rumours indeed that he had already landed.<sup>56</sup> William urgently ordered his faithful general, the highlander Hugh Mackay (d. 1692), who had commanded the invasion troops, to sail north with three regiments. In Edinburgh the castle was still in the hands of the Catholic duke of Gordon, and his troops were sniping at the Williamite troops below. A volunteer force

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<sup>54</sup> Morrice, *Entring Book*, vol. v, p.34.

<sup>55</sup> *An Account of the Proceedings of the Estates*, vol. 1, p. 87.

<sup>56</sup> ‘There have been such inconsistent reports, as if King James is now in Ireland, and in Scotland, at the same time; but none believe him to be in either, except those that believe Transubstantiation’, *Account of the Proceedings of the Estates*, vol. 1, p. 17.

alleged to number 2,000 men from the south-west had come to Edinburgh to guard the Convention.<sup>57</sup> It seemed that Scotland might erupt into civil war.

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<sup>57</sup> Harris, *Revolution*, p. 389. This force was put under the command of the earl of Leven and was disbanded at the end of March. Other sources speak of 800 men (*Account of the Proceedings of the Estates*, vol. 1, p.8).

## CHAPTER TWO

### **Episcopacy Abolished Edinburgh, March to July 1689**

#### **I. The Convention of Estates**

The next act of the drama shifted to Edinburgh: to the Scottish Parliament on the Royal Mile and Penstoun's tavern in the Canongate. The five momentous months covered in this chapter saw the beginning of the dismantling of the entire Restoration legal and constitutional framework for Scotland; they saw the melting away of the supporters of the former status quo; and for the first time the open expression of the pent up political and religious intentions of the radical and Presbyterian opposition. These five months also made apparent the many shades of opinion within the radical opposition, the antagonisms and jealousies between its leaders, and the extraordinary instability among many of the prominent people as they shifted from one side to another. Not least among the causes of conflict were the expectations laid on the new monarch, and the misunderstandings over William's own intentions.

The change of scene left William five days' journey away; he had failed to appoint a royal commissioner and most of his advisers on Scotland had come north. In London there remained his Presbyterian chaplain, William Carstares (1649-1715), Sir James Dalrymple (first viscount Stair, 1619-1695), and his old comrade-in-arms Hans Willem Bentinck (1649-1709), soon to be made earl of Portland, who was charged with Scottish affairs.<sup>58</sup> The already tenuous line of control was slackened further and the Convention which

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<sup>58</sup> Portland, who had close links with many of the exiles, never came to Scotland but he became the centre of the 'Scoto-Dutch' group in London, see David Onnekirk, *The Anglo-Dutch Favourite: the Career of Hans Willem Bentinck*, Ashgate, 2007, pp. 112-14.

opened on 15 March was at first left to its own devices. It was not until late April that lord Melville would join William in London to become his first Secretary of State for Scotland.

While the streets of London had been relatively calm since the arrival of William with his sober, disciplined troops, Edinburgh had been the scene of sporadic outbursts of violence ever since James made the mistake of ordering his troops south in September 1688.<sup>59</sup> Anti-Catholic rioting had broken out in Edinburgh and Glasgow in November and December. On 10 December Holyrood palace was ransacked, the Thistle chapel destroyed, and the houses of known Catholics attacked. The attackers were not just the mob, but included well known radicals such as Sir James Montgomery,<sup>60</sup> as well as many students from the university. In the south-west of Scotland the rabbling which had begun in December against the Episcopalian ministers continued. The extremist wing of the Presbyterians, the Society people, urged on the ‘rabblers’ to evict all Episcopalian ministers in the south-west; yet they were for the most part no supporters of William and in fact declared that they would not place themselves under the leadership of the Dutch, whom they regarded as ‘a Promiscuous Conjunction of Reformed and Lutheran malignants and sectaries’ which it was ‘against the Testimony of the Church of Scotland to joine.’<sup>61</sup> However they did agree to send volunteers to protect the Parliament building when the Convention opened. Besides these irregulars, several of the magnates attending, including the duke of

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<sup>59</sup> Harris, *Revolution*, p. 370. The story of how the order was composed and despatched north is retold in Andrew Murray Scott, *Bonnie Dundee: John Graham of Claverhouse, Edinburgh, 1989*, p. 57: ‘The letter from the King was advised by Melfort’s assistant, James Stewart of Goodtrees ... “The order” according to Balcarres, “was positive and short ... and written upon the back of a plate during a drunken debauch.” It was received in Scotland on 10<sup>th</sup> [October] and the Scots ... were angrily commanded to obey by Melfort.’

<sup>60</sup> Paul Hopkins, ‘Sir James Montgomery of Skelmorlie’, in, Evelyn Cruikshanks and Edward Corp eds., *The Stuart Court in Exile and the Jacobites*, London and Rio Grande, 1995, p. 41; see also Colin, earl of Balcarres, *Memoirs touching the Revolution in Scotland MDCLXXXVIII-MDCXC*, Edinburgh (Bannatyne Club, vol. 75), 1841, p. 42.

<sup>61</sup> Harris, *Revolution*, p. 371.



Hamilton, had brought their own companies of foot to town.<sup>62</sup> Edinburgh became the scene of a shifting kaleidoscope of passionately held beliefs, political intrigue, and contradictory responses to the unfolding events of the day. As Harris has commented this mix was to make it impossible north of the border 'to construct a moderate Revolution settlement built around compromise, because political and religious tensions in Scotland ran too deep.'<sup>63</sup>

In the Scottish Privy Council after the resignation and flight of the Roman Catholic earl of Perth (John Drummond, 4<sup>th</sup> earl, 1648-1716) in early December, the marquess of Atholl (John Murray 1631-1703) emerged first as leader, with viscount Tarbat and Sir John Dalrymple (1648-1707, first earl Stair) as his allies; but Dalrymple soon took the lead. The council voted for a free parliament and wrote to William asking for his support so that 'our religion may be secured in the most comprehensive terms for including and uniteing all Protestants' and 'the just rights of the crown, the property and liberty of the people ... established upon such solid foundations as may prevent all fears of future attempts upon our religion.'<sup>64</sup> William, once he became monarch, used the Privy Council to reflect the different strands in Scottish politics. Besides Atholl and both the Dalrymples, he at various times appointed Glencairn, Sir James Montgomery, the earl Marischal, the earls of Errol and Kintore, and the earl of Crawford. But, as will be shown in the next chapter, in spite of this attempt at balance, the privy council under the presidency of Crawford became an instrument for extreme Presbyterianism.

Immediately before the opening of the Convention the duke of Hamilton on William's instruction made one more effort to persuade the

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<sup>62</sup> Balcarres, *Memoirs*, p. 24; Sir James Montgomery was instrumental in raising the western militia, see P.W.J. Riley, *King William and the Scottish Politicians*, Edinburgh, 1979, p. 30.

<sup>63</sup> Tim Harris, 'Reluctant revolutionaries? The Scots and the Revolution of 1688-89', in, Howard Nenner ed. *Politics and the Political Imagination in Later Stuart Britain, Essays presented to Lois Green Schwoerer* Rochester, p. 109.

<sup>64</sup> Harris, *Revolution*, pp. 371-72.

Scottish bishops to accept him as their monarch. The meeting is recorded by both bishop Rose and bishop Paterson.<sup>65</sup> Hamilton evidently declared that William ‘saw what a hardship it would be upon the Church of England, and of what bad consequence to see Episcopacie ruined in Scotland’ and ‘prayed us most pathetically for our own sake to follow the example of the church of England.’ Bishop Paterson recalls that Hamilton offered that the Order, Interest and Honour of episcopacy should be preserved inviolable and that the bishops could demand for themselves ‘Chart blanc in which to write down their own terms and price.’ But the bishops resisted the ‘great and charming temptations of worldly interest and advantage’ and turned down Hamilton’s offer, with fateful consequences.<sup>66</sup> Hamilton was soon to find that there was stubbornness at both ends of the political spectrum.

Of the 188 delegates to the Convention which opened ceremonially on 14 March 1689, 9 were clergy, 58 nobles, and 121 commissioners for the shires and burghs.<sup>67</sup> The mood of the Convention was largely determined by the latter, the great majority of whom had been returned under the new franchise and who, as Tarbat recalled, ‘held the key to Presbyterian success’.<sup>68</sup> The bishop of Edinburgh opened the proceedings with prayer, asking God to show compassion to James and to restore him to power, but these words were not well received and this was the last time such prayers were to be heard.<sup>69</sup> The other bishops present were: John Paterson,

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<sup>65</sup> ‘Rose, Letter’; NAS CH 12/12/1785 ‘Copy of draft account of the Scottish bishops at the Revolution by archbishop Paterson.’

<sup>66</sup> Paterson, ‘Copy of draft’, p. 10. Glassey, ‘William II and the Settlement of Religion in Scotland’, p. 322, expresses some scepticism about this ‘anecdote’. But he was evidently not aware of archbishop Paterson’s account.

<sup>67</sup> Harris, *Revolution*, p. 390.

<sup>68</sup> Harris, *Revolution*, p. 390.

<sup>69</sup> Riley, *King William*, p. 8.

archbishop of Glasgow, bishops Hamilton of Dunkeld, Hay of Moray, Douglas of Dunblane, Ramsay of Ross, Graham of the Isles, and Bruce of Orkney.<sup>70</sup>

The first thing the Convention had to do was to establish its own legitimacy: it had not been summoned by the monarch, and, besides, its members had not taken the Test, which was the oath imposed in 1681 on all those holding public office, all ministers and teachers, where by they pledged loyalty to the monarch as supreme authority over church and state.<sup>71</sup> Bishop Paterson, reflecting later on the revolutionary events, went so far as to argue legalistically that, besides the Convention itself being illegal, even the London meetings of the Scots, described in the last chapter, had had no legal status, given that the Estate of the Clergy had not been represented.<sup>72</sup> Balcarres cites scruples over the legitimacy of the Convention as one of the reasons for the reluctance of many Episcopalians to stand for election.<sup>73</sup> But perhaps some of the members gathered in Edinburgh might have seen a clear precedent in the 1640 meeting of the Estates in defiance of the crown.<sup>74</sup> The matter of the Convention's legitimacy became urgent when on 16 March the letter arrived from James VII which might well have declared the Convention to be illegal. The earl of Lothian (Robert Kerr, 4<sup>th</sup> earl) proposed that the freedom and legality of the Convention should be established at once before the reading of James's letter. This, comments Balcarres, was 'a bitter pill to the loyal party'.<sup>75</sup> However, legislation was passed declaring that the Convention was 'a frie and lawfull meeting of the Estates' and that the Estates should continue to sit 'undissolved until they setle and secure the

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<sup>70</sup> John Skinner, *Ecclesiastical History of Scotland from the First Appearance of Christianity in that Kingdom to the Present Time*, vol. II, London, 1788, p. 520.

<sup>71</sup> See text in *Scottish Historical Documents*, ed. Gordon Donaldson, Glasgow 1999, pp.243-45. See below, Chapter Four, p. 68.

<sup>72</sup> Paterson, 'Copy of draft', p.

<sup>73</sup> Balcarres, *Memoirs*, p.24; Harris, *Revolution*, p. 387-88.

<sup>74</sup> John R. Young, 'The Scottish Parliament and the Covenanting heritage of constitutional reform', in, eds. Allan I. Macinnes and Jane Ohlmeyer, *The Stuart Kingdoms in the Seventeenth Century: Awkward Neighbours*, Dublin, 2002, p. 231.

<sup>75</sup> Balcarres, *Memoirs*, p. 28.

Protestant Religione, the Government lawes and liberties of the Kingdome.<sup>76</sup> The vote was passed with a clear majority in all the estates: seven of the nine clergy present, 43 of the 58 nobles, 50 of the 56 shire commissioners, and 50 of the 65 burgh commissioners, voted in favour.<sup>77</sup>

Two letters were then read out to the assembly: first a friendly and encouraging one from William, and secondly the one from James: this turned out to be immoderate and provocative in tone. James's supporters, expecting a different text, the one they thought they had agreed on in London earlier, were mortified: this was not the letter which, according to Balcarres, had been agreed on as most politic in the circumstances, but a concoction written by his close adviser, the earl of Melfort (John Drummond, 1649-1714).<sup>78</sup> The result was that James's letter 'served rather to make the Convention more unanimous for the settling of the Government on William'.<sup>79</sup>

The Convention already had a majority of Presbyterians and committed Williamites. Their position became even stronger after the victory of the duke of Hamilton in the election for the presidency of the Convention, against the duke of Atholl who might have been more lenient to the Jacobite interests, had he not lost his nerve and decided to withdraw his candidature. The result, commented Balcarres, was that 'the other party had both forces and authority upon their side.'<sup>80</sup> Hamilton now became the official channel of communication with William.

The Convention set up a committee under the chairmanship of Sir John Dalrymple to deal with disputed elections, but loyalists who applied for

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<sup>76</sup> Young, 'Scottish Parliament', p. 231.

<sup>77</sup> Young, 'Scottish Parliament', p. 132.

<sup>78</sup> Balcarres, *Memoirs*, p.27; Daniel Szechi, 'The Jacobite Revolution Settlement', *English Historical Review*, 108, 1993, p. 612; for the text of James's letter, see, Daniel Szechi, *The Jacobites*, Manchester 1994, pp. 140-41.

<sup>79</sup> Harris, *Revolution*, .p. 389.

<sup>80</sup> Balcarres, *Memoirs*, p. 24.

redress soon realized that ‘nothing of justice was so much as pretended to be done’.<sup>81</sup> Balcarres describes the riotous mood of this committee,

all things thereafter were instantly put to the vote, which they were sure to carry, but in so tumultuous and irregular a way that even the duke of Hamilton, who knew the laws of our country and the force of reason and decency could not help being ashamed of their scandalous behaviour.<sup>82</sup>

One who applied twice to this rowdy and partisan committee was archbishop Cairncross who argued that since he had been arbitrarily deprived of his see by James he was still rightfully archbishop of Glasgow and should have his place in the Convention instead of James’s appointee, John Paterson. But the Convention rejected his petition and permitted Paterson to continue to sit.<sup>83</sup>

A third blow to the Jacobites and Episcopalians in the Convention was the abrupt departure of John Claverhouse (viscount Dundee, 1648?-1689). On 18 March the rumour came that Claverhouse was parleying with the duke of Gordon, the Catholic commander of the castle. This was a turn of events which the duke of Hamilton had been dreading: immediately he ordered the doors of the parliament to be locked and the irregulars outside to be marshalled.<sup>84</sup> The anticipated attack never came, however, but Claverhouse, fearing for his life, left the Convention with some supporters for Stirling and from there on 16 April to raise the banner for James on Dundee Law. Within the Convention the Presbyterians and Williamites were left even more firmly in control, though now there was the threat of an armed Jacobite attack from the north. Only the archbishop of Glasgow, Sir George Mackenzie, and Mr

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<sup>81</sup> Balcarres, *Memoirs*, p. 24; see also Harris, *Revolution*, p.388, who describes the committee as ‘blatantly partisan’.

<sup>82</sup> Balcarres, *Memoirs*, p. 24.

<sup>83</sup> Clarke, *Scottish Episcopalians*, p.16.

<sup>84</sup> Harris, *Revolution*, pp.389-90.

James Ogilvie (son of the earl of Findlater) were left in the Convention to represent the other side.<sup>85</sup>

Yet however much turmoil there was outside and anxiety within, among the delegates was a group of organized, determined and ideologically motivated men, known as the Club, who in a very short period of time formulated and pushed through their radical agenda which was expressed in the Claim of Right, the Act of Grievances, and the coronation oath. These documents, whose clauses were to be wrangled over in the coming weeks, were the foundations of the Scottish revolution. Their demands amounted to an end to arbitrary rule by the monarch, the establishment of the primacy of parliament, and an end to episcopacy. The Club operated in the 'Grand Committee' set up on 27 March, and its sub-committee which was set up 'to prepare the Reasons of Vacancy, and Materials for the Instrument of Government'.<sup>86</sup> There has been no detailed research on these committees or the writing of the documents they produced, but there is evidence that groups of radicals had been meeting for some months previously in order to prepare for the new political situation. The original group included the earl of Glencairn (John Cunningham, 11<sup>th</sup> earl, d. 1703) and lord Ross (c.1656-1728), the earl of Dundonald, Sir James Montgomery of Skelmorlie (c. 1654-1694), lord Shaw of Greenock, and Duncan Forbes of Culloden (1643?-1704). These were now joined by others, such as the earl of Annandale (William Johnstone, 1664-1721), and Sir James Murray of Philiphaugh (1655-1708),<sup>87</sup> and most notably by the leading exile, Sir Patrick Hume of Polwarth (1641-1724).<sup>88</sup> Each evening they met in Penstoun's tavern to discuss and to plan: 'a programme of action for the next meeting of parliament was prepared on each occasion; the "party line" was decided; spokesmen for the debate were

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<sup>85</sup> Balcarres, *Memoirs*, p. 32.

<sup>86</sup> Young, 'Scottish Parliament', p. 233-34.

<sup>87</sup> Harris, *Revolution*, p. 371.

<sup>88</sup> John R. Young, 'Hume, Patrick', *DNB*.

selected and the rank and file were pledged to vote as a bloc.<sup>89</sup> The Club showed, says Halliday, the rudiments of party organization – ‘a basic policy, a propaganda machine, pre-debate meetings, front-bench speakers and something resembling a whip system’.<sup>90</sup> Thanks to the dynamism of the Club, in an incredibly short space of time the Convention legitimized itself, declared the throne vacant, and produced the Claim of Right (11 April) and the Articles of Grievances (13 April) and the new coronation oath.

The Club enjoyed a majority in the Convention: out of the 125 members the Club had the support of about seventy overall, though a substantial number of the nobility were against them.<sup>91</sup> It was thus able to control the business of the Convention, prompting Dalrymple to accuse it of itself acting like the hated Lords of the Articles. The division in the Convention now opened between the radical Club and the more cautious ‘court’ party led by the duke of Hamilton which was forced constantly on the defensive.<sup>92</sup>

Although the word ‘covenant’ did not appear, the Club’s political demands derived directly or indirectly from the covenanting constitutional settlement of 1640-41. Points of overlap included the demands for the abolition of the Lords of the Articles, the establishment of a Presbyterian Kirk of Scotland, the assertion of parliamentary influence over royal appointments, the prevention of the law courts being used by the crown for oppressive purposes, and the abolition of episcopacy.<sup>93</sup> In other words the Club’s aim was to compel the king to have regard to the wishes of his parliament.<sup>94</sup>

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<sup>89</sup> James Halliday ‘The Club and the Revolution in Scotland’, *Scottish Historical Review*, XLV, 1., no. 139, April 1966, pp.146-7.

<sup>90</sup> Halliday, ‘The Club’, p. 147.

<sup>91</sup> The figures for Club supporters were twelve out of 32 nobles, 28 out of 40 shire commissioners and 34 out of 53 burgh commissioners, Young, ‘The Scottish Parliament’, p. 233. A substantial number of the nobility were therefore against them.

<sup>92</sup> Halliday, ‘The Club’, p. 147.

<sup>93</sup> Young ‘The Scottish Parliament’, p. 234; Halliday, ‘The Club’, p.146.

<sup>94</sup> Halliday, ‘The Club’, p. 146.

Over the question of how to declare the throne vacant the Club showed some original thinking. The phrase they agreed upon was that James had ‘forefaulted the right to the crowne’ on account of his Papism and arbitrary rule.<sup>95</sup> On 4 April the Convention agreed to this by a large majority, the twelve objectors including the seven bishops who were present and Sir George Mackenzie. Archbishop Paterson made a strong speech opposing the forfeiture vote, asserting King James’s rights, and warning of civil war; in the bishops’ name he dissented from the vote and the bishops thereupon withdrew from the Convention.<sup>96</sup>

The next objective of the Club was to get the Convention’s assent for the Claim of Right and the Articles of Grievances which were to be presented to William and intended as the grounds for a new contractual relationship with the monarch.<sup>97</sup> The Claim of Right listed at length James’s sins and iniquities, his arbitrary rule and promotion of Roman Catholicism. It declared moreover that James had never taken the coronation oath,<sup>98</sup> that on the advice of ‘evil and wicked counsellors’ he had ‘invaded the fundamental constitution of the Kingdom, and altered it from legal limited Monarchy, to an arbitrary despotick Power.’ Consequently he had ‘forefaulted the right to the Crown and the Throne is become vacant’.<sup>99</sup>

It has been pointed out that many of the assumptions of the Claim were highly disputable in Scottish law, such as the statement that Scotland was ‘a legal limited Monarchy’;<sup>100</sup> the statement that ‘no Papist can be King or Queen of this realme’ was in direct contradiction to Charles II’s Succession Act of 1681 which had explicitly stated that ‘the heir to the throne could not

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<sup>95</sup> Harris, *Revolution*, pp. 392-94. The term ‘forfault’ was a technical term in Scots law meaning to deprive or confiscate. Its scope extended also to the subject’s heirs, so the Convention had to add a rider to exclude James’s Protestant daughters, Mary and Anne from the forfeiture.

<sup>96</sup> Clarke, ‘Paterson, John’, *DNB*.

<sup>97</sup> Harris, *Revolution*, pp. 388-89; Halliday, ‘The Club’, p.145.

<sup>98</sup> Harris, *Revolution*, p. 396 refers to previous legal authorities including Mackenzie of Rosehaugh who had argued that the coronation oath was not obligatory.

<sup>99</sup> ‘1689 Claim of Right’, in, *Scottish Historical Documents*, ed. Gordon Donaldson, Glasgow, 1999, pp. 252-258.

<sup>100</sup> Harris, *Revolution*, pp. 397 ff.



be debarred from the succession on the grounds of his religion'.<sup>101</sup> The Claim was harking back to an earlier act of 1567.<sup>102</sup> Similarly the assertions made in the Claim that 'to cass, annul and disable laws', to build mass-houses, and institute Jesuit college, and so on were contrary to law, simply overlooked the 1669 Act of Supremacy which gave the monarch the right to do just that at will.

However, by now, the opposition who might have challenged these assertions in the Convention was tiny, and soon melted away. Sir George Mackenzie, for instance, fearing assassination left Edinburgh immediately, declaring that 'our just, noble, and antient government' had been 'pull'd to peeces'.<sup>103</sup>

Included in the Claim of Right was the clause on the abolition of prelacy:

The said Estates being now assembled in a full and free Representative of this Nation... Do, in the first place, as their Ancestors in the like cases have usually done, for the vindicating and asserting their ancient rights and liberties Declare ...That Prelacy and the superiority of any office in the Church above Presbyters, is, and hath been a great and insupportable grievance and trouble to this Nation, and contrary to the inclinations of the generality of the people, ever since the Reformation (they having reformed from Popery by Presbyters), and therefore ought to be abolished.<sup>104</sup>

This clause alone of all the clauses in the Claim of Right went to division but it was easily passed by a majority of 106 to 32.<sup>105</sup> The wording of the clause is ascribed to Montgomery of Skelmorie<sup>106</sup> and the sentiment harked back to the reforming Covenant legislation of 1640, which had re-established Presbyterianism on the basis of the Act of 1592. That the clause about episcopacy was included in the Claim rather than in the Grievances where it

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<sup>101</sup> Harris, *Revolution*, p. 396

<sup>102</sup> Harris, *Revolution*, p. 396.

<sup>103</sup> Harris, *Revolution*, p. 408.

<sup>104</sup> '1689 Claim of Right', *Scottish Historical Documents*, p. 256.

<sup>105</sup> Riley, *King William*, p. 9.

<sup>106</sup> Hopkins, 'Sir James Montgomerie of Skelmorlie', p.42.

perhaps more properly belonged was, as Harris has suggested, ‘a deliberate strategy to ensure the new monarchs would be required to abolish the institution of episcopacy’.<sup>107</sup> It also surely shows that the abolition of episcopacy was above all at this time a political matter. From the Club’s point of view the abolition of episcopacy would clear the way for the establishment of Presbyterianism; it would also strike a blow for another of their demands – for the abolition of the Lords of the Articles since under the Stuarts the bishops had a key role in that committee. The reasons given in the Claim of Right for the abolition of episcopacy were not theological but political and quasi-democratic: perhaps in response to William’s declared policy that the religious settlement should be in accordance with ‘the wishes of the people’. The clause enshrined a popular misconception that has become ‘one of the many cherished delusions of the Scots’,<sup>108</sup> namely, the idea that Scotland was ‘reformed by Presbyters’. The phrase was another example of how in Scottish Presbyterian thinking episcopacy was to be equated with Roman Catholicism: the concept of a Protestant bishop was in the popular consciousness an anomaly.

The Claim of Right was agreed by the Convention on 11 April and the following day William and Mary, without being consulted, were declared king and queen of Scotland. The thirteen Articles of Grievance were agreed on 13 April<sup>109</sup> and the new Coronation Oath on 18 April. The Articles of Grievance included demands for the abolition of the Act of Supremacy (1669) which gave the monarch unrestricted authority over the church, and for the abolition of the Lords of the Articles, through which the monarchy controlled Parliament.

Also on 13 April the Convention issued a Proclamation ordering all ministers henceforth to pray publicly for ‘King William and Queen Mary’. William and Mary had not yet been crowned monarchs of Scotland, that was to happen a month later, and they had not even formally accepted the

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<sup>107</sup> Harris, *Revolution*, p. 403.

<sup>108</sup> Gordon Donaldson, *Reformed by Bishops*, Edinburgh, 1987, p. vi.

<sup>109</sup> With only five dissenters: Atholl, Queensberry, Marischal, Cassilis, and Kintore.

Convention's invitation to accept the Scottish crown. The thinking behind this seemingly illogical and premature Proclamation was no doubt to nip any nascent Jacobitism among the clergy in the bud, but most likely the motive was to provide a pretext for evicting those who did not comply. As will be described in the following chapter the Proclamation ushered in the second stage of the national campaign of depriving all the episcopally ordained clergy.

Neither the Claim nor the Grievances directly mention the establishment of Presbyterianism. It has been suggested that the Club deliberately kept debates away from church matters until the wider political ends had been achieved. It could also be argued that the plan was to introduce Presbyterianism only when the parishes presented a *tabula rasa*. Hence the premature haste to issue the Proclamation. If this is so then the campaigns to abolish episcopacy and the committee of the Articles were, as it were, ground-clearing measures. It is arguable with hindsight that had a Presbyterian settlement been reached at this time it might have been less exclusivist and hard-line than the one arrived twelve months later. It is certain that by promoting the political demands first the Club set themselves on a collision course with William, who, once crowned king of both England and Scotland, was unlikely to yield much in the direction of contractual monarchy. The battles in the Parliament when it opened were no longer Jacobite vs Williamite, but Club vs court.

Three commissioners from the Convention, Argyll (for the nobility), Montgomery of Skelmorlie (for the knights), and Sir John Dalrymple (for the burghs) travelled to London to make the offer of the crown to William and Mary. They took with them the Claim of Right, the Articles of Grievances, the new coronation oath, and a request that the Convention be turned into a parliament so that it could enact legislation. On 11 May William read the Claim of Right and the Articles of Grievances and took the oath which read,

We will serve the eternal God to the utmost of our power, according as he has commanded in his most holy word, revealed and contained in the Old and New Testaments; and according to the same word, shall maintain the true Religion of Christ Jesus, the preaching of his holy word, and the due and right ministrations of the sacraments, now received and preached within the realm of Scotland; and shall abolish and gainstand all false religion, contrary to the same, etc. And we shall be careful to root out all heretics, and enemies to the true worship of God, that shall be convicted by the true Kirk of God of the said crimes, out of our lands and empire of Scotland: and all this we faithfully affirm by our solemn oath.<sup>110</sup>

Melville, by this time Secretary of State for Scotland, and Dalrymple, had urged him to take the oath first and read the Grievances afterwards.<sup>111</sup> As it was William only jibbed at the clause in the oath which spoke of rooting out ‘all hereticks and Enemies to the true worship of God that shall be convicted by the true Kirk of God’.<sup>112</sup> But he was reassured that this wording was only a formality. As future events were to show, it is likely that he considered the wordings of the Claim and Grievances also to be only a formality.

## 2. The Parliament

The Convention adjourned in April and re-opened formally as a parliament with legislative powers on 5 June, with William’s royal authority. With the same membership as before, it was now divided into only three estates – noblemen, barons and burgesses, the bishops having been excluded as an estate, though they had the right to be admitted individually as members of the nobility if they were prepared to acknowledge William and Mary. The duke of Hamilton was appointed William’s High Commissioner with the right to veto or to pass any proposed legislation in the king’s name. The earl of Crawford became president of the Parliament.

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<sup>110</sup> Skinner, *Ecclesiastical History*, p. 529

<sup>111</sup> Harris, *Revolution*, pp. 405-6; Halliday, ‘The Club’, pp. 150-51

<sup>112</sup> Harris, *Revolution*, pp.405-6

The Parliament faced a new constitutional situation: William was now ensconced as the crowned monarch of Scotland and not likely to waive his rights to confirm or reject the acts which Parliament proposed. His team of advisers in London were strengthened by the appointment of lord Melville as Secretary of State. Parliament on its side faced the problem of formulating legislation to enact the principles and desires which as a Convention it had articulated in the Grievances and Claim of Right, and then getting the legislation passed. The duke of Hamilton found himself in the uneasy position of intermediary. There was still tension in the air: on 13 June the duke of Gordon finally surrendered Edinburgh castle, but Dundee was massing his troops in the north and James posed an on-going threat from Ireland. Late in July the news came that general Mackay had been defeated by Dundee at Killicrankie on 27 July, but the shock was soon eased by the news that Dundee himself had been killed.

William hoped for the emergence of a stable constitutional and religious settlement.<sup>113</sup> Hamilton's hope was to 'do nothing anent Church Government in parcels, but must see the whole platform together'.<sup>114</sup> However from the start of the session (delayed until 17 June 'after a series of irritating adjournments'<sup>115</sup>) the Club took the initiative with its own piecemeal agenda: on 18 June Montgomery proposed that, before the members took the oath of loyalty, it should be stated that 'the king had taken the coronation oath, accepted the instrument of government, and promised to redress the grievances.'<sup>116</sup> The motion was carried. The next focus of the Club's assault was on the Lords of the Articles, the committee which was listed as first of the Grievances. Negotiations with William over this committee had been going on for some weeks: he had proposed various different schemes for an elected membership. However it was not the

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<sup>113</sup> Riley, *King William*, p. 9.

<sup>114</sup> Clarke, *Scottish Episcopalians*, p. 21

<sup>115</sup> Halliday, 'The Club', p. 149

<sup>116</sup> Halliday, 'The Club', pp. 149-50.

question of membership but the very existence of this committee which controlled the parliamentary agenda that the Club was challenging. When the vote was taken on 25 June, only 10 voted in favour of the government and against the club. In spite of the overwhelming majority, Hamilton, in his role as representative of the royal authority, refused the royal assent.<sup>117</sup> The debates on this thorny subject continued inconclusively through July.

Then on 26 June the Club tabled the Incapacity Act, a motion to exclude from the administration all those who had served in the previous government. At the heart of this motion was a challenge to the constitutional right of the monarch to choose his own ministers; but the immediate prompt was the growing resentment felt by members of the Club towards William's appointees, in particular the Dalrymples. The Club objected, for instance, that Sir John Dalrymple was re-appointed Lord Advocate, a post he had held under James, while his father, viscount Stair, was restored as President of the Session. Besides, Montgomery was bitterly disappointed that Melville had been preferred to himself as William's Secretary of State. The Incapacity Act was passed on 28 June by a vote of 74 to 24.<sup>118</sup> Montgomery, however, could hardly have chosen an issue more likely to incense William, already suspicious of his extremism, since William's stated aim was 'to win the acquiescence of the many rather than the enthusiasm of the few',<sup>119</sup> and far too many of William's appointees had at one time served the previous regime. This act also did not receive the royal assent.

On 31st May William had urged the question of church government to be settled in the form 'most agreeable to the wishes of the people'. Having failed to win the Scottish bishops to his side, he now was evidently prepared to sacrifice episcopacy and even the Act of Supremacy, though not to end lay patronage.<sup>120</sup> On 2 July a draft act for the abolition of prelacy was presented

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<sup>117</sup> Halliday, 'the Club', pp. 152-53; cf. Riley, *King William*, p. 24.

<sup>118</sup> Halliday, 'The Club', pp. 151-52; Hopkins, 'Sir James Montgomerie', p. 43.

<sup>119</sup> Halliday, 'The Club', p. 152.

<sup>120</sup> Halliday, 'The Club', pp.153-54.

by the earl of Annandale. Immediately afterwards the earl of Kintore presented an Address from the synod of Aberdeen brought up to Edinburgh by two well-known Episcopalian clergy, James Gordon (c.1640-1714) from Banchory-Devenick, and John Barclay (d. 1691) from Cruden.

The Aberdeen Address was perhaps one of the more serious ‘might-have-beens’ of Scottish church history; for the most part overlooked in histories of the Scottish church; it was an appeal by Episcopalian clergy, seemingly without their bishop, to Parliament to solve the problems of the Scottish church by calling a general assembly. The Address referred to the ‘sad and dejected state of the national church’, and hoped for unity between ‘all Protestant brethren who differed from them only in matters of church government’. It called for a general assembly where differences could be thrashed out for the sake of the peace of the Church. The Address spoke of the Aberdeen clergy’s declaration against Popery and their welcome to King William as ‘the instrument of their deliverance’.<sup>121</sup> Whether George Haliburton (1635?-1715), the bishop of Aberdeen knew or approved of the Address, we do not know, but: presumably it would not have accorded with his Jacobite sympathies. The duke of Hamilton, however, welcomed the Address and recommended it to the king ‘as a thing fitt to be entertained’.<sup>122</sup> But the Parliament was in no mood to be distracted from its aims and least of all wanted a general assembly in which it was feared the Presbyterians would be outnumbered. According to another version of events, it was Hamilton himself who interrupted the debate on the Aberdeen Address by calling for an urgent discussion of the supplies needed for the army.<sup>123</sup> Whatever the case, the Address faded from the agenda and was forgotten.

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<sup>121</sup> Grub, *Ecclesiastical History*, vol. iii, pp. 302-3; Ian Butterworth, *Episcopalians in Scotland 1689-1745 with special reference to the North-East and the Diocese of Aberdeen*. Unpublished MTh thesis, Aberdeen University, 1978.

<sup>122</sup> Clarke, *Scottish Episcopalians*, p. 20

<sup>123</sup> *Account of the Proceedings*, p. 150.

Various options for the establishment of Presbyterianism were then presented to the Parliament. Hamilton put forward a draft probably prepared in London by Carstares. It was based on the 1592 form which maintained patronage. It ordered that presbyteries should admit ministers presented by lawful patrons, that all ministers should conform to this form of Church government and take the oath of allegiance, and it restored ministers who were deprived or resigned in 1661 and 1681, but did not give them exclusive rights.. It restricted the power of the church to preaching, ecclesiastical censure and the sacraments. It gave permission for general assemblies only if called by the monarch.<sup>124</sup> However, in order to confound Hamilton's draft, the Club tabled acts for the abolition of patronages, and the restriction of jurisdiction to ministers presbyterially ordained.<sup>125</sup> In spite of Hamilton's hope to avoid piecemeal solutions, the question of the establishment of the church was left in abeyance and on 22 July, after nearly three weeks of debate, Parliament unanimously abolished episcopacy, the only major act of the session to receive the royal assent.<sup>126</sup> The Act repeated the wording of the clause in the Claim of Right together with its historical inaccuracies and wishful thinking:

Whereas the Estates of this Kingdome, in their Claims of Right of the eleventh of Aprile last, declared that Prelacie, and the superiority of any office in the Church above Presbyters, is, and hath been, a great and unsupportable grievance to this nation, and contrair to the inclinations of the generalitie of the people ever since the Reformation, they having reformed from Poperie by Presbyters, and therefore ought to be abolished, our Sovereigns Lord and Lady, the King and Queen's Majesties, with advice and consent of the Estates of Parliament, do hereby abolish Prelacie, and all superiorities of any office in the Church in this Kingdome above Presbyters [...]

And the King and Queen's Majesties doe declare that they, with advice and consent of the Estates of this Parliament, will settle by law that church government in this Kingdome which is most agreeable to

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<sup>124</sup> Robert Weir, 'The Revolution Settlement' in *Historical Papers submitted to the Christian Unity Association of Scotland by its Special Committee*, 1914, pp. 109-10.

<sup>125</sup> Clarke, *Scottish Episcopalians*, p. 21

<sup>126</sup> Harris, *Revolution*, p. 406.



the inclinations of the people.<sup>127</sup>

The passage of the act did not satisfy Parliament: the church was left without government and there was unfinished business over the matter of the Articles, the royal supremacy, and the Incapacity Act. Moreover the courts were still closed. ‘The session disintegrated into “heats, debaits, jealousies and divisions”’.<sup>128</sup> On 2 August Parliament, on William’s orders, was prorogued.

The animosities, rivalries, ambitions of members of the Scottish Parliament and William’s court officials have been exhaustively analysed by P.W.J. Riley in chapter 2 of his *King William and the Scottish Politicians*. From Riley’s account of defeat and impasse all round it is hard to recognize the ultimately victorious Club of Halliday’s account: Halliday, for instance, described the session of Parliament as ‘defeat and humiliation’ for William’s officials: the king’s title had been made to seem dependent on parliament’s approval; royal power over parliament and the judiciary had been challenged; and potential threats to the royal prerogative had been voiced.<sup>129</sup>

In reality the Club had won very few of the points on their agenda and they now tried another, non-Parliamentary, tack. It was because they felt they had not achieved their aims that in the autumn a petition was prepared, and 72 signatures gathered to present to William. But this time the victory was William’s. The tactic was to divide the Club, and Portland was set to deal with them. On 14 October Montgomery, Annandale and Ross were refused an audience, but when the petition was presented the next day William’s reaction was hostile. Portland successfully worked to win over certain of the members (Patrick Hume, Forbes, Morton and Argyll, Dempster (from Fife)

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<sup>127</sup> Quoted in Lawson, *History of the Scottish Episcopal Church*, pp. 98-99.

<sup>128</sup> Clarke, *Scottish Episcopalians*, p. 21, quoting letter from John Hay to Melville, 26 July 1689, in *Leven and Melville Papers*, 197.

<sup>129</sup> Halliday, ‘The Club’, p. 154.

and Drummond (from Linlithgow)).<sup>130</sup> By the time the next session of Parliament opened in April 1690 52 of the signatories had come over to the Government side.<sup>131</sup> Montgomerie disappeared from the political arena having disgraced himself by turning Jacobite and engaging in a futile plot with James.

Taking the long view, however, the Club did achieve their aims rapidly and resoundingly in the next session of Parliament, though this was most probably because William changed course.

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<sup>130</sup> Halliday, 'The Club', p. 155.

<sup>131</sup> Halliday, 'The Club', p. 157

## CHAPTER THREE

### Rabblings and deprivations

While the politicians in Edinburgh and London were wrangling over the fundamental laws of the Scottish constitution and the legal establishment of the Scottish church, in the south-west of Scotland, far from public view, a series of bizarre, unprovoked, and illegal attacks were being made on the parish clergy. This campaign known as ‘the rabbling of the curates’ has never been thoroughly researched: there were no investigations by the authorities at the time, no one was brought to trial, and the clergy outed in this way received no legal redress. The attacks began at Christmas 1688 and continued through the following year. By the end of the campaign some 100 clergy had been pushed out from their livings.

Why did this happen in the south-west? The answer must lie partly in the fact that the south-west of Scotland - the counties of Ayrshire, Lanark, and what is now Dumfries and Galloway – was the seed-bed of radical Presbyterianism. The ‘Whiggamore Raid’ of September 1648, a make-shift army from the south-west drawn from the conventiclers, marched on Edinburgh and placed power in the hands of the kirk party.<sup>132</sup> It was in Dumfries that a faction of the Covenanters who became known as the Protesters gathered in October 1650 to draft the Western Remonstrance. They protested against the enthroning of Charles II on account of his sinfulness and lack of sincerity in signing the covenants, and they protested against the General Assemblies of 1650 and 1651. They believed, in spite of the disastrous defeat of the Scottish army by Cromwell in September 1650,

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<sup>132</sup> John Coffey, *Politics, Religion and the British Revolutions: The Mind of Samuel Rutherford*, Cambridge, 1997, p. 55.

that the army should be still more stringently purged. The Protesters created a long and bitter schism within the church with the more moderate Resolutioners. Many of the Protesters' ideologists and martyrs came from the south-west: Samuel Rutherford (c. 1600-1661) who was minister for many years at Anwoth near Kirkcudbright years was a prolific writer and preacher whose influence lasted long after his death. Though he did not sign the Western Remonstrance he became a leading force in the Protester movement. He proclaimed the divine right of Presbytery, the special vocation of Scotland as God's chosen covenanted people, the belief that disasters were caused by her sins, among which were prelacy and the denial that Christ was the head of the Church. Another was John Brown of Wamphray in Dumfriesshire (c1610-1679) who, though he lived mostly in exile, was also an influential apologist for extreme Presbyterianism; he was one of those who ordained Richard Cameron (c. 1648-1680), the leader of the persecuted Cameronians or 'Society People'<sup>133</sup> who was proclaimed a traitor and killed at the battle of Ayrsmoss in Ayrshire. Cameron was the inspiration for the succeeding leaders of the Society people. James Renwick born at Moniaive in Dumfriesshire in 1662, educated abroad, called to minister to the Society people after Cameron's death, declared a traitor, caught and executed in 1688, the last martyr to the cause. The successor to Renwick was Alexander Shields (1659/60-1700) author of the inflammatory *A Hind let loose* (1687).

Among the many famous illicit preachers in the south-west was John Welsh (?1624-1681), minister of Irongray in Dumfriesshire until he was deprived in 1661. He was the grandson of the great evangelist, John Welch [sic] (c. 1570-1622) himself a son in law of John Knox. The older Welch reaped 'a harvest of converts' in Kirkcudbright in the early 1590s and then went on to Ayr where 'his fruitfulness in converting souls ... will be found

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<sup>133</sup> The terms are interchangeable. They were sometimes also referred to as 'hillmen'.

unparalleled in Scotland'.<sup>134</sup> He challenged James VI over the reestablishment of episcopacy and was banished. John Welsh, his grandson, along with John Blackadder (1615-1686), minister at Troqueer in Dumfriesshire until he was deprived in 1662, Donald Cargill (c. 1627-1681), and the revered Alexander Peden (1626?-1686) from Ayrshire, were the most famous of the field preachers of the Restoration period. All were outlawed: Welsh and Peden died of natural causes (though Peden was a hunted criminal), but Cargill was executed and Blackadder died in prison on the Bass rock.

The south-west was also the scene of a popular religious revivalist movement which had started in the reign of Charles I and mushroomed under the Commonwealth. In the summer and early autumn months great crowds of people would be summoned by the popular preachers to outdoor communion services lasting several days. These 'sweet gospel days' were occasions for impassioned preaching, ecstatic response, weeping and many conversions. After the split between the Protesters and the Resolutioners it was the Protesters who led these revivalist meetings.<sup>135</sup>

As the government of the last Stuarts hardened in its attitude to religious dissenters the occasions for conflict multiplied, deaths on both sides increased, and these maverick preachers took on the mantle of local heroes. The Restoration of Charles II had brought a clamp-down on the Protesters many of whom were arrested, some executed. With the re-introduction of episcopacy in 1662 all clergy were required to be authorized by a bishop and presented by a patron; the convinced Presbyterians refused and as a result nearly 300 ministers were evicted from their parishes, mostly in the south-west, for refusing to accept episcopacy.<sup>136</sup> These evictions, unlike those of the

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<sup>134</sup> Leigh Eric Schmidt, *Holy Fairs: Scottish Communion and American Revivals in the early modern period*, Princeton, 1989, p.24.

<sup>135</sup> Schmidt, *Holy Fairs*, p. 36-37.

<sup>136</sup> Donaldson, *Scotland*, p. 152.

Revolution years, were carried out in an orderly manner, with three months' notice and payment of stipends.

The proscribed conventicles went on meeting in private houses with outlawed ministers and the mass communions continued, though now harder to arrange. 'These meetings, ye know' said John Welsh at Irongray in 1687, 'are forbidden by authority, but there is one greater than they that commands the contrary of what they command, and his command must be obeyed'.<sup>137</sup> In the Restoration period the communions became occasions for the preaching of the Protestant ideology, resistance to king and bishop, which included force of arms. The Indulgences of James VII in 1686 and 1687 legalizing the Presbyterian ministers were like a spark that lit the flame: the people of the western shires grasped the opportunities to build meeting-houses, to call back the banished preachers, and very many people deserted their parish churches.<sup>138</sup> It is against this background of fervent popular movements, a newly granted liberty, and then, in October 1688, the withdrawal of the royal troops from Scotland, that the rabblings of 1688-89 took place.

According to one source, the rabbling movement, or 'insurrection', began among the Society people under the leadership of Daniel Ker of Kersland, who had returned from exile in the Netherlands in 1686.<sup>139</sup> The pretext for the armed gatherings was, according to Sage, a rumour deliberately spread that large numbers of Irish had landed in Galloway, burnt the town of Kirkcudbright, and were marching to take over the whole kingdom for the Papists: in response the armed bands of Cameronians began searching likely suspects for weapons.<sup>140</sup> All sources agree that the

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<sup>137</sup> Schmidt, *Holy Fairs*, p. 38.

<sup>138</sup> Cowan, *Scottish Covenanters*, p. 134

<sup>139</sup> Michael Jinks, 'Shields, Alexander', *DNB*; Ginny Gardner, *The Scottish Exile Community*, East Linton, 2004, p. 197, n. 69. See also, Hugh Douglas, 'Ker, John of Kersland', *DNB*. Daniel Ker of Kersland, who became a major in the Cameronian regiment and died in 1692 at the battle of Steinkirk, was the brother in law of John Ker.

<sup>140</sup> [John Sage] *An Account of the Persecution of the Church in Scotland in several Letters*, London, 1690, p.15.

Cameronians played a leading part in the systematic rabbling of the clergy, though all sources agree that they lost control of the bands which were taken over by 'loose men, brought up under their own wings who were very rude in eating, drinking, and spoiling of their houses' who attached themselves to the troops.<sup>141</sup>

Patrick Walker (c. 1666-1745) who was present among the insurrectionists describes what the Cameronians intended to do:

We concluded to go to all the prelatie intruding curates and to give them warning to remove with all that belonged to them, giving them some to do; and told them we should not meddle with them upon the Lord's Day, nor in the night; and we should not taste either their meat or their drink, nor wrong anything that belonged to them except their gowns; and whatever ill words or provocation we got, we should give none; that we should call for the Church's goods, cup and bason; and also for the kirk-box wherein was nothing but a few doits; likewise the session-box and the kirk-door keys.<sup>142</sup>

Unfortunately it was the 'loose men' together with some unruly women who took over the rabbling, doing precisely the opposite of what Walker says was enjoined: coming at night, eating and drinking the ministers' supplies, being physically and verbally abusive. Mathiesen gives a considered view as to who these gangs were:

There was not a general insurrection of the parishes of that country, but a certain *Rabble* combined together and run up and down, thrusting out ministers, the parishes being no less surprised with it than the ministers themselves, and in many places the parishes would have defended the ministers, if either they had been forewarned, or sufficiently armed to make resistance.<sup>143</sup>

The most substantial accounts of the 'rabblings' from the victims' point of view were those collected by John Sage (1652-1711, consecrated bishop

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<sup>141</sup> Hector Macpherson, *The Cameronian Philosopher Alexander Shields*, Edinburgh, 1932, p. 80.

<sup>142</sup> Macpherson, *Alexander Shields*, p. 80 quoting Patrick Walker, *Six Saints of the Covenant*, vol. ii, p. 322.

<sup>143</sup> William Law Mathiesen, *Politics and Religion: A Study in Scottish History from the Reformation to the Revolution*, vol. ii, Glasgow, 1902, p. 360, n.1.

1705), himself a deprived minister in Glasgow.<sup>144</sup> Sage later, as a college bishop, became the leading Scottish spokesman for episcopacy and critic of Presbyterianism. That the rabblers were often strangers to the region is witnessed to in one instance, reported by Sage,<sup>145</sup> of a rabbling near Stranraer, it turned out that the attackers had come over from Ulster and had received payment for their work.

Sage's *Case of the Present Afflicted Clergy* is a careful compilation of testimonies, the 'first collection' of which relates to cases of clergy evicted before the opening of the Convention; this probably made up the dossier taken up to London by dean Scott of Glasgow. Each account is testified as accurate by one or two witnesses, often including the minister himself. From these testimonies a pattern of assault emerges; the ministers were attacked usually at night in their manses, dragged out of doors, and stripped. The rabblers often included women as well as men, sometimes they were complete strangers, sometimes the band included parishioners. Often the ministers' wives would be attacked as well, forced out of the house with their children, sometimes the furniture would be ejected. The minister's gown would be symbolically cut into shreds, if an English Book of Common Prayer were discovered that would be burned, the communion vessels would be seized and the minister forced to hand over the keys to the church. Often the minister himself would be pinched, bruised or beaten then rolled in the midden or made to stand in water. Sometimes the minister drew breath enough to ask the rabblers why they were doing this. The answers as reported give some idea of the wild ideas, verging on the apocalyptic, current among the people in extremist circles:

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<sup>144</sup> [Sage] *The Case of the Present Afflicted Clergy*; [Sage] *An Account of the Present Persecution*. Of the four letters in this pamphlet, two are by Sage, one by Thomas Morer and one by Alexander Monro.

<sup>145</sup> [Sage] *The Case of the Present Afflicted Clergy*, p. 70.



- Answer given to Mr Francis Fordyce, minister of Cumnock on Christmas Day 1688: ‘This they did not as States-Men, nor as Church-Men, but by violence and in a Military way of Reformation’.<sup>146</sup>
- Answers to Mr Robert Bell, minister of Kilmarnock by the leader of the rabble: ‘By the rule and Law of the Solemn League and Covenant, by which they were obliged to extirpate Prelacy, and bring all Malignants<sup>147</sup> to condign Punishment ... the Doom of all Malignants is clearly set down in the Word of God, and their appearing thus in Arms, was conformable to the Practice of the Ancient Church of Scotland ... And all this they attempted to do not by virtue of any Civil Power nor Ecclesiastical Power, but by the Military Power, and the power of the posture [sic] they were now in.’<sup>148</sup>
- Answer to Mr James Little, minister of Tindace and Trailflat: ‘they could not obey Man’s laws, but their King of Heaven’s Laws’.<sup>149</sup>
- Answer to Mr Archibald Ferguson, minister of Kirkpatrick, Easter 1689: ‘they had treated him so because he had prayed for the Tyrant York [James VII] and because he had presumed to preach, and visit the Parishioners as if he had been their minister, which they had formerly forbid him to do; they required him also to be gone from their Covenanted Lands, under pain of death’.<sup>150</sup>

That the leaders of the Society people became embarrassed by what was going on is reported by James Hewison in his history of the Covenanters, where he suggests that ‘the Society-men themselves considered this disorderly method of “rabbling out” the ministry to be improper and wanting in ecclesiastical dignity’ and proposed that a warrant of eviction be

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<sup>146</sup> [Sage] *Case of the Present Afflicted Clergy*, p. 29.

<sup>147</sup> i.e. in this sense, opponents of the Covenant.

<sup>148</sup> [Sage] *Case of the Present Afflicted Clergy*, pp. 33, 35.

<sup>149</sup> [Sage] *Case of the Present Afflicted Clergy*, p. 58.

<sup>150</sup> [Sage] *Case of the Present Afflicted Clergy*, p. 61.

‘politely forwarded to all obnoxious incumbents’ inviting them to cease from official duty and to deliver up the church keys and communion plate before the inevitable eviction took place.<sup>151</sup> Sage records one example of such a letter sent round to the ministers of Glasgow.<sup>152</sup> The rabblings were not at all to the liking of the new leader of the Cameronians, Alexander Shields, who seems to have tried to stop the process. At the General Meeting at Sanquhar on 24 January 1689 it was decided to give the rabbling process ‘a semblance of legality’ by delivering warning letters to the clergy in order to get ‘these and other things redressed in a legal and orderly manner’.<sup>153</sup> In spite of the meeting’s decision, however, uncontrolled rabblings went on into the New Year. Glasgow cathedral was attacked by a violent gang on 17 February leaving many people wounded; among the women attacked was Anna Paterson, daughter of the archbishop.<sup>154</sup> Another particularly vicious assault, involving women assailants, was made on Mr Archibald Ferguson at Kirkpatrick-Juxta in Dumfriesshire at Easter 1689.<sup>155</sup>

At the same January meeting the Society people resolved to send troops to Edinburgh to support the prince of Orange, in spite of their ambivalent attitude towards him. Significantly they also resolved to send officers to supervise the local elections to the Convention and ‘hinder the wrong choosing of commissioners’. Shields himself wrote a paper, which was subscribed by ‘very many hands’, to be given to the electors of Clydesdale.<sup>156</sup>

At the meeting at Crawfordjohn on 13 February it was decided to draw up a memorial of grievances to present to the Prince of Orange, and to show that the Society people were in earnest the Covenants were renewed at Borland Hill on 3 March. This was done in the presence so many that the kirk could not hold them and a tent had to be set up. Sermons were preached

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<sup>151</sup> James King Hewison, *The Covenanters*, vol. II, Glasgow, 1908, p. 518

<sup>152</sup> [Sage] *Case of the Present Afflicted clergy*, p. 40 (letter sent to the ministers of Glasgow)

<sup>153</sup> Macpherson, *Alexander Shields*, pp. 81-82.

<sup>154</sup> [Sage] *Case of the Present Afflicted Clergy*, pp. 50-53.

<sup>155</sup> [Sage], *Case of the Present Afflicted Clergy*, pp. 59-62.

<sup>156</sup> Macpherson, *Alexander Shields*, p. 82.

by Alexander Shields, Thomas Lining and William Boyd, the three who were to join the established church a few months later. Several people made confession of 'defections and scandals' such as hearing the curates, paying the cess, and taking the Oath of Abjuration. The Covenants were sworn by a show of uplifted hands and later in the evening Shields conducted a service in Lesmahagow kirk, where the Covenants were signed.<sup>157</sup> It happened that this event took place at Lesmahagow which was on the estates of the duke of Hamilton who is quoted as saying that 'he could not afford to antagonise the Cameronians' and admitted that 'though the people of Lesmahagow were his tenants he had no authority over them whatsoever'.<sup>158</sup>

It was decided that ten men of the western shires should go to Edinburgh with an address to the Prince of Orange. This delegation, which included Shields, Lining and Boyd, arrived in Edinburgh on 13 March and formed a 'watching committee' to observe the doings of the Convention. The 'watching committee' according to Macpherson 'held many meetings in Edinburgh to discuss a situation which changed from day to day [. ..] The chief question which exercised them was whether or not they should give active support to the new Government'. Was the address presented at this moment, or were they careful to steer clear of the duke of Hamilton, we do not know. Probably not because eventually in August the Society people did agree on an address to William, but by this time Shields had split from the ultra hardliners led by Robert Hamilton of Preston, the extremist leader from Bothwell Bridge, who did not want anything to do with William. And so the address was never delivered, Hamilton allegedly saying to Shields that 'they might contradict each other in William's presence'.<sup>159</sup>

The defection of Claverhouse from the Convention was the catalyst which prompted them to agree to the formation of a regular troop.<sup>160</sup> Sage

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<sup>157</sup> Macpherson, *Alexander Shields*, pp. 82-83.

<sup>158</sup> Quoted in William Ferguson, *Scotland 1689 to the present*, Edinburgh, 1968, p. 104.

<sup>159</sup> Macpherson, *Alexander Shields*, p. 93.

<sup>160</sup> Macpherson, *Alexander Shields*, pp. 84-85.

has some justification in assuming that the troops who came up from the south-west to guard the Convention were the same irregulars involved in the rabblings. He refers to the troops guarding the Convention as:

those Zealots (who contrary to all the Laws of Religion and Humanity, contrary to the Laws of all Nations, and particularly to the standing Laws of this Kingdom, and contrary to the Prince's own Declaration, [6 February 1689] convened and continued in arms, till they drove out all the regular Clergy in the West and many in the South.<sup>161</sup>

How much were the Society people involved with the Club? Sir Patrick Hume of Polwarth was certainly acting as intermediary for them in April over the negotiations to form a regiment.<sup>162</sup> One small hint, first pointed out by Gordon Donaldson, is that a curious phrase in the Society people's *Informatory Vindication* of 1687 found its way into the Claim of Right of 1689: '[Charles II] inverted all the ends of government'.<sup>163</sup> However this coincidence arose most probably because the *Informatory Vindication* was published in the Netherlands where the text would have circulated freely among the Scottish exiles. Writers from a Presbyterian point of view often make the point that what the Society people were saying to a tiny minority in the early 1680s became mainstream at the time of the Revolution. See for example Macpherson, who writes, 'The Glorious Revolution may be said to have begun in 1680 and the heralds of it were the Cameronians,<sup>164</sup> and certain contributors to the *Dictionary of Scottish Church History and Theology* take a similar line. The role of Sir James Montgomery of Skelmorlie could be further investigated too: what was he doing 'raising the western militia for William' before the fate of the revolution had been decided, as reported by Riley?<sup>165</sup> Was he behind the rabblings? Much remains to be

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<sup>161</sup> [Sage] *Case of the Present Afflicted Clergy*, p. 91.

<sup>162</sup> Macpherson, *Alexander Shields*, p. 88.

<sup>163</sup> Donaldson, *Scotland*, p. 376.

<sup>164</sup> See for example, Macpherson, *Alexander Shields* pp. 84-85.,

<sup>165</sup> Riley, *King William*, p. 30

investigated before we can confirm Sage's assertion, discussed below, that the rabblings were part of a concerted hidden agenda.

The second wave of deprivations in Edinburgh and the central belt area began in April 1689. On 13 April, a Saturday, the Convention issued a proclamation ordering all ministers to pray publicly for King William and Queen Mary. This order was issued at a date when William and Mary had not yet accepted the throne of Scotland which they had been offered, still less crowned. The order required ministers in Edinburgh to read the proclamation the very next day, those south of the Tay on the following Sunday 21 April, and those north of the Tay on Sunday 28 April. The Proclamation offered legal protection to ministers 'presently in the possession and exercise of their Ministry'.<sup>166</sup> Thereupon the duke of Hamilton, the president of the Convention, proposed an amendment to the effect that protection should also be given to those already deprived, but this suggestion was vigorously opposed, especially by Sir James Montgomery, on the grounds that if carried it would 'disoblige the Presbyterians' and might have fatal political consequences.<sup>167</sup>

Deprivations on the quasi-legal grounds of failure to give public acknowledgement of William and Mary began immediately and continued through the summer and autumn. It was no excuse that the order had not been received in time. It was no excuse that only the Ordinary (the bishop), not the secular authorities, could authorize what was announced in church. And eventually it became no excuse that the minister concerned actually had obeyed the Proclamation!<sup>168</sup> The deprivations were at first carried out by the Committee for Securing Peace who deprived three ministers in April; then

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<sup>166</sup> [Sage], *Case of the Present Afflicted Clergy*, pp. 76-77.

<sup>167</sup> 'Memoir of the Life and Times of bishop Sage', in Sage, *Principles of the Cyprianic Age*, Spottiswoode Society, 1819, p. xxx.; [Sage], *An Account of the Persecution*, p. 24.

<sup>168</sup> [Sage] *Case of the Present Afflicted Clergy*, 'Third Collection of Papers, containing the sufferings of those Ministers who complied', pp. 62-75

the task passed to the Committee of the Estates who deprived and dismissed 21 ministers in May; thereafter the task fell to the Privy Council who between July and November deprived 172 ministers.<sup>169</sup> The attacks on the ministers were harsh and relentless, though not physically crude as in the south-west. No one lost his life (a source of pride to some later Presbyterian historians), and the deprivations came into force immediately.<sup>170</sup>

Were the rabblings in the south-west and the deprivations following the April proclamation part of a coherent hidden plan? Sage thought so:

I think it's plain, that the most fatal Blows were all given by the Scots Presbyterians who were and are at the Helm, and that without countenance from these, the Rabble durst never have attempted what they did against all the Laws of the Kingdom, Religion and Humanity; which plainly shows that Presbyterians, howsoever dignified or distinguished are all of a piece.<sup>171</sup>

He elaborated his thinking on this point in another pamphlet, *An Account of the Present Persecution of the Church in Scotland in several Letters*,<sup>172</sup> in which he makes the following points as evidence of collusion:

- That the reports of the rabblings sent to London, eg by dean Scott were vigorously denied;<sup>173</sup>
- That the Prince's order of 6 February to lay down arms was simply ignored and the rabblings became more insolent. This would be unaccountable 'if they had not their secret Instructions from their Correspondents at Court to go on vigorously notwithstanding the Declaration';<sup>174</sup>
- That letters were sent from London to 'give life to the Irish plot' and that Lord Stair was one of the authors;<sup>175</sup>

<sup>169</sup> Clarke, *Scottish Episcopalians*, Appendix I, p. 578.

<sup>170</sup> Clarke, *Scottish Episcopalians*, pp. 24-28.

<sup>171</sup> [Sage] *Case of the Present Afflicted Clergy*, [last page of Preface].

<sup>172</sup> London, 1690. Letters by Thomas Morer, pp.1-6, John Sage, pp.6-51 and pp. 52-63, Alexander Monro, pp.63-68.

<sup>173</sup> [Sage], *An Account of the Present Persecution*, pp. 19, 25.

<sup>174</sup> [Sage], *An Account of the Present Persecution*, p. 25.

<sup>175</sup> [Sage], *An Account of the Present Persecution*, pp. 25-6.

- That the earl of Crawford wrote letters to ‘the leaders of the rabbles’ encouraging them to persist in their laudable achievements. ‘And this is so very certain that the duke of Hamilton produced one of them in June or July last [1689], before the Council, and put the earl to it, and he could not deny it; and that it made a great noise, not only at that table, but through the whole city’;<sup>176</sup>
- That no Presbyterian preacher ever condemned the rabblings. On the contrary one preacher at St Giles in Edinburgh said, ‘That such shakings as these were the shakings of God, and without such shakings, his church was not in use to be settled’ [reference to Ezekiel 38. 19].<sup>177</sup>

Sage’s evidence is largely circumstantial but there is no doubt at all about the general climate of vindictiveness in Parliament and the Privy Council against the episcopalian clergy at this time and they received little or no protection from their patrons. Sage was writing before the June 1690 Church Settlement and before the next wave of deprivations initiated by the General Assembly that autumn. Were these new deprivations also part of a concerted plan?

Support for Sage’s supposition that there was a concerted plan to deprive the Episcopal clergy, is provided in the letters of the earl of Crawford who became president of the Privy council. He insisted that a purge was essential before any Church settlement was arrived at. He wrote to Melville in July 1689 at the time when the settlement of the church was being debated in the Parliament:

The establishment of 1592 will be much pressed, but ought not to be the first step; for without the Church be once purged, the conform clergy will be six to one and would readily depose them of the Presbyterian way after a pretence and show of submitting to the

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<sup>176</sup> [Sage] *An Account of the Present Persecution*, p. 26.

<sup>177</sup> [Sage] *An Account of the Present Persecution*, p. 26.

government.<sup>178</sup>

In the vindictive climate of the time, nothing was done to restore or recompense the deprived ministers. The ministers outed before 13 April, that is, those who were rabbled, were specifically excluded from the government's protection in the 13 April proclamation itself and again in that of 6 August, which encouraged parishioners to report on their ministers who did not obey the proclamation to pray for William and Mary.<sup>179</sup> In September the Privy council turned their fire on the bishops and ordered that they be deprived of all their revenues.<sup>180</sup> In December the Council rejected the appeals by the outed clergy from the south-west, many of them still homeless and starving, to receive their due stipends, stating that this matter should be 'left intire to the decisione of the Parliament',<sup>181</sup> though Parliament was not sit again for another four months.

It is difficult to arrive at precise figures for the rabblings in the south-west: Lawson suggests a round total of 300;<sup>182</sup> however figures from the *Fasti Ecclesiae Scoticanae* suggest a total of less than 100.<sup>183</sup> The ministers evicted by the proclamation of April 1689 were, however, carefully recorded and the total is conclusively given as 193.<sup>184</sup>

Scotland's religious passions and antagonisms were something that William could hardly have anticipated when he rode victorious, clad in a white cloak, to St James's Palace on 18 December 1688, the providential ruler sent by God to save the protestant church and 'return the nation to its

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<sup>178</sup> 'Crawford to Melville 16 July 1689' *Leven and Melville*, p.172

<sup>179</sup> [Sage], *Case of the Present Afflicted Clergy*, pp. 78, 83, 84-5.

<sup>180</sup> Lawson, *History of the Scottish Episcopal Church*, pp. 100-101

<sup>181</sup> *Register of the Privy Council of Scotland*, 3<sup>rd</sup> series, vol. xiv, p.592. Parliament did not reconvene until 15 April.

<sup>182</sup> Lawson, *History of the Scottish Episcopal Church*, p. 69.

<sup>183</sup> *Fasti Ecclesiae Scoticanae*, ed. Hew Scott, Vol. I, Part II, Synods of Merse and Teviotdale, Dumfries and Galloway, Edinburgh, 1867; Vol. II, Part I, Synod of Glasgow and Ayr, Edinburgh, 1868.

<sup>184</sup> Clarke, *Scottish Episcopalians*, p. 578.



pristine faith, piety and virtue'.<sup>185</sup> If his overriding aim was to defeat the Catholic regime of Louis XIV, then for this purpose all protestants, not to mention the Pope, were his allies, and England and Scotland alike would be not only allies but sources of manpower and funding for his European campaigns. Besides this, however, the Presbyterianism he was familiar with in the Netherlands was tolerant and stable: it co-existed alongside other denominations, even Catholics; the ministers were employed by the state and it certainly did not interfere with political matters.<sup>186</sup> Now in the Scottish situation he encountered the ideology which combined the theory of the 'two kingdoms', the divine right of Presbytery, the special calling of Scotland, and the right of armed resistance. If William was welcomed as the monarch who would establish the rule of law, put an end to absolutism and establish the Presbyterian church, the anomaly still remained that it was the monarch who was going to settle the church. In a sense then, as regards the church, there was nothing that William could do that was right. As William turned from liberator to monarch he attempted to tighten the reins of power, and attitudes towards him, in England as in Scotland, turned to disappointment, sullen opposition, and, among the radical Presbyterians, defiance. Growing misunderstandings between court and country were compounded by William's absences, not only from Scotland, but frequently from England as well: for most of 1690 the military campaign against James took him to Ireland, and the following year to Europe in the wars against the French.

As events unfolded in the months following the abolition of episcopacy in July 1689, and the Club disintegrated in the shambles of the 'Montgomery plot', a hidden agenda came out into the open through the deprivations and rabblings of the Episcopal clergy and when the Act for the Settlement of the Church was passed in June 1690 it was considerably harsher and more

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<sup>185</sup> Tony Claydon, *William III and the Godly Revolution*, Cambridge 1996, pp. 3, 57

<sup>186</sup> Glassey, 'William II and the Settlement of Religion', p. 318; see also, K.H.D. Haley, *The Dutch in the seventeenth century*, London, 1972, p. 88; Alastair Duke, 'The ambivalent face of Calvinism in the Netherlands', in, Menna Prestwich, ed., *International Calvinism 1541-1715*, Oxford, 1985.

intolerant than certainly William and his advisers had expected or wished for. William in effect lost control of Scotland; and if his first Commissioner, the duke of Hamilton, a wily old politician who had served under the Stuarts, attempted to keep the hotheads under control, his second Commissioner, the earl of Melville gave in to everything the hardliners pressed for; while the earl of Crawford used his position in Parliament and the Privy Council to force through his personal agenda.

The end of episcopacy did not mean either the end of Episcopalianism or the immediate establishment of Presbyterianism. The passing of the Act abolishing episcopacy left Scotland in a religious limbo without any established church. The following months were filled with negotiations and debates about the Church settlement, and initiatives, springing mostly from the court in London for comprehension and tolerance. An Episcopalian rearguard action got under way, and a lobby gathered in London, headed by bishop Burnet together with 'some of the Jacobite nobility and Anglicans';<sup>187</sup> whereupon Carstares organized a commission of Presbyterian ministers to go to London and present their case to William.

Though William did agree to the abolition of episcopacy in July 1689 he determined in the months that followed to arrive at 'a comprehensive church embracing Episcopalians and Presbyterians in order to achieve stability and forbearance, if not tolerance'.<sup>188</sup> Viscount Tarbat, who had co-authored the *Memorial* presented to William earlier in the year, and who became increasingly in favour with William, proposed a scheme whereby the two sides could be comprehensively united with parallel systems of church government.<sup>189</sup> Tarbat became the unofficial head of the Williamite Episcopalians.<sup>190</sup> But all such schemes were ultimately bound to fail because

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<sup>187</sup> A. Ian Dunlop, *William Carstares and the Kirk by Law Established*, Edinburgh, 1967, p. 68

<sup>188</sup> Tristram Clarke, 'Carstares, William', DNB

<sup>189</sup> See for example 'Tarbat's Memorial in relation to the Church' June 1689?, in *Leven and Melville*, pp. 125-27 where he suggests all ministers come under the protection of the crown.

<sup>190</sup> Colin Kidd, 'Mackenzie, George', DNB.

of the entrenched attitudes of the opposing sides: the Presbyterians believed that any compromise would vitiate ‘the settlement of pure Presbytery’ – and besides they feared that, even after the purges, the Episcopalians would outnumber them by 3 to 1.<sup>191</sup> Whereas the Episcopalians believed that if they submitted to Presbyterian government that would mean ‘a total routing of us and taking us captives’.<sup>192</sup>

But while these discussions were going on at court in London, the initiative for settling the church on narrow, Protestant, foundations was taken by comparative outsiders to the political scene in Edinburgh, Sir James Stewart of Goodtrees and his brother Sir Thomas Stewart of Coltness. Working through the new Committee for the Settling of the Church, and ignoring William’s suggestions for moderation, they formulated the Act which was pushed through Parliament in June 1690 and put power in the hands of the extremists.

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<sup>191</sup> Clarke, *Scottish Episcopalians*, p. 74.

<sup>192</sup> Clarke, *Scottish Episcopalians*, p. 91 quoting James Canaries.

## CHAPTER FOUR

### Explosive tracts and secret manoeuvrings

Sir James Stewart of Goodtrees (1635-1713) who re-appeared on the political scene in Edinburgh in 1689 and became the author of much of the 1690 legislation that formed the church settlement, was a man of formidable intellect and a rather mysterious history. As a young man he had been the author of two explosive Covenanter tracts attacking the Stuart regime. The first, *Naphtali, Or the Wrestlings of the Church of Scotland for the Kingdom of Christ* (Edinburgh, 1667, co-authored with James Stirling),<sup>193</sup> was written as an angry response to the treatment of the Rullion Green rebels and a lament for those executed among whose number was the young Hugh McKail (1640-1666) who had been chaplain to the Stewart family. The second, *Jus Populi Vindicatum, Or the People's Right to Defend themselves and their Covenanted Religion* (Edinburgh, 1669) was in its turn a response to the rebuttal, discussed below, of *Naphtali* by Andrew Honyman, bishop of Orkney (1619-76). *Naphtali* and *Jus Populi* have been described as 'unquestionably the most strident revolutionary tracts of the Restoration ... explicit justifications of rebellion and tyrannicide.'<sup>194</sup> The ideas they promoted were taken to justify the assassination of archbishop James Sharp in 1679.<sup>195</sup>

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<sup>193</sup> *Naphtali, or a True and Short Deduction of the Wrestlings of the Church of Scotland for the Kingdom of Christ, from the Beginning of the Reformation of Religion, until the Year 1667. Together with Speeches and Testimonies of some who have died for the Truth since the year 1660. Whereunto also are subjoined a Relation of the Sufferings and Death of Mr Hugh McKail, and some instance of the Sufferings of Galloway and Nithisdaale.*

<sup>194</sup> Jackson, *Restoration Scotland*, p. 25, quoting Mark Goldie 'John Locke and Anglican Royalism', *Political Studies*, 31, 1983, p. 79.

<sup>195</sup> Julia Buckroyd, *The Life of James Sharp*, Edinburgh, 1987, p.108

James Stewart was also the author of the ninth earl of Argyll's manifesto for rebellion, the *Declaration and Apology* of 1685,<sup>196</sup> though he did not take part in Argyll's rising, having warned him against it. By this time Stewart's thinking was less radical, and among the several reasons for the failure of the rising one was that the extremist Cameronians did not support it.<sup>197</sup>

The sources of the Covenanters' ideas against absolutism and the divine right of kings and their passionately pro-Presbyterian ideology came from, on the one hand, George Buchanan (1506-82), the one-time tutor of James VI, and, on the other, Andrew Melville (1545-1622). Buchanan's *De Jure Regni apud Scotos* ['A Dialogue on the Law of Kingship among the Scots'] (Edinburgh 1579) formulated the ideas that Scottish kings are chosen by the people and subject to human and divine laws. Buchanan also argued that it is lawful for a subject to kill a tyrant.<sup>198</sup> The Stuart kings, however, beginning with James VI, once he had freed himself from Buchanan's influence, totally rejected this thinking and in its place advocated divine right monarchy and with it episcopacy, which, by definition in Scottish post-Reformation conditions, was subject to the monarch. According to one scholar it was this fundamental divergence of ideas and values between the followers of Buchanan and the Stuart monarchs that set in motion 'that conflict which was to rend the country asunder and to end more than a century later with the overthrow of the House of Stuart and the subsequent fulfilment at every point of the political doctrines advocated by Buchanan.'<sup>199</sup> However, the

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<sup>196</sup> *The Declaration and Apology of the Protestant People, that is, Of the Noblemen, Burgesses, and 'commons of all Sorts now in Arms within the Kingdom of Scotland, with the Concurrence of the most Faithful Pastors, and of several Gentlemen of the English Nation joined with them in the same cause, etc.* Edinburgh, 1685. On Stewart's authorship, see, E. Calvin Beisner, 'Stewart [Steuart], Sir James, of Goodtrees' *DNB*; also, the entry on Sir James Stewart by D.C. Lachman in *DSCHT*.

<sup>197</sup> Harris, *Revolution*, pp.67, 78; Jackson, *Restoration Scotland*, p. 157.

<sup>198</sup> George Buchanan, *Law of Kingship*, trans. and ed. By Roger A. Mason and Martin S. Smith, Edinburgh, 2006. pp. 141-42.

<sup>199</sup> J.D. Douglas, 'Buchanan, George' in *DSCHT*.

conflict having been relatively benign during the reign of James VI, became markedly more bloody under the Covenanters and at the Restoration.

The anti-episcopal and Presbyterian strands in Covenanter thinking, derive from Andrew Melville, who was the first Scottish divine to denounce bishops unambiguously and to codify Presbyterian principles in *The Second Book of Discipline* (1578) It was Melville who in the 1590s, in his on-going disputes with king James VI elaborated the theory of the ‘two kingdoms’ – the ‘kingdom of Christ’ and the secular kingdom. This theory entailed the essential independence of the church from ‘the magistrates’, that is, secular control, including the monarchy. Melville’s ideas fed the covenanting struggles, and the 1638 General Assembly as it were ‘fulfilled Melvillian dreams for it abolished episcopacy and restored the pure Presbyterianism that men like Rutherford had been fighting for’.<sup>200</sup> It has been claimed that Melvillian ideas ‘permeated thinking within the Presbyterian establishment after the revolution settlement of 1690’;<sup>201</sup> however the crucial difference formulated in 1690 was that the church of Scotland became established by law and could no longer claim total independence from the state.

Samuel Rutherford (1600-61) rethought Buchanan in the light of Melvillian Presbyterianism. In his defiant and widely read *Lex, Rex* (London, 1644, 1648, 1657<sup>202</sup>) the political agenda of the Covenant was interwoven with theories of divine right Presbyterianism and violent opposition to ‘Erastian prelacy’. The book, written with ‘ferocity and bitterness’ justified the Covenanters’ armed resistance to Charles I,<sup>203</sup> and expressed the anger of the Scottish people against the monarch who, they claimed, had betrayed the Reformed religion by imposing bishops and the high church practices of the English archbishop Laud.<sup>204</sup> Like Buchanan, Rutherford justified violence

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<sup>200</sup> Coffey, *Politics, Religion*, p. 49

<sup>201</sup> James Kirk, ‘Melville, Andrew’ DNB.

<sup>202</sup> The latter two editions published under different titles.

<sup>203</sup> Coffey, *Politics, Religion*, p. 146.

<sup>204</sup> Coffey, *Politics, Religion*, pp. 149-50.

against tyranny, though for Rutherford ‘armed resistance to a tyrant must be led by representatives of the people, not by the people themselves’.<sup>205</sup> Rutherford was a prolific writer and preacher and though his books were banned and burnt, his ideas seeped into public consciousness. Through his intense political and proselytising activities, Rutherford ‘turned his small parish of Anworth into the local centre of opposition to episcopacy.’<sup>206</sup>

The conflict was exacerbated when at the Restoration the Covenanting heyday of the mid-century was brought to an end and absolutism re-imposed by Charles II. Support for the Covenant was no longer so much a battle of the printed word but became a matter of life and death. Charles II began his reign with executions, and continued to use capital punishment to quell rebellion, as did his successor, James VII. Under both monarchs there were successive waves of military intervention in the south-west to bring the conventiclers and rebels to heel.

*Naphtali* (1667), the tract written by James Stewart and James Stirling, was ordered by the authorities to be burnt and a £2,000 fine imposed on anyone found possessing it. Similar fines were imposed for the possession of *Jus Populi* (1671) and a £100 reward was offered to anyone identifying the author.<sup>207</sup> Sir George Mackenzie justified such measures on the grounds that ‘Licentiousness of the Press’ tended to ‘weaken all Government, corrupt all Intelligence, and blast so unavoidably the Reputation of the Best and most Innocent’.<sup>208</sup> However, bishop Andrew Honyman thought otherwise: ‘one fire cannot destroy all the copies’ nor serve to ‘satisfie the minds of these who carry them about as Books of devotion’.<sup>209</sup> Consequently he wrote a considered response to the Stewart tracts, *A Survey of the Insolent and*

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<sup>205</sup> Coffey, *Politics, Religion*, p. 177

<sup>206</sup> Coffey, *Politics, Religion*, p. 41.

<sup>207</sup> Jackson, *Restoration Scotland*, p. 42.

<sup>208</sup> Jackson, *Restoration Scotland*, p. 42.

<sup>209</sup> Jackson, *Restoration Scotland*, p. 44.

*Infamous Libel entituled Naphtali* (1668, 1669).<sup>210</sup> Honyman (1619-76) had himself been a zealous Covenanter before the Restoration, but in the 1650s he took the Resolutioner rather than the Protester path, for which he was bitterly attacked by Rutherford.<sup>211</sup> Like James Sharp (1613-79), his mentor, he was one of the moderate Presbyterians who became a bishop.

Writing in the aftermath of the Pentland rising of 1666 and to answer *Naphtali*, with a sideways look at Rutherford's *Lex, Rex*, Honyman's arguments can be summarized as follows:

Stewart had argued (*Jus Populi*, p. 414) that those who believe in royal absolutism 'do deifie a creature and renounce their homage to the King of Kings, and so provoke him to destroy both them and their King, by their apostasy and wicked defection'.<sup>212</sup> Honyman, describing himself as 'a judicious royalist' suggested that one can be a 'royalist' but still be critical of the monarch (*Survey*, I, pp. 12, 7).<sup>213</sup> He could envisage situations whereby loyal subjects remained faithful to the king, but were unable to obey his commands 'because of God's countermand' (*Survey*, pp. 7, 51).<sup>214</sup>

Honyman justified monarchy as 'something that is first, before which, or above which, there is nothing in that order' and in this way monarchy promotes order and unity (*Survey*, p. 72).<sup>215</sup> He furthermore held that violent resistance was incompatible with Christian principles. Those who advocated resistance in God's name thus sinned by their actions, since to preserve order God had ordained that 'such as are in supreme Power by lawful calling' were to be honoured and obeyed 'even although in the main things they pervert the

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<sup>210</sup> [Andrew Honyman] *A Survey of the Insolent and Infamous Libel entituled Naphtali etc., Wherein several things, falling in debate in these times are considered, and some Doctrines in Lex Rex and the Apolog. Narration ... are brought to the touch-stone*, Part I [Edinburgh], 1668; Part II, Edinburgh 1669.

<sup>211</sup> Coffey, *Politics, Religion*, pp. 150-51, n. 25.

<sup>212</sup> Beisner, *His Majesty's Advocate, Sir James Stewart of Goodtrees and Covenant Resistance theory under the Restoration*, Unpublished PhD thesis, St Andrews, 2002, p. 139.

<sup>213</sup> Jackson, *Restoration Scotland*, p. 7.

<sup>214</sup> Jackson, *Restoration Scotland*, p. 63.

<sup>215</sup> Jackson, *Restoration Scotland*, p. 58.



ends of Government'. Even if 'Caesar give not God his due, yet it is Christ's mind that we give Caesar his due (*Survey*, pp. 34, 8).<sup>216</sup>

For Christian royalists such as Honyman the words of St Paul (Letter to the Romans, 13. 1-2) were incontrovertible: 'Everyone is to obey the governing authorities, because there is no authority except from God'. So for Honyman, nothing can legitimise individual resistance. Individual rights of resistance represent 'a Doctrine point-blank contrary to reason' that only served to dissolve human society. The 'gangrene' of such ideas would only subvert Church and State.<sup>217</sup> However, in *Naphtali*, as also in Rutherford's *Lex, Rex*, it was argued that a distinction should be made between the authoritative office and the person holding it.<sup>218</sup> Honyman responded by arguing that: 'this doctrine cannot but be a source and spring of perpetual seditions ...For thus every man is made judge of his own suffering and passion, as well as of his own practice, and no man must suffer, more than he thinks he deserveth.' (*Survey*, 1.2: 68-69).<sup>219</sup>

Honyman believed that the Presbyterian campaign against episcopacy was being used as an excuse 'to pull down all Authoritie in the land'.<sup>220</sup> If one day episcopacy were to be removed then 'the continuous spread of their subversive principles would leave 'no security for the most just and justly acting Authority, rendering constant vigilance essential, - a point on which, in the event, he was evidently proved wrong! And anyway asked Honyman, was the mere question of church government worth so much stress? Over this sole issue 'this World is endeavoured to be turned upside-down, Kingdoms shaken, thrones overturned, the blood of the people of God lavishly poured out'. Would it not be better to 'lend a patient ear to such as are otherwise minded'?<sup>221</sup>

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<sup>216</sup> Jackson, *Restoration Scotland*, p. 61.

<sup>217</sup> Jackson, *Restoration Scotland*, pp. 61-62.

<sup>218</sup> Beisner, *His Majesty's Advocate*, p. 141.

<sup>219</sup> Beisner, *His Majesty's Advocate*, p. 142

<sup>220</sup> Jackson, *Restoration Scotland*, p. 145

<sup>221</sup> Jackson, *Restoration Scotland*, p. 171.

It was Covenanter practice to take the Old Testament as normative. So for instance Stewart (*Naphtali*, pp. 20-25), on this point moving further than Rutherford, justified individual acts of terrorism by reference to the somewhat obscure tale of Phineas (Numbers 25.7-13) who on his own initiative murdered an adulterous couple and thereby won God's promise of 'a covenant of peace' (*Naphtali*, pp. 20-25).<sup>222</sup> Stewart referred back to John Knox, who had advocated a populist theory of religious rebellion, a point on which he would be followed by Shields in *A Hind Let Loose* (pp.633-95) who went so far as to justify 'the extraordinary execution of judgement by private men', such as the assassination of James Sharp.<sup>223</sup> Honyman besides arguing against revenge by individuals, questioned the whole approach of using the Old Testament as normative. In *Survey*, pp. 96-97 he wrote that Christians should not 'force the particular example of that Nation [Israel] on all Nations [.. ] lest we judaize too much'.<sup>224</sup>

Rutherford, according to his recent biographer, had combed the Old Testament for cases of bloody revolutions, palace coups, and armed resistance to royal authority.<sup>225</sup> Rutherford's writing has been described as 'rigid and mechanical' and those of his successors as revealing 'a doctrinaire mentality'.<sup>226</sup> Honyman's style on the other hand is more urbane, speculative, less vehement, and essentially non-ideological. But in spite of the fact that he was one of the only Episcopalians to argue against the Covenanters, his quieter, more commonsensical voice has been overlooked by history and he does not, for instance, have an entry in the *Dictionary of National Biography*.

The influence of *Naphtali* persisted: George Hickeys reported how in 1680 an officer arrested a "Countrey-Fellow going to a conventicle" and found

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<sup>222</sup> Coffy, *Politics, Religion*, p. 177.

<sup>223</sup> Coffy, *Politics, Religion*, p. 177.

<sup>224</sup> Coffy, *Politics, Religion*, p. 157, n.52. Monarchist writers such as Maxwell and Mackenzie would refer to the Presbyterian leaders as 'Rabies' [Rabbis].

<sup>225</sup> Coffy, *Politics, Religion*, p. 176.

<sup>226</sup> David Reid, *The Party-Coloured Mind: Prose Relating to the Conflict of Church and State in Seventeenth Century Scotland*, Edinburgh, 1982, p. 13.

*Naphtali* in one pocket and a pistol in the other – ‘the Doctrine and the use’. Many copies were found on the rebels captured at Bothwell Bridge in 1679.<sup>227</sup> It is unlikely that the writings of any of the moderates - Episcopalian or Presbyterian - became pocket-book reading. As Jackson comments,

In addition to distancing themselves from the bloody outcome of sectarian zeal in the fields, moderate Episcopalians and Presbyterians alike attacked the intellectual framework of theological disputation, or *odium theologicum*, recognised as encouraging both perennial dogmatising and irreligious scepticism.<sup>228</sup>

For many such thinkers, the preservation of civil order became more important than religious orthodoxy, and all were conscious of the growth of scepticism and Hobbesian atheism.<sup>229</sup>

It was perhaps for this reason that the Test Act of 1681 which required all office-holders in church and state to pledge their allegiance both to the Protestant faith as formulated in the Scots Confession of 1560 and to the king ‘as the only supreme governor of the realm over all persons and all causes as well ecclesiastical as civil’ was swallowed by most people and only became a stumbling block to a few (notably the earl of Argyll and viscount Stair who fled to the Netherlands). The Test embodied an inherent contradiction: the Scots Confession, which few people at the time were familiar with, did not explicitly promote Presbyterianism or denounce episcopacy, but it declared that the only head of the Kirk was Christ Jesus,<sup>230</sup> a statement which was, of course, at odds with the Act of Supremacy. Moreover, it contained the clause (in chapter XIV) ‘to repress tyranny’, which of course also challenged the Act

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<sup>227</sup> Jackson, *Restoration Scotland*, p. 146, quoting Hickes, *Spirit of Popery speaking out of the Mouths of Phanatical Protestants* (London, 1680).

<sup>228</sup> Jackson, *Restoration Scotland*, p. 166.

<sup>229</sup> Jackson, *Restoration Scotland*, p. 164. Jackson mentions for instance Sir George Mackenzie of Rosehaugh, bishop Robert Leighton, Alexander Monro and others.

<sup>230</sup> G.D. Henderson, ed., *The Scots Confession of 1560*, Edinburgh, 1960, Chapter XVI ‘Of The Kirk’. According to Henderson, the introduction of the clause requiring acceptance of the 1560 Confession, instead of the Westminster Confession, was due to viscount Stair, then president of the court of session, p. 13.

of Supremacy.<sup>231</sup> The accession of James VII, a Roman Catholic, in 1685 was at first greeted with joy since James, as duke of York, had made a success of his few months in Edinburgh as High Commissioner in the early 1680s. But once in power he began under the guise of religious toleration to promote Roman Catholicism. So, in the words of one scholar, it came about that ‘two scarcely reconcilable loyalties fought for supremacy in the minds of Scotland’s legislators,’ exacerbated by the fact that Parliament and people continued as they had always done to express the fiercest possible antagonism to the religion of the new monarch.<sup>232</sup>

For the last decade of his life, Rutherford, who earlier had envisaged a national church for Scotland, had come increasingly to narrow his ideals, so that his ‘desire for ecclesiastical purity got the better of his belief in a comprehensive, authoritative Presbyterian national church’.<sup>233</sup> Rutherford’s thinking fed into the ideology of the Protester branch of Scottish Presbyterianism. As Rutherford’s vision narrowed so the language of pollution and purging came to form a vital part of his vocabulary.<sup>234</sup> With it came a sense of apocalyptic doom, the dread that Christ had abandoned Scotland, which seemed realized at the time of Restoration when Charles II repealed all the Covenanters’ legislation. As Rutherford lay dying he could still say, ‘Yet we are to believe Christ will not so depart from the land, but a remnant shall be saved; and he shall reign a victorious conquering king, to the ends of the earth.’<sup>235</sup> Had he not died at that point it is likely that he would have joined his fellow Covenanters - James Guthrie (c.1612-1661), Archibald Johnston (lord Wariston, 1611-1663) and Archibald Campbell (8<sup>th</sup> earl of Argyll, 1607-1661) - on the scaffold.

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<sup>231</sup> Jackson, *Restoration Scotland*, p. 150

<sup>232</sup> A.C. Cheyne, ‘Ecclesiastical Significance of the Revolution Settlement’ in *Studies in Church History*, Edinburgh, 1999, p. 55-56.

<sup>233</sup> Coffey, *Politics, Religion*, p. 219.

<sup>234</sup> Coffey, *Politics, Religion*, p. 248.

<sup>235</sup> Coffey, *Politics, Religion*, p. 253 quoting Rutherford’s *Testimony*, p. 10.

The role of the ‘remnant’ of which Rutherford spoke on his deathbed was consciously taken on by the Cameronians whose leaders cherished and sharpened Rutherford’s inheritance. The charismatic young field preacher, Richard Cameron (c. 1648-80), was the author of the Sanquhar Declaration of 22 June 1680.<sup>236</sup> In the name of the remnant who were carrying on the work of Reformation, the declaration declared war on Charles Stuart as king for his tyranny in civil and ecclesiastical affairs, and disowned ‘that professed papist’ the duke of York as heir to the throne. This was the first time that the Covenanters had specifically renounced the king because of his claimed supremacy over the Kirk. Proclaiming themselves to be solely ‘under the standard of our Lord Jesus Christ, Captain of Salvation’ the Covenanters declared war on this tyrant and usurper.<sup>237</sup> One commentator has remarked somewhat controversially,

Regarded at the time as an audacious but futile gesture by a tiny minority, the Sanquhar Declaration’s main thesis was, nine years later, to reflect the mind of Great Britain as a whole, and to become the basis of the Revolution Settlement.<sup>238</sup>

Cameron was killed a month later at Ayrsmoss, and was succeeded by James Renwick (1662-88). He was co-author with Alexander Shields (1660-1700) of the *Informatory Vindication of a Poor Wasted Misrepresented Remnant of the Suffering Anti-Popish Anti-Prelatic Anti-Erastian Anti-Sectarian True Prebyterian Church of Christ in Scotland* (Utrecht, 1687). This was a statement of Cameronian principles and a repudiation of the accusation that they were schismatics.<sup>239</sup>

Shields was the author of the last and perhaps most trenchant exposition of radical Covenanter thinking, *The Hind let Loose* (Utrecht, 1687), described as the culmination, the ‘last word’ of the democratic, anti-

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<sup>236</sup> ‘The Sanquhar Declaration’, *Scottish Historical Documents*, pp. 241-42.

<sup>237</sup> Clare Jackson, *Restoration Scotland*, p. 134.

<sup>238</sup> J.D. Douglas, ‘Sanquhar Declaration’ in DSCHT, where there is no mention of the Covenanters’ advocacy of regicide, see Jackson, *Restoration Scotland*, p.71.

<sup>239</sup> J.D. Douglas, ‘Informatory Declaration’, in DSCHT.

monarchical, type of Protestant thought.<sup>240</sup> He justifies the Cameronian resistance to royal absolutism and the divine right of kings. Man he asserts is 'by nature born free as the beasts': 'no Lyon is born King of Lyons' and thus kingship is the result of human selection.<sup>241</sup> He asserts the Melvillian notion of the two kingdoms and the essential independence of the church. But he was no anarchist and he believed human society was founded on contract, between king and people, between parliament and people. Human beings had the duty and the right to withstand tyranny which cannot be divinely ordained. It follows that the passive obedience advocated by the Episcopalians is 'in-telligible Non-sense, & a meer contradiction in terms'.<sup>242</sup>

How did Shields react to the circumstances of the new revolutionary situation? He did not enter politics directly but seemingly understanding that in the new era the time of struggle was over, in the autumn of 1690 he together with two other leading Cameronian ministers applied for admission to the new General Assembly. Their somewhat grudging acceptance by the Assembly might have marked the end of the Protester schism in the Scottish church.<sup>243</sup> However many of the Society people felt betrayed by their leaders, deceived by William, and hung on to their covenanting dreams.<sup>244</sup>

More significantly, how did James Stewart react to the new revolutionary situation? He found himself caught in a compromising situation. Stewart came from a covenanting family and had lived much of his life hunted as a traitor, living under assumed names, or in exile. However since the summer of 1687 he had been at the court of James VII, serving as right-hand man to the duke of Melfort, the king's chief minister. Here he was

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<sup>240</sup> Macpherson, *The Cameronian Philosopher*, p. 175.

<sup>241</sup> Quoted in, Jackson, *Restoration Scotland*, p.66.

<sup>242</sup> Quoted in, Jackson, *Restoration Scotland*, p. 71.

<sup>243</sup> Macpherson, *The Cameronian Philosopher*, pp. 108-11

<sup>244</sup> Colin Kidd, 'Conditional Britons: the Scots covenanting tradition and the eighteenth-century British state', *English Historical Review*, November 2002.

employed in the preparation of public documents.<sup>245</sup> The story of how this came about can be interpreted in different ways.

Since 1682 Stewart had been living with his family in the Netherlands and had become a dominant figure of the Scots exile community along with Patrick Hume of Polwarth, and William Carstares. During the first half of 1687 all three men were united in their condemnation of James's Indulgences. They all three agreed that Protestantism was under threat because James's hidden intention in issuing the Indulgences was to bring about the legal establishment of Catholicism, beginning in Scotland.<sup>246</sup> Unexpectedly, however, in July 1687 Stewart, having received an official pardon in May, made a public *volte-face*, broke with the exiles and returned to Britain in order to canvas support for James's second Indulgence (July 1687). He was apparently convinced that James genuinely intended to promote equality of rights for all his subjects.<sup>247</sup> He urged Presbyterians to take advantage of the freedoms offered, and in fact some twenty-one of the sixty-five exiled Scottish ministers in the Netherlands did return home at this juncture, of whom fourteen were given parishes,<sup>248</sup> four of them in the south-west.<sup>249</sup>

It was James's intention to repeal the Test act – which would have allowed Catholics as well as Presbyterians to hold office – and it seems that Stewart was recruited by James in order to persuade William of Orange and his wife Mary (who at that time, before the birth of the prince of Wales in June 1688, was still James's heir apparent) to agree to this policy. Stewart's correspondence with Carstares between July 1687 and April 1688 seems to have had as its intended audience not only the exile community, but also William and Mary and to have been yet another attempt to win them over to

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<sup>245</sup> George W.T. Omond, *The Lord Advocates of Scotland*, Edinburgh, 1883, p. 255.

<sup>246</sup> Gardner, *Scottish Exile Community*, pp. 158-59.

<sup>247</sup> Gardner, *Scottish Exile Community*, pp. 157-58.

<sup>248</sup> Gardner, *Scottish Exile Community*, p. 162.

<sup>249</sup> Gardner, *Scottish Exile Community*, p. 181.

James's new policy.<sup>250</sup> It has been noted that these letters contain significant hints of the state of affairs in England which would be useful to William.<sup>251</sup> In his attempt to change William and Mary's policy Stewart failed: William and Mary were adamant.<sup>252</sup> The publication of Pensionary Fagel's letter, an open response to Stewart, in early 1688 confirmed their position to support the abolition of the penal laws against dissenters but to maintain the Test.<sup>253</sup> The leaders of the exile community were in agreement and Stewart was left out on a limb. He did, however, win over some Presbyterians in Scotland and became the voice of those who were 'increasingly eager to distance themselves from the actions of the extremists.'<sup>254</sup>

It is possible that Stewart's change of tack may have been influenced by the fact that the covenanting views he had expressed in *Naphtali* twenty years earlier had been tacitly dropped from the mainstream and now taken root only among the extremist and uncompromising Cameronians. Perhaps he wanted to distance himself from them. Extremism was no longer popular among the exiles many of whom were ready to come home and it might be that, as suggested by Gardner, 'the nation at large no longer interpreted the covenants as integral to its nationhood.'<sup>255</sup> Perhaps that was Stewart's attitude too. But even if this is so, it is not enough to explain why Stewart should actually opt to go to work for a monarch with absolute powers and a Roman Catholic to boot!

According to Gardner's interpretation, Stewart seems genuinely to have believed that the best hope for the future of a Presbyterian Scotland lay with James's policy of extending religious toleration, even though that meant the toleration was extended to Roman Catholics as well as Presbyterians, and

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<sup>250</sup> Gardner, *Scottish Exile Community*, p. 163.

<sup>251</sup> Omond, *Lords Advocate*, p. 254.

<sup>252</sup> Gardner, *Scottish Exile Community*, pp. 163-67

<sup>253</sup> Gardner, *Scottish Exile Community*, p. 171.

<sup>254</sup> Gardener, *Scottish Exile Community*, p. 177. In the exile community in the Netherlands the Cameronians lived in Leeuwarden and Groningen away from the mainstream, p. 209.

<sup>255</sup> Gardner, *Scottish Exile Community*, p. 166.



even though the Indulgences were issued not through Parliament but on the personal command of the monarch – who might just as well rescind them at will in the future. In Stewart’s ideology this would be as it were the untangling of the ‘Melvillian’ strand in covenanter thinking from the ‘Buchananite’: the establishment of Presbyterianism without legal foundation by a non-constitutional monarch.

Gardner points out that having cast his lot with James, Stewart desperately urged against the invasion,<sup>256</sup> and thus found himself on the wrong side when William took control. He was distanced from the court and condemned by many as one of the old regime.<sup>257</sup>

A different interpretation of Stewart’s behaviour is put forward by E. Calvin Beisner in his as yet unpublished thesis, *His Majesty’s Advocate: Sir James Stewart of Goodtrees and Covenant Resistance Theory under the Restoration*.<sup>258</sup> Beisner points out that before leaving the Netherlands Stewart had sworn ‘inviolable fidelity’ to William.<sup>259</sup> Added to which Beisner makes seven points in favour of Stewart’s consistency:

- Stewart had supported Argyll’s invasion of 1685 only three years previously.
- Stewart was known to meet frequently with the influential Gaspar Fagel, the *raadpensionaris* of Holland, and ‘had a great measure of his confidence’.
- Stewart supported James’s ‘dispensing power’ for the sake of Scottish Presbyterianism ‘persecuted since the Restoration’.
- Stewart’s correspondence with William Carstares after joining James’s government should be seen as a means of communication from the court in Whitehall to the Dutch court. [In confirmation of this it has

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<sup>256</sup> Gardner, *Scottish Exile Community*, pp. 188-89. Stewart’s letters to Andrew Russell where this is expressed seem to have been overlooked by Beisner in his thesis, *His Majesty’s Advocate*.

<sup>257</sup> Gardner, *Scottish Exile Community*, p. 196.

<sup>258</sup> St Andrews, unpublished PhD, 2002.

<sup>259</sup> Beisner, *His Majesty’s Advocate*, p. 270; see also, Gardner, *Scottish Exile Community*, p. 164.

been noted that the letters contain small hints about conditions in England which would have been helpful to William<sup>260]</sup>

- Stewart supported the Revolution of 1688.
- The ‘restoration’ he is alleged to have sought in 1690 was not that of James VII but of Presbyterian dominance in Scotland.
- All these endeavours, concludes Beisner, are consistent with his being an ‘unswerving Whig and Presbyterian’, never a Jacobite.<sup>261</sup>

Besides, says Beisner, the initiative for him to return to Britain in 1687 came not from him but from the king, through the intermediary of the Quaker William Penn who acted as James’s agent and who hoped to persuade Stewart to help pacify the Presbyterians of Scotland.<sup>262</sup> Furthermore the Jacobites and Episcopalians surrounding James distrusted Stewart seeing him as ‘an inveterate enemy to the established government, both in church and state’, and now thought he was a Williamite mole in James’s government.<sup>263</sup> Such was Stewart’s reputation it was even rumoured that he was the author of the Indulgences, if not that of February, then the second one of July 1687.<sup>264</sup> Balcarres reports the story that Stewart was the instigator of the order issued by Melfort calling for James’s troops to leave Scotland and march to England.<sup>265</sup> Nonetheless Burnet reports that ‘upon coming to Court, he was caressed to a degree that amazed all who knew him’; he did all in his power to persuade his countrymen that the King was really in favour of religious freedom, and that they should petition him for a general toleration, even although it would include the Papists.<sup>266</sup>

In January 1688 Stewart had been restored to the Scottish bar by James’s government and had worked in Edinburgh. He was in London in

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<sup>260</sup> Omond, *The Lord Advocates*, p. 254.

<sup>261</sup> Beisner, *The King’s Advocate*, pp. 273-74.

<sup>262</sup> Beisner, *The King’s Advocate*, p. 274

<sup>263</sup> Beisner, *The King’s Advocate*, p. 274-75, quoting Balcarres, *Memoirs*.

<sup>264</sup> Beisner, *The King’s Advocate*, p. 280.

<sup>265</sup> Omond, *The Lord Advocates*, pp. 255-56.

<sup>266</sup> Omond, *The Lord Advocates*, p. 253.

December 1688 but seems not to have been at court. Fletcher of Saltoun advised him to stay quiet: he had chosen the wrong side and was the victim of several ‘calumnies’.<sup>267</sup> However he returned to Scotland early in the New Year. He is reported to have appeared before the elections committee of the Convention as advocate for the ‘honest side’ in disputed elections,<sup>268</sup> but he did not take his seat in Parliament until July 1689. It is not known whether he was involved in drafting the Claim of Right or the Grievances, but it is likely that he may have been *persona non grata* to the Club. However in the months following the proroguing of Parliament he must have come into his own and by all sources is regarded as the author of church settlement of 1690. Later in 1690 he is named as one of Melville’s inner clique, the ‘secret committee’ which included also Cardross, Ruthven, Polwarth, and Forbes of Culloden.<sup>269</sup> From then on his reputation grew and, according to Omond, he became one of the chief advisers to the Whig party in Scotland: ‘his influence with the Church was now completely restored; he was the ablest lawyer at the bar; and his advice on state affairs was found of the greatest importance by Government.’<sup>270</sup> In December 1692 he was appointed Lord Advocate, a post which he held until his death twenty years later, his strange and ambivalent past evidently forgotten, and thus by an irony of history the one-time advocate of terrorism became the government’s chief legal officer, the Lord Advocate.

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<sup>267</sup> Gardner, *Scottish Exile Community*, p. 196.

<sup>268</sup> Gardner, *Scottish Exile Community*, p. 198.

<sup>269</sup> Riley, *King William*, p. 57.

<sup>270</sup> Omond, *The Lord Advocates*, p. 256.

## CHAPTER FIVE

### A Presbyterian Victory

#### 1. Parliament, Edinburgh 1690

The new session of the Scottish Parliament opened on 15 April 1690. The opening was delayed because of fears that the English parliament could make trouble in the case of a radical church settlement in Scotland: ‘You know’, wrote William to Melville on 20 March, ‘that we must walk with great circumspection in relation to the Parliament of this Kingdome ... and therefore, as our predecessors did, upon serious considerations, order so, as that, for the most part, both Parliaments should not sit at the same time’.<sup>271</sup>

The membership of the Scottish Parliament was the same as that of the Convention Parliament of the previous year; the President was still the hothead earl of Crawford. The major change in 1690 was the replacement of the duke of Hamilton as High Commissioner by George Melville (1636-1707, created earl in April 1690). Melville was a moderate Presbyterian who had been in exile with William; since May 1689 he had been in London as William’s Secretary of State for Scotland (chosen in preference to the leader of the ‘Club’, Sir James Montgomerie of Skelmorlie, which was one of the reasons for Skelmorlie’s disaffection with William). Melville was at first generally liked and trusted even by the Episcopalians,<sup>272</sup> though as it turned out he was to oversee one of the most radical sessions of the Scottish Parliament, and as a result by the end of the year had lost the confidence of William and the court party.

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<sup>271</sup> *Leven and Melville*, pp.420-21; see also ‘Portland to Melville , 22 April 1690’, *Leven and Melville*, p. 428: ‘Vous pourrez facilement juger quil fera bon que le Parlement d’Angleterre soit separé devant que vous établissez le Gouvernement de l’Eglise en Ecosse.’ [‘You can easily judge that it would be good for the English Parliament to have dispersed before you establish church government in Scotland’]

<sup>272</sup> John R. Young, ‘Melville, George’, *DNB*

Melville had been one of Scots close to William in exile. Other moderate Presbyterians included: Sir James Dalrymple of Stair, and William Carstares his chaplain and confidant. This group together with William's childhood friend William Bentinck soon to be made earl of Portland formed the Scoto-Dutch group in London, These were men who were conscious of the new thinking abroad in Europe where Descartes, Leibnitz and Newton 'had opened windows for the Spirit' for 'bigotry could not abide the fresh air.' They planned that the model of the church should be what they had known in Holland, rather than in the Scottish tradition of the *Second Book of Discipline*.<sup>273</sup> The thinking of the group is probably reflected in the memorandum which William prepared for Melville in preparation for the legislation to settle the Presbyterian Church in Scotland. The policy should be:

- To oppose Presbyterian delusions of grandeur;
- To oppose encroachment on royal prerogatives;
- To oppose any suggestions of the kirk's 'intrinsic power';
- To oppose any mention of the essentially Presbyterian character of the Scottish reformation;
- To give Episcopalians in Scotland the same degree of tolerance as Presbyterians had in England.<sup>274</sup>

Bentinck became William's right-hand man for Scotland: all correspondence to William had to pass through his hands, and he dealt with requests for appointments.<sup>275</sup> But as he was frequently away with William on campaigns in the summer months he used to hand over Scottish affairs to William Carstares. It happened, however, that in 1690 Portland was called away more than usual: to Amsterdam on William's business for three months in the spring and he then accompanied William to Ireland until the battle of

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<sup>273</sup> Dunlop, *William Carstares*, pp. 77-78.

<sup>274</sup> Riley, *King William*, p. 39.

<sup>275</sup> David Oonekink, 'The earl of Portland and Scotland (1689-1699): a re-evaluation of Williamite policy', *Scottish Historical Review*, vol. LXXXV, 2, no. 220, October 2006, pp. 234-237.

the Boyne. During this long period Carstares was left in charge.<sup>276</sup> That Portland was out of touch with the realities of Scottish religious affairs can be seen from his rather bland letter to Melville dated 22 April (Portland always wrote in French): ‘Si l’on veut se contenter de ce que l’on voit établi dans les pais voisins où le Presbe est la Religion établie par les loix, tout sera assuré et aisé et les malvoeuillans ni saurait trouver à redire’<sup>277</sup>. [‘If they would be content with what they see established in neighbouring countries where Presb[byterianism] is the religion established by laws, everything would be settled and easy and the ill-wishers would have nothing to say’]. But the Scottish Parliament was far from ‘being content’ with the kind of Presbyterianism ‘established by law in neighbouring countries’: in the Netherlands, for instance, Presbyterianism co-existed with other denominations, including Roman Catholicism, and besides it had no political role and was overseen by the local authorities.<sup>278</sup> The Scottish Presbyterians had a different vision.

The new Parliamentary session was carefully prepared: William sent a Private Instruction to Melville on 25 February<sup>279</sup> ordering him to set up parliamentary committees,<sup>280</sup> arrange financial matters and settle the affairs concerning the Church: namely to restore Presbyterian ministers to their churches, to abolish patronages (‘if the Parliament shall desire the same’), and most importantly he gave instructed Melville: ‘You are to pass one or more Acts, as the Parliament shall agree to, for settling of Church Government, conform to the former Instruction given thereanent’.<sup>281</sup> William

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<sup>276</sup> Oonekink, ‘Earl of Portland’, p. 238. Carstares seems to have been in Edinburgh for June and July 1690, see Story, *William Carstares*, pp. 181-83.

<sup>277</sup> *Leven and Melville*, p. 428.

<sup>278</sup> Haley, *The Dutch in the Seventeenth Century*, pp. 88-89.

<sup>279</sup> *Leven and Melville*, pp. 414-15

<sup>280</sup> These, which could be either ‘a grand Committee’ or ‘lesser committees for particular business’ were to replace the Lords of the Articles. It was probably at this time that the Committee for Church Affairs was set up.

<sup>281</sup> *Leven and Melville*, p. 414. The ‘former Instruction’ has not been located.

deliberately left Melville room to manoeuvre, seeing that he himself was soon to be deeply involved elsewhere with the war in Ireland, and later in Flanders, and above all he needed the Parliament to vote him funds. Evidently unaware of the different strands of opinion in Scotland, he wanted the affairs of Scotland to be settled promptly and as he hoped to the satisfaction of the majority of the people.

In the early months of the year it was expected that William and Mary would come to Edinburgh for their coronation and to open Parliament.<sup>282</sup> The Privy Council on 8 February 1690 wrote unanimously to William urging him to come:

It is chiefly from your Majesty's presence in this kingdome that wee may expect at this juncture a happy conclusion to the settlement of the sacred and civell interests of this Nation ... Your Majesty's presence in Parliament would give that universal joy and satisfacione to all your good subjects and carry so benigne ane influence on all affairs that wee hope it may compose our animosities and lay a solid foundatione for establishing the peace and quyett of this poor Kingdome under your Majesty's obedience.<sup>283</sup>

However, by the end of February it had become obvious that this would not happen, to the great disappointment of the 'court party' in particular Sir John Dalrymple who also saw the King's presence as a panacea for the political discords in Edinburgh. The Club were busy stirring up opposition to William and paradoxically seeking support among the Episcopalians and the Jacobites; several of the magnates – Hamilton and Queensberry for instance - were wavering.<sup>284</sup> The result, according to Riley, was 'a highly improbable alliance of Queensberry and Athol with their Episcopalian followers, Hamilton in a newly aroused Presbyterian fervour, and the club leadership pressing for the establishment of high presbytery in the conviction that it

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<sup>282</sup> Morrice, *Entring Book*, vol. v, p. 388, Saturday 1 February: 'It's said that the Queene shall begin her journey into Scotland upon the 6 day of March next to prepare for her Coronation, That he will begin his journey upon the 20 of March and will go thence to Ireland.'

<sup>283</sup> *The Register of the Privy Council of Scotland*, 3<sup>rd</sup> series, vol. XIII, Edinburgh, 1967, p. 69.

<sup>284</sup> For a detailed account of the political manoeuvring at this moment, see Riley, *King William*, pp. 33-39.

would be flatly refused'.<sup>285</sup> But there were also, which Riley overlooks, true 'high Presbyterians', driven by conviction and not just by political purposes, the earl of Crawford was one and Sir James Stewart of Goodtrees was another.

It is likely that 'the eighteen select persons' who served as members of the new Committee for Church Affairs (which Riley does not mention) had very clear objectives in mind.<sup>286</sup> Lord Carmichael was among the members, as were the Stewart brothers, Sir James and Sir Thomas, and Sir Patrick Hume of Polwarth. Roger Morrice in London, who kept lines of communication open to his Presbyterian friends in Scotland, noted in his *Entring Book* under Saturday 24 May, that this committee was 'very well affected to the Presbyterian party' though he added, 'many wise men thinke they are put upon the settling of church matters on purpose to Divide them as to their Civill Interest and therefore advise them to proceed Warily and with great Moderation.' Then Morrice adds a cryptic comment, 'Nota. These proceedings are all mysterious and very hard to understand'.<sup>287</sup>

Parliament met on 15 April and in his opening speech Melville expressed William's regrets that he could not attend, the reason being that he was ensuring the safety and security of his people. He has your true interest at heart and he needs your support. Melville continued,

I am commanded by the king, my lords and gentlemen, to tell you that as he resolves to live and die in the sincere procession of the true Protestant religion (for the maintenance whereof he is again about to expose his royal person), so he is willing to concur with you for the settlement of church and state upon such solid foundations as you need not again fear a relapse into your former evils.<sup>288</sup>

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<sup>285</sup> Riley, *King William*, p. 35.

<sup>286</sup> Skinner, *Ecclesiastical History*, p. 545.

<sup>287</sup> Morrice, *Entring Book*, vol. v, p. 446.

<sup>288</sup> [Rps.ac.uk/search.php?action=print&id21436&filename=William\\_and\\_mary](http://Rps.ac.uk/search.php?action=print&id21436&filename=William_and_mary)



Melville enjoined on the members to set aside their ‘animosities, piques and quarrels’ and, as the apostle said, ‘Let your moderation be known to all men’.

In quick succession Parliament passed the Acts abolishing the royal supremacy and restoring the ministers deprived since 1661 (25 April 1690); the Act abolishing the Lords of the Articles (8 May); the Act ratifying the Confession of Faith and Settling Presbyterian Church Government (7 June); the Act for the Visitation of universities and schools (4 July) and the Act abolishing lay patronage (19 July).<sup>289</sup>

The Act<sup>290</sup> which established Presbyterianism was presented to the house on 25 May, passed by Parliament on 28 May and given royal assent on 7 June 1690. The wording of the Act was the work of Sir James Stewart of Goodtrees (1635-1713) and the Act was presented to Parliament by his brother Sir Thomas Stewart of Coltness.<sup>291</sup> The Act included the following clauses:

- To ‘settle and secure’ the true Protestant religion ‘according to the truth of God’s word’;
- To settle ‘the government of Christ’s church within this nation agreeable to the word of God’;
- To declare that [as in the Claim of Right] ‘prelacy and the superiority of any office in the church above presbyters is and has been a great and insupportable grievance and trouble to this nation and contrary to the inclination of the generality of the people ever since the Reformation, they having reformed from popery by presbytery’;
- To revive, ratify and perpetually confirm all laws made against popery and papists and all those which confirm the maintenance and preservation of the true reformed Protestant religion and the true church of Christ;

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<sup>289</sup> Tim Harris, *Revolution*, p. 407; Skinner, *Ecclesiastical History*, p. 551.

<sup>290</sup> ‘Act ratifying the Confession of Faith and Settling Presbyterian Church Government’ RPS [william\\_and\\_mary\\_ms&id=id21034](#)

<sup>291</sup> Beisner, ‘Stewart [Steuart], Sir James, of Goodtrees’, *DNB*.

- To ratify the Confession of Faith;<sup>292</sup>
- To ratify and establish Presbyterian church government as established in 1592 and thereafter ‘received by the general consent of this nation to be the only government of Christ’s church within this kingdom;
- To rescind and annul all acts of Parliament restoring bishops under James VI, and Charles II, and all acts contrary or prejudicial to Presbyterian church government;
- To declare that church government be now established by those Presbyterian ministers who were ousted since 1 January 1661 and who are now restored, and such ministers and elders as they admit;
- To appoint a General Assembly to meet on 16 October;
- To confirm that parishes from which ministers were deprived or removed for failing to pray for the new sovereigns are now declared to be vacant;
- To confirm that the general meeting of Presbyterian ministers and elders should appoint visitors to purge out ‘all insufficient, negligent, scandalous and erroneous ministers’ and that the general meeting has the power to suspend or deprive them.<sup>293</sup>

The June Act thus established Presbyterianism of a narrow kind, granting the right to benefices only to the non-conformists of 1661 and others selected by them. On the same exclusivist basis it granted membership of the General Assembly, which opened in October, only to these same ‘antedeluvians’ and their appointees. Power thus came into the hands of the extremists, or at least those extremists who were prepared to do business with the new government. The Act has been said to mark a victory for ‘Protester’ Presbyterianism,<sup>294</sup> and certainly one can detect the spirit of

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<sup>292</sup> i.e. the Westminster Confession of Faith of 1646.

<sup>293</sup> [Rps.ac.uk/search.php?action=print&id=id21034&filename=William\\_and\\_mary](http://Rps.ac.uk/search.php?action=print&id=id21034&filename=William_and_mary)

<sup>294</sup> D.C.Lachman, ‘Protesters’, in DSCHT.

Rutherford who thought in terms of the ‘remnant’ as being the true church. In some respects it recalled the notorious Act of Classes of January 1649. Though neither the National Covenant nor the Solemn League and Covenant were mentioned in the parliamentary debates, the settlement embodied many of the key notions of the ‘Protester’ ideology: that Scottish Presbyterianism should be the only national church of Scotland, that it should be ‘pure’ (i.e. purged of dissidents and intolerant of other denominations), that it was ordained by God, that Christ, not the monarch, is the supreme head of the Kirk (hence the importance of the repeal of the Act of Supremacy), and by implication that the Kirk should therefore brook no interference on the part of the civil authorities. That said, the fact remains, however, that this newly established Church was brought into being not by the Church itself, but by Parliament, a body in which the Church was not represented, and Parliament itself showed no desire to recall the Covenants. When in April the Cameronians presented a petition to the Committee on church affairs for the restitution of the Covenants it was turned down;<sup>295</sup> and the Act of 1662 condemning the Covenants was never repealed.<sup>296</sup> The ambivalent way in which the General Assembly later dealt with the three Cameronians who applied for membership will be described below.

Another factor to be borne in mind is that at this time the majority of the Episcopally ordained clergy were probably Jacobite, like their bishops. It could have been thought that a more comprehensive church settlement might have admitted a fifth column into the national church. There seems no evidence that this was in William’s mind, however: he objected to the church settlement for its exclusivity and for the power it gave to the General Assembly and its commissioners. He had been sent a draft of the Act probably in late April, he had consulted with Carstares and had wanted the

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<sup>295</sup> See Mathieson, *Politics and Religion*, vol. II, pp. 357-58; Hewison, *The Covenanters*, vol. II, p. 539.

<sup>296</sup> Mathieson, *Politics and Religion*, vol. II, p. 358.

wording of some clauses to be modified. These tolerant and historically aware points were recorded in his 'Remarks' of 2 May 1690<sup>297</sup> as follows:

- William wished to replace the words 'the only government of Christ's church within this kingdom' by the phrase 'to be the government of the Church in this kingdom established by law'.
- He wished to specify that the government of the church should be in the hands of 'such as subscribe the Confession of Faith and Catechisms, and are willing to submit to the government of the church, being sober in their lives, sound in their doctrine, and qualified with gifts for the ministry'.
- He wished it to be specified that the visitors for purging the church should be 'moderate men'.
- He wished that he should be informed and give his approval to meetings of synods and general assemblies.
- The reference to Scotland being reformed from popery by presbytery should be altered to allow for the fact that superintendents had been appointed after the Reformation.
- William desired that those who 'do not own and yield submission to the present church government [i.e.the Episcopalians], provided they could take the Oath of Allegiance, should be treated with as much indulgence as the Presbyterians are in England..

That William's wishes were not incorporated in the Act may be because of the postscript, also dated 2 May 1690, which he added to the letter to Melville which accompanied the 'Remarks', saying 'we leave you some latitude, which we wish you would use with as much caution as you can'.<sup>298</sup> It is not clear when William's instructions were received in Edinburgh: for the version in the *Leven and Melville Papers* is dated 22

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<sup>297</sup> See Story, *William Carstares*. pp. 188-191; Dunlop, *William Carstares*, pp.71-72.

<sup>298</sup> Story, *William Carstares*. p. 191.

May 1690. Were they discussed in the Committee for the Settling of the Church? On reflection it now seems curious that William did not object to the extremely narrow basis of the right to parishes and the right to sit in the forthcoming General Assembly; or to the ill-defined grounds specified for the outing of ministers, since he was determined on a policy of toleration and inclusivity. At the time of his coronation he had jibbed at the promise to 'extirpate heresy'. Was it possible that he did not in fact see the final draft of the Church Act? What is certain is that Melville capitulated to the extremists.

The question of patronage was a sore point: although in February (see above) William had offered Melville leeway to abolish the right of patronage if necessary, he believed that some social control over the placing of ministers was for the good of society as well as the church. The 1592 Act which was incorporated into the June 1690 Act specifically maintained the patronage system. But for the Covenanters who had abolished patronage in 1649 the decision was a symbolic act redrawing the boundaries of church and state to the advantage of the church.<sup>299</sup> Presumably the hard-liners in the Church Committee in 1690 thought likewise. William was generally assumed to wish to maintain patronage in the church settlement. Sir William Lockhart writing to Melville's son on 29 April reported that William 'seems to stick at the patronadges';<sup>300</sup> and according to Story, so did Carstares.<sup>301</sup> But Melville was caught between loyalty to William and the pressure put on him by the Church Committee. It is most likely that the abolition of patronage was the last straw that made William lose patience with Melville and a few months later replace him as High Commissioner. Melville, aware of William's feelings, wrote to

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<sup>299</sup> Walter Makey, *The Church of the Covenant*, Edinburgh, 1979, pp. 78-9.

<sup>300</sup> *Leven and Melville*, p. 430.

<sup>301</sup> Story, *William Carstares*, pp. 193-5.

Queen Mary apologizing for this strict Presbyterian church settlement but claimed he had no alternative.<sup>302</sup>

The passage of the Act of Settlement was not plain sailing: during the three-day debate there were heated exchanges in the chamber while the duke of Hamilton (perhaps not so pro-Presbyterian as Riley suggests) resorted to delaying tactics. The bill proposed that both the Westminster Confession and the Westminster Directory and Catechisms should be included as defining normative belief and practice for Scottish Presbyterianism. Before they were adopted the duke proposed that the full text of the thirty-three chapters of the Confession should be read aloud. This took so long that the members, eager to get the bill passed quickly, refused to listen to the text of the Directory (which regulated worship) or the Catechisms, with the result that these items were not included in the Act. The spirit of vindictiveness which was abroad among the members meant that when the question of compensation for the rabbled clergy came up, the house decided by a considerable majority to deny them any redress. Upon which the duke stood up in disgust and told the house 'that he was sorry he should ever have sat in a Scottish Parliament where such naked iniquity was to be established into a law.<sup>303</sup> And he stormed out of the chamber with several members following him.

Once he had gone the house agreed to vote the whole act in a lump. Whereupon the duke of Queensberry, together with the earls of Linlithgow and Balcarras, and many of the gentry, also left.<sup>304</sup> Those who stayed were, according to Skinner, either those who did not want it said that Presbyterianism was established without any opposition; or those

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<sup>302</sup> Wout Trost, *William III, the Statholder King: A Political Biography*, trans. J.C. Grayson, Aldershot, 2005, p. 272.

<sup>303</sup> This account of the proceedings follows Skinner, *Ecclesiastical History*, vol. II, pp. 544-50.

<sup>304</sup> Skinner, *Ecclesiastical History*, vol. II, p.550.

extreme anti-Erastians who thought Presbyterianism was not being established in its ‘proper plenitude of power and independency’.<sup>305</sup>

The reasons for the failure of William and the court party to assert their authority have been analysed in some detail by Riley, who ascribes William’s loss of authority to the in-fighting between the magnates who were jockeying for privilege under the new regime, and to the fact that the different cliques used the threat of extreme Presbyterianism as a weapon in the struggle, thereby leaving the way open to the dedicated Presbyterians to achieve their aims.<sup>306</sup> For instance, Riley argues, most of Melville’s new found influence ‘depended on his standing with the strict Presbyterians whom he durst not alienate any more than he durst offend the political “revolution men” to whom they were firmly linked.’<sup>307</sup> But it is obvious from the letters quoted above that Portland and William had little understanding of what was at stake in the establishment of Presbyterianism in Scotland; presumably Carstares had not enlightened them about Scottish extremism, or had cared not to. The overriding factor which explains why William and Portland took their eye off the Scottish scene is that, besides a real threat to William’s regime from the Highlands, William was engaged in a life and death struggle against James in Ireland and his French allies. While he won the battle of the Boyne on 1 July (a victory which the Scottish Parliament congratulated him on a week later) the Anglo-Dutch navy had suffered a crushing defeat at Beachy Head on 30 June. There were threats from three sides. As the earl of Crawford picturesquely put it:

Is it a small thing for us to weary men, but we weary God also; and, while the Syrian is before, and the Philistin behind, and they devouring Israel with open mouth, for all this God’s anger is not turned away the holy one in the midst of us, will restore health unto us, and heal us of our wounds, because we are called an outcast, whom

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<sup>305</sup> Skinner, *Ecclesiastical History*, vol. II, p. 550.

<sup>306</sup> Riley, *King William*, see esp. pp. 31-2; 36; 42; 55; 65.

<sup>307</sup> Riley, *King William*, p. 55.

no man seeketh after.<sup>308</sup>

## 2. The General Assembly

In preparation for the opening of the General Assembly in October, a ‘General Meeting’ of leading Presbyterians was held in Edinburgh shortly after the passing of the Act.<sup>309</sup> It consisted of the ‘Old Men’ who invited in ‘a great company of youthful zealots’;<sup>310</sup> these younger ministers soon claimed the leadership on the grounds that they had been ministers in the time of persecution. Mr Gabriel Cunningham was chosen Moderator. On 19 June the General Meeting issued a confirmation for a Solemn Fast to be held on 24 June south of the Tay, and on 1 July north of the Tay, or the Tuesdays following those dates.<sup>311</sup> The Meeting then got down to practical business: it had to appoint ministers, set up presbyteries, and prescribe the rules for trying Episcopal ministers.<sup>312</sup> The Meeting had to face the problem of the dire shortage of Presbyterian ministers in the country at large: for instance the thirty parishes of the Haddington and Dunbar presbyteries had only five ministers; it was the same for the presbyteries of Duns and Chirnside; Sir Colin Campbell of Auchterarder reported that for twenty miles west of Perth there were but two or three ministers, and so on.<sup>313</sup> Cockburn, who is the sole source of information about this Meeting, comments, ‘Their beloved *West* was destitute of ministers, the churches there and in Galloway were almost all shut up’.<sup>314</sup> As an urgent consequence, the Meeting had to solve the problem of how to get like-

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<sup>308</sup> ‘Crawford to Melville 28 Jan 1690’, *Leven and Melville*, p. 387.

<sup>309</sup> [Cockburn] *An Historical Relation of the pretended General Assembly held at Edinburgh from Octb. 16 to Nov. 13 In the year 1690. In a Letter from a Person in Edinburgh to his Friend in London*, London 1690. Cockburn’s account, though biased and second-hand, contains material that is lacking from the official account.

<sup>310</sup> Mathieson, *Politics and Religion*, vol. II, p. 362.

<sup>311</sup> *Edinburgh June 19 1690. The General-Meeting*. [single sheet].

<sup>312</sup> [Cockburn] *Historical Relation*, p. 5.

<sup>313</sup> [Cockburn] *Historical Relation*, p. 6.

<sup>314</sup> [Cockburn] *Historical Relation*, p. 8.



minded representatives to the General Assembly when there was such a shortage of ministers in the country. It was agreed that

- Presbyteries of eight ministers should send four ministers and three ruling elders;
- Presbyteries of five to seven ministers should send three ministers and two ruling elders
- Presbyteries of four ministers should send two ministers and one ruling elder;
- Presbyteries of one minister, he should come with one ruling elder.<sup>315</sup>

The Meeting had a brush with the civil authorities over the question of granting a license for the republication of the *Treatise of Ruling Elders and Deacons*. The Meeting issued the license whereupon the Privy Council declared this to be an encroachment on civic powers and ordered the publication to be destroyed.<sup>316</sup>

The delegates dispersed, but, according to Cockburn, not so much in order to recruit the desperately needed ministers as to continue the work of purging the Episcopalians. ‘The Presbyteries, comments Cockburn, ‘were a perfect Inquisition, who sent out Spies to inform them not only of publick sermons and open Practices of the Episcopal Clergy, but also what they spoke and did in private.’<sup>317</sup>

The General Assembly opened on 16 October 1690, the first for thirty-seven years. Lord Carmichael was appointed William’s Commissioner to the Assembly. Carmichael was ‘a good choice’ according to Sir James

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<sup>315</sup> [Cockburn], *Historical Relation*, p. 6.

<sup>316</sup> [Cockburn], *Historical Relation*, p.7.

<sup>317</sup> [Cockburn] *Historical Relation*, p. 9.

Dalrymple and ‘an honest and moderate person’ according to Crawford,<sup>318</sup> who it seems had hoped for the post himself.<sup>319</sup> The Moderator elected was, however, a ‘notorious Protester’, Hugh Kennedy.<sup>320</sup> John Spalding was appointed Clerk to the Assembly without election, there being too many nominations, one being ‘the famous James Stewart’.<sup>321</sup> According to Riley the membership was made up of 60 ‘ante-deluvians’, 56 other ministers they had hand-picked, and 47 elders.<sup>322</sup> According to other sources there were 180 members.<sup>323</sup> No one sat for the universities, except Gilbert Rule. It is usually claimed there were no representatives from north of the Tay,<sup>324</sup> but recent research has identified 8 clergy and 6 ruling elders.<sup>325</sup> (Cf. Butterworth’s figures of 1 representative from the Synod of Aberdeen, 2 from the Synod of Ross and Sutherland, 7 from the Synod of Moray (of whom 5 were from the Presbytery of Forres), 2 from Caithness.<sup>326</sup>) Its unrepresentative membership was commented on at the time: one Episcopalian minister describing it as ‘the National Rendezvous of the Presbyterian Clergie and supposts’ which lacked ‘universall delegation from a nationall Church’.<sup>327</sup>

The next day the Assembly heard the Address to the Assembly from William who was by now back in London:

Reverend, Trusty and Well-beloved,  
Our Concern for the Good of Our Ancient Kingdom, hath been such,  
That We have left nothing undone that might contribute to the making

<sup>318</sup> *Leven and Melville*, pp. 545, 546.

<sup>319</sup> Skinner, *Ecclesiastical History*, p.562.

<sup>320</sup> Described by Mathiesen in *Politics and Religion*, p. 363 as ‘a Protester of the most noxious sort’. Kennedy, known as ‘Bitter Beard’ was a leading Remonstrator [Protester] and had been with the Scottish army at Newcastle when they delivered up Charles I for a large sum of money ([Cockburn], *Historical Relation*, p. 21) This story is disputed by John Warrick in *The Moderators of the Church of Scotland*, pp. 26-28 who claims there was another Hugh Kennedy, burgess and bailie of Ayr, involved.

<sup>321</sup> [Cockburn] *Historical Relation*, p. 22.

<sup>322</sup> Riley, *King William*, p. 56. These figures are confirmed in Warrick, *The Moderators of the Church of Scotland*, p. 40.

<sup>323</sup> Grub, *Ecclesiastical History*, vol. III, p. 323

<sup>324</sup> Grub, *Ecclesiastical History*, vol. III, p. 323.

<sup>325</sup> Clarke, *Scottish Episcopalians*, pp. 60-61.

<sup>326</sup> Butterworth, *Episcopalians in Scotland*, p. 8.

<sup>327</sup> Clarke, *Scottish Episcopalians*, p. 61.

of it happy: And therefore having been informed, that Differences as to the Government of the Church, have caused greatest Confusions in that Nation; We did willingly concur with our Parliament, in Enacting such a Frame of it, as was judged to be most agreeable to the Inclinations of Our good Subjects: To which as We have had a particular Regard, in countenancing this Assembly, with Our Authority, and a Representative of Our Royal Person; So We expect, that your Management shall be such, as We shall have no reason to repent of what We have done. A calm and peaceable Procedure, will be no less pleasing to Us, than it becometh you. We never could be of the Mind, that Violence was suited to the advancing of true Religion: Nor do We intend, that Our Authority shall ever to be a Tool, to the irregular Passions of any Party. Moderation is what Religion enjoins, Neighbouring Churches expect from you, and We recommend to you. And We assure you of Our constant Favour and Protection in your following of these Methods, which shall be for the real Advantage of True Piety, and the Peace of Our Kingdom. Given under Our Royal Hand, at Our Court in Kensington, the 10<sup>th</sup> Day of October, 1690.

By His Majesty's Command,  
Melvill.<sup>328</sup>

The answer to William's address came quickly on the next day, 18 October. It told him all he wanted to hear. After fulsome expressions of gratitude and acknowledgement of William's authority over the Assembly, the letter approached the question of behaviour:

And now, great Sir, after so many and so great Mercies and Favours, received from God and Your Majesty, we hope we may with Confidence assure You, that our Management shall be such as Your Majesty hath so just reason to expect, and shall never give You cause to repent of what You have done for us. The God of Love, the Prince of Peace, with all the Providences that have gone over us, and Circumstances that we are under, as well as Your Majesty's most obliging Pleasure, require of us a calm and peaceable Procedure. And if after the Violence for Conscience sake, that we have suffered, and so much detested, and these grievous Abuses of Authority in the late Reigns, whereby through some Men's irregular Passions, we have so sadly smarted; We ourselves should lapse unto the same Errors, we should certainly prove the most Unjust towards God, Foolish towards our Selves, and Ungrate

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<sup>328</sup> *Principal Acts of the General Assembly of the Church of Scotland convened at Edinburgh, the 16<sup>th</sup> Day of October 1690, collected and extracted from the Records of the said Assembly by the Clerk thereof, Edinburgh, 1690, London, 1691, pp. 8-9.*

towards Your Majesty, of all Men on Earth. Great Revolutions of this nature, must be attended with Occasions of Complaint: And even the worst of Men are ready to cry out of Wrong, for their justest Deserving; But as Your Majesty knows these things too well to give up the least Apprehension of any impressions evil Report can make, so we assure Your Majesty as to the Presence of God, and in expectation of his dreadful Appearance, that we shall study that Moderation which Your Majesty recommends, as being convinced that it is the Duty that Religion enjoins, and Neighbouring Churches do most justly expect from us; Desiring in all things to approve our selves unto God as the true Disciples of Jesus Christ, who though most zealous against all Corruptions in his Church, was most Gentle towards the Persons of Men: And to maintain as much as in us lies, Peace and Concord with all the Reformed Churches: As likewise to comply in all obsequious Duty, with all that Your Majesty enjoins.<sup>329</sup>

The letter concluded with congratulations to William on success in his latest ‘dangerous Expedition’ and was signed by Hugh Kennedy.<sup>330</sup> The missive expressed everything that William would want to hear: an assurance of calm and peaceable behaviour, a promise to ‘study’ moderation, to live in peace with all the Reformed Churches, and not to scandalise the Church of England [‘neighbouring churches’].

But ‘studying’ was one thing and the practical implementation of a policy by moderate means was another. As Riley has commented, the Assembly adopted the policy of confining its proceedings to prayer, expressions of good intent and largely formal and uncontroversial business, while the Commissions which it set up ‘were specifically intended to carry through extreme policies, after the Assembly adjourned, more unobtrusively than would otherwise have been possible.’<sup>331</sup>

According to Cockburn, though there is no other evidence for this story, the Assembly was far from being unanimous in their apparent capitulation to William: an Act was proposed which would have amended the June Act of Parliament by expressly stating that the church was

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<sup>329</sup> *Principal Acts*, pp. 10-11

<sup>330</sup> *Principal Acts*, p. 11.

<sup>331</sup> Riley, *King William*, p. 63.

established both by Divine Right and by law. This amendment was an expression of the lingering ‘divine-right’, anti-Erastian Presbyterians who had not yet come to terms with the concept of a church established by law of the land. A copy of this Act was, supposedly, sent by the Commissioner to William; but he evidently did not approve and nothing more was heard of it.<sup>332</sup> There were also tensions between those who believed in a purged and ‘purified’ church and who therefore showed greater animosity towards the episcopalians, and those who, understanding the wider picture, were conscious of the need to present a picture of moderation to neighbours over the border: in effect what happened was that the Assembly preserved a façade of moderation and reasonableness, while the commissions deployed to eradicate the undesirables were immoderate and ruthless.<sup>333</sup>

A serious test for the Assembly came when three leading Cameronian ministers applied to be received back into the church. These were Thomas Lining, who had been appointed their leader after the execution of James Renwick in 1688,<sup>334</sup> William Boyd, and Alexander Shields, close colleague of Renwick’s and author among other titles of the inflammatory *A Hind let Loose* (1687). As recently as March 1689 these three had renewed the Covenants in front of a large crowd.<sup>335</sup> How was the Assembly to treat these radical outsiders who seemingly now believed the newly established church could be regarded as the ‘true church’? Would it blemish the new ‘moderate’ position of the Assembly if they welcomed them too eagerly? If they rejected them, on the other hand, were they rejecting the most persecuted of their brethren, those who came of the stuff of martyrs? Another factor was that many of the delegates themselves did not have clear consciences: they may have been ousted at the Restoration, but very many of them had accepted the Indulgences offered first by Charles II and

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<sup>332</sup> [Cockburn], *Historical Relation*, p. 24.

<sup>333</sup> Riley, *King William*, p. 63.

<sup>334</sup> Hewison, *Covenanters*, vol. II, p. 511.

<sup>335</sup> Macpherson, *Alexander Shields*, p. 83.

most recently by James, actions that were anathema to the Cameronians. The Hill men could prick many consciences. There was ‘a spirit of caution and prudence pervading the Assembly which marked it off from its predecessors’, comments Macpherson,

Its members had for the most part endured great hardships and made great sacrifices, but none of them had ‘endured to the end’. Some had accepted one or other of the various Indulgences; others had availed themselves of the Toleration. And so they were in no mood to rake up the ashes of the fires of controversy. For all of them had been guilty in more or less degree of what the Cameronians called defection.<sup>336</sup>

Previously, in August 1689 [sic], Shields, Boyd and Lining, had held a meeting about possible union with some ministers named as ‘Mr Rule, Mr Kennedy, Mr Law, Mr Leggat, Mr Forbes, etc.’, these ministers being described as appointed by the ‘commission for the Assembly’.<sup>337</sup> The three Society men jibbed at uniting with any minister who had accepted the Indulgence until they should have repented, and so the meeting was inconclusive. Besides, there were voices among the Society men, such as Sir Robert Hamilton, who were becoming even more opposed to any reconciliation or even to treating with the new government.<sup>338</sup> But as the date for the General Assembly approached Shields was appointed to prepare a paper and had an unofficial conference with ‘several ministers, Mr Wodrow, Legatt, Kerr, Forbes, etc.’ in Glasgow on 9 October.<sup>339</sup> The mood of the Assembly, comments Macpherson, was not to rake up the ashes,

They felt the need for a peaceable and orderly meeting, and they ... were inclined to go warily to make the best of an indifferent settlement, to avoid acute controversy, to let bygones be bygones, looking to the future rather than the past.<sup>340</sup>

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<sup>336</sup> Macpherson, *Alexander Shields*, p. 104.

<sup>337</sup> Macpherson, *Alexander Shields*, p. 94. The date seems improbable since in August 1689 Presbyterianism had not yet been established: perhaps a misprint for 1690?

<sup>338</sup> Macpherson, *Alexander Shields*, pp. 101-02.

<sup>339</sup> Macpherson, *Alexander Shields*, p. 103.

<sup>340</sup> Macpherson, *Alexander Shields*, pp. 104-05.

Negotiations with the General Assembly began in a sub-committee led first by Gabriel Semple, then Gilbert Rule. The sticking point seems to have been the accusations made by the Cameronians against the rest of the delegates for their defections and lapses. But the Assembly did not want to lose face and refused to hear Shields's 'long paper' where these sins were spelled out. However a shorter paper was accepted on the basis of which the Assembly unanimously agreed to welcome them in. Lining, Shields and Boyd pledged themselves, 'to live in Union, Communion and intire Subjection, and due Obedience to the Lord, to the Authority of this Church, in her respective Judicatories.'<sup>341</sup> However Shields was not allowed to speak to the Assembly, and the Moderator, suspicious of how they might behave, charged them to avoid Schism and Defection and to 'walk orderly in time coming'.<sup>342</sup> As it turned they all did just that: Lining becoming minister at Lesmahagow, Boyd at Dalry in Galloway, while Shields went abroad first as chaplain to Lord Angus's regiment, and later as chaplain to the Darien expedition.<sup>343</sup>

The Assembly then got down to particular church business: it decreed that marriages without public proclamation, private baptisms and private communions were forbidden.<sup>344</sup> It was reported by Cockburn that Gilbert Rule argued that private baptisms promoted superstition and were contrary to Scripture; on which point he was challenged by his colleague, James Kirkton, but unsuccessfully.<sup>345</sup> Presbyteries were instructed to identify all Papists in their area and if necessary report them.<sup>346</sup> Another Act passed by the Assembly required that 'all probationers licensed to

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<sup>341</sup> *Principal Acts*, pp. 14-15.

<sup>342</sup> Macpherson, *Alexander Shields*; Jinkins, 'Sheilds, Alexander' *DNB*; Grub, *Ecclesiastical History*, vol. III, p. 324. *Principal Acts*, pp. 12-15.

<sup>343</sup> Macpherson, *Alexander Shields*, pp. 118, 120-21.

<sup>344</sup> *Principal Acts*, p. 16.

<sup>345</sup> [Cockburn] *Historical Relation*, p. 51.

<sup>346</sup> *Principal Acts*, p. 16.

preach, Intrants into the ministry, and all other ministers and elders received into Communion with them in Church Government' should take and subscribe the Confession of Faith.<sup>347</sup>

Finally and most importantly the Assembly set up Committees which would have plenipotentiary powers to act in all things relating to the Church, once the Assembly was dissolved: the members consisted of a majority of the strictest and most rigid Presbyterians.<sup>348</sup> The text of the 'Instructions to the Committee or Commission of the Kirk' shows the main intent was directed against the Episcopalians, and in order to set a snare with which to trap them the Assembly appointed a Fast to be held in January under terms that no Episcopalian could agree to,<sup>349</sup> among the national sins being 'the introduction of Prelacy and the consequent decay of piety'.<sup>350</sup> Finally the Assembly wished to appoint someone to answer the accounts of persecution put out by the Episcopalians, (presumably those by Sage, Morer and Monro discussed above in Chapter Three, or the *Memorial* discussed in Chapter One): George Meldrum refused, though he offered to preach a justification of the barbarities of the Rabble; Alexander Pitcairn allegedly refused saying that he knew 'the information sent to him confirmed the truth of them', finally Gilbert Rule agreed to take on this task.<sup>351</sup> Mr Rule and Mr David Blair were chosen as commissioners to report to the King. The Commissioner dissolved the Assembly on 13 November, appointing another session for November 1691.<sup>352</sup>

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<sup>347</sup> [Cockburn], *Historical Relation*, p. 52; *Principal Acts*, pp. 15-16.

<sup>348</sup> [Cockburn], *Historical Relation*, p. 53. See pp. 53-54 for the list of names.

<sup>349</sup> [Cockburn], *Historical Relation*, pp. 55-60.

<sup>350</sup> Grub, *Ecclesiastical History*, vol. III, pp. 324-25.

<sup>351</sup> [Cockburn], *Historical Relation*, p. 61. Pitcairn's remark is to be found in Cockburn's subsequent pamphlet, *A Continuation of the Historical Relation of the late General Assembly in Scotland*, London, 1691.

<sup>352</sup> [Cockburn], *Historical Relation*, p. 63.



## CHAPTER SIX

### Purging the Universities and the Parishes

In a sermon before Parliament, Mr James Fraser, minister of Brae, declared, 'Better the temple of the Lord lie sometime unbuilt and unrepaired, than be repaired by Gibeonites and Samaritans'.<sup>353</sup> Who then were the 'Gibeonites' and the 'Samaritans' in the eyes of the extremists? The simple answer would be the Episcopalians and the Jacobites, but the issue turns out to be more complex. If episcopacy was 'the great and insupportable grievance and trouble to the nation' as the Claim of Right stated, then one might expect that the bishops themselves would have been a prominent target. But the hothead days of earlier times were over: it was after all only ten years since the assassination of archbishop James Sharp, justified by the extremists on political grounds. Now times were different: none of the bishops was threatened with assassination, or trial, and none was rabbled or molested; several of them retired to Edinburgh where they lived out their lives without interruption. The worst that happened to the bishops was that they were simply removed from office, lost their revenues, and their title disappeared from the Scottish constitution. One reason for this lack of molestation could be that none of them seems to have attempted to help their ousted clergy, either in their defence, or by challenging the purging bodies, though records are missing for this period.<sup>354</sup> The bishops apparently took the principle of passive resistance to an extreme. In the words of one historian,

In the early years of its disestablished life the Church had no capable

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<sup>353</sup> Skinner, *Ecclesiastical History*, vol .II, London, 1788, p. 559. The date of the sermon is not given.

<sup>354</sup> Clarke, *Scottish Episcopalians*, pp. 143-144.

leader. Indeed its policy seems to have been one of aimless drift, remarkable only for an ardent devotion to the fallen line of Stuarts .. The bishops continued their ministrations ‘with mournful privacy.’<sup>355</sup>

Some nineteenth-century Episcopalian historians, reflecting on the Revolution Settlement, have written of William’s generosity towards the Episcopalians and have put the blame for disestablishment on bishop Rose and his fellow bishops: William Stephen, for instance, wrote, ‘Episcopalians have to remember that it was not William; but the Scottish bishops and the Jacobite laity who disestablished Episcopacy.’<sup>356</sup> And bishop Frederick Deane was even more forthright: it was the fault of bishop Rose to have ‘linked the fortunes of the Church to a dying dynasty, and brought it down to ruin for the sake of a king who had fled his country and lost three kingdoms for a Mass.’<sup>357</sup> But during the 1690s the perspective was very different: for one thing there was no assurance that William’s reign would be long-lived. There were Jacobite plots and rumours of plots within the British Isles and on the Continent throughout the reigns of William and Mary and of Anne.<sup>358</sup> But what cemented the Jacobitism of the Scottish bishops and most of their clergy was, besides their adherence to their oath of allegiance, their belief in the divinely ordered indefeasible hereditary right of the monarch and the right of male primogeniture, so that James VII, his son – the ‘Old Pretender’, and his grandson – the ‘Young Pretender’ had sole claim to be head of their Church.<sup>359</sup>

Signs of new life began however to appear when bishop Rose became the centre of a widespread charitable organization to help the ousted clergy.

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<sup>355</sup> Goldie, *A Short History of the Episcopal Church in Scotland*, p. 30

<sup>356</sup> W. Stephen, *History of the Scottish Episcopal Church*, Edinburgh, 1896, quoted in Ian Meredith, *Irish Protestant Migrants in the Scottish Episcopal Diocese of Glasgow and Galloway, 1817-1929*, unpublished PhD thesis, Durham, 2007, p. 53.

<sup>357</sup> Quoted in Meredith, *Irish Protestant Migrants*, p. 53.

<sup>358</sup> See Szechi, *The Jacobites*, pp. xii-xvii and passim

<sup>359</sup> See Bruce Lenman, ‘The Scottish Episcopal Clergy and the Ideology of Jacobitism’, in, *Ideology and Conspiracy: Aspects of Jacobitism 1689-1759*, ed. Eveline Cruikshanks, Edinburgh, 1982.

Collections in England began as early as July 1690 and increased greatly in Queen Anne's reign. The collection of money for Scotland was a means of keeping the plight of the Scottish Episcopalian church in the public eye.<sup>360</sup> Well into the reign of Queen Anne, after the deaths of most of the Restoration bishops, bishops Rose, Paterson and Douglas made the momentous decision to continue the line by consecrating John Fullerton and John Sage. It is from those small beginnings that the Scottish Episcopal Church was kept alive: yet by being rigidly non-juring these remnant bishops had no jurisdiction over the burgeoning 'qualified' Episcopalian communities which began to flourish in Scotland during the reign of Queen Anne. In the years to come, however, as the Jacobite movement coalesced and strengthened, the disestablished Scottish episcopacy took on a new definition as the faith of the anti-Hanoverians.<sup>361</sup> And more importantly for their self-definition, largely through the writings of bishop John Sage (1652-1711), the bishops came to understand episcopacy in theological and ecclesiastical terms as the ancient order of the Church universal, and themselves as heirs to Scotland's thousand year old religious tradition. But there was little evidence of such thinking in 1688-89.

The fourteen bishops in office in 1688 in the dioceses re-established by Charles II at the Restoration, were deprived of their temporalities in the spring and summer of 1689.<sup>362</sup> They were:

- Andrew Bruce of Orkney (c. 1630-1699), formerly bishop of Dunkeld, deprived June 1686 for opposition to James VII's policy of toleration for Roman Catholics, restored as bishop of

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<sup>360</sup> Clarke, *Scottish Episcopalians*, Chapter Three, passim.

<sup>361</sup> See Lenman, 'The Scottish Episcopal Clergy and the Ideology of Jacobitism'.

<sup>362</sup> All information in this section, unless otherwise indicated, is from David M. Bertie, *Scottish Episcopal Clergy*, Edinburgh, 2000, and Lawson, *History of the Scottish Episcopal church*, Appendix V.

Orkney June 1688. Deprived 11 April 1689.<sup>363</sup> Retired to Kilrenny.

- Robert Douglas of Dunblane (1624-1716), deprived 11 April 1689 (see note 363 below). Retired to Dudhope Castle, the home of viscount Dundee, where he lived on a substantial pension.
- James Drummond of Brechin (1629-1695), deprived April 1689 (see note 363 below). Retired to Slains Castle, Cruden at invitation of John, earl of Erroll. Scholar and local benefactor.
- John Gordon of Galloway (1644-1726), consecrated September 1688, having previously served in America as chaplain to the Navy. Not in evidence during the time of the rabblings. Followed King James to Ireland and thence to France. He was converted to the Roman Catholic Church by bishop Bossuet in France and received the tonsure in Rome in 1704. He died in Rome, the last of the pre-Revolution Scottish bishops.<sup>364</sup>
- Archibald Graham (McIlvernock) (1644-1702) of the Isles, deprived April 1689 (see note 363 below). Died in Edinburgh in June 1702, shortly after Anne's accession. Bequeathed his library to Rothesay.
- George Haliburton of Aberdeen (1635?-1715), deprived 22 July 1689. Retired to Newtyle in Forfarshire, where he assisted the Episcopal minister, later to Denhead near Coupar in Angus. Continued to ordain clergy, without necessarily demanding a Jacobite oath, and to exercise authority over his diocese<sup>365</sup>. He died in 1715 having attended the raising of James Stuart's

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<sup>363</sup> Both Bertie, *Scottish Episcopal Clergy*, and *Fasti Ecclesiae Scoticanæ*, give 11 April 1689 as the date of the deprivation of certain of the bishops. In fact 11 April was the date when the Claim of Right (which included the clause on the abolition of bishops) was passed by the Convention: the Act of Abolition was not passed by Parliament until 22 July 1689

<sup>364</sup> Thompson Cooper, 'Gordon, John', *DNB*.

<sup>365</sup> Tristram Clarke, 'Nurseries of Sedition?', in *After Columba – After Calvin*, ed. James Porter, Aberdeen, 1999, p. 66

standard at Fetteresso in September, though already in his dotage.<sup>366</sup>

- John Hamilton of Dunkeld (c. 1636-1690), replaced bishop Bruce against the opposition of the Chapter. No record of deprivation. Died before December 1690.
- William Hay of Moray (1647-1707), deprived 22 July 1689, having preached in St Giles on 31 March 1689. One-time Master of the Music School, Old Aberdeen. Retired to Inverness where he continued to ordain clergy for all the north.<sup>367</sup>
- John Paterson of archbishop of Glasgow (1632-1708), deprived 11 April 1689 (see note 363 above). In January 1689 made a plea to Prince William for protection of his clergy being rabbled in the south-west. On 4 April made a speech at the Convention in support of James. Imprisoned briefly for his Jacobite leanings in 1691, then in exile in Netherlands and England. Returned to Scotland in 1697. Made a personal appeal to Queen Anne on her accession on behalf of the Episcopalian clergy. At the same time, against the policy of Alexander Rose, he urged the dispossessed clergy to accept Anne as sovereign. He died in Edinburgh, a wealthy man.<sup>368</sup>
- James Ramsay of Ross (c. 1624-1696), deprived 19 July 1689. . Had incurred royal wrath in 1674 by quarrelling with archbishop James Sharp over proposed plan to call a National Synod. Opposed the Indulgences but signed letter of support to James in November 1688. Deprived 19 July 1689. Died Edinburgh in great poverty.<sup>369</sup>

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<sup>366</sup> Tristram Clarke, 'Haliburton, George', *DNB*.

<sup>367</sup> Craven, *History of the Episcopal church in the Diocese of Moray*, London, 1889, p.77.

<sup>368</sup> Tristram Clarke, 'Paterson, John', *DNB*.

<sup>369</sup> Tristram Clarke, 'Ramsay, James', *DNB*.

- Alexander Rose of Edinburgh (1646-1720), deprived 22 July 1689. Lived on in Edinburgh until his death. In early 1689 journeyed to London to seek advice from the archbishop of Canterbury. He recorded his unsuccessful meeting with the English bishops and with William in a letter, which has been much quoted, to his friend bishop Archibald Campbell in 1714. He gathered his followers to a meeting house in Carrubber's Close known as Old St Paul's. Was in communication with the court of James VII. Disagreed with John Paterson about acknowledging Queen Anne. Was de facto head of the Episcopalian church. Very active in raising and distributing funds for the dispossessed clergy. Died at home in the Canongate.<sup>370</sup> The Roses, uncle and nephew, were part of a large family of ecclesiastical Roses who produced no less than one archbishop, five bishops and many priests in the seventeenth and eighteenth centuries.<sup>371</sup>
- Arthur Rose [or Ross] archbishop of St Andrews (1634-1704), uncle of Alexander Rose of Edinburgh, deprived July 1689. Lived on in Edinburgh until his death.<sup>372</sup>
- Andrew Wood of Caithness (1619-1695), deprived 19 July 1689. Died at Dunbar where he had been incumbent.

Though some found protection with noble families, most lived as internal exiles detached from the events unfolding around them and waiting faithfully for the restoration of the Stuart dynasty. Several bishops continued to ordain clergy: though few records of the period up to 1730 have survived, some like William Hay of Moray and George Haliburton, are known to have conducted

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<sup>370</sup> Tristram Clarke, 'Rose [Ross], Alexander', *DNB*.

<sup>371</sup> D.M.R. 'A family of bishops: the Roses of Inch', *Aberdeen Press & Journal*, 5 July 1925. I am grateful to Stuart Donald, Keeper of the Aberdeen Diocesan Library and Honorary Archivist for this reference.

<sup>372</sup> Tristram Clarke, 'Ross [Rose]. Arthur', *DNB*.

ordinations. In 1720 there were seventy clergy who had been ordained since 1689.<sup>373</sup>

While the bishops were left in peace, the staff of the Scottish universities and the parish clergy fell victim to the purging bodies. Among the former were those professors and teachers of the universities who would not swear loyalty to William and Mary and who would not subscribe to the Westminster Confession, and among the latter, in addition to the nonjurors and nonsubscribers, were those clergy who, even though they did swear loyalty to the new sovereigns, and even though they did subscribe to the Westminster Confession, had the misfortune to have been episcopally ordained. The former were examined according to the special Act for the visitation of universities, colleges and schools of 4 July 1690, while the clergy were dealt with by commissions set up by the General Assembly.

### **1. The Universities**

The Act of 4 July specified that the teaching staff of the colleges and universities, which in those years were primarily seminaries, besides being ‘of pious, loyal and peaceable conversation’ and ‘of good and sufficient literature and abilities for their respective employment’, should also submit to the government of the church now established by law, should subscribe to the Westminster Confession of Faith and swear the oath of allegiance to their majesties. A number of peers, gentry and ministers were named as visitors with full powers to inspect, purge out and remove any persons not fulfilling these criteria, or any who were found to be ‘erroneous, scandalous, negligent, insufficient, or disaffected.’ These powers could be delegated to committees appointed by the visitors. On 23 July these Commissioners duly gathered and formed themselves into four committees: one each for Glasgow, Edinburgh, St Andrews and Aberdeen. The names of the commissioners for the universities, as those of the commissioners to purge the parishes, give a good

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<sup>373</sup> Clarke, *The Scottish Episcopalians*, p. 146

indication of those in Scottish society who were promoters of the hard-line Presbyterian policy and who in fact were the agents of the cultural and ecclesiastical revolution of this period:<sup>374</sup>

#### The Commissioners for the University of St Andrews

- The earl of Crawford (1644-1698, William Lindsay, 18<sup>th</sup> earl), president of the Parliament, radical Presbyterian, holding extreme anti-episcopalian views. Privy Councillor.<sup>375</sup>
- The earl of Cassillis (c. 1646-1701, John Kennedy, 7<sup>th</sup> earl). Dedicated Presbyterian, gave support to conventicles. In 1678 suffered the 'highland host' being quartered on him. In 1674 sold his Wigtownshire estates to the Stairs. Privy Councillor.<sup>376</sup>
- The earl of Kintore (d. 1715, John Keith, first earl). Created earl by Charles II in 1677 in gratitude for his saving the Scottish regalia during Cromwell's invasion. Became prominent under William, active in Parliament. Privy Councillor.<sup>377</sup>

Other members of this commission were: the earl of Morton, the Master of Burleigh, Sir Thomas Burnett of Leys, Sir Francis Montgomery of Giffen, Mr James Melville of Hallhill, Mr Robert Learmont of Balcomie, Peter Hay of Naughton, Adam Drummond of Meggins, Mr Henry Rymer, Mr William Tillidaff, Mr David Blair, Mr James MacGill, Mr James Rymer.

#### The Commissioners for the University of Glasgow:

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<sup>374</sup> [Alexander Monro] *Presbyterian Inquisition as it was lately Practised against the Professors of the Colledge of Edinburgh, August and September 1690, in which the Spirit of Presbytery and their present Method of Procedure, is plainly discovered, matter of Fact by undeniable instances cleared, and Libels against particular Persons discussed*, London, 1691, see pp. 22-23 for list of names. Spelling has been modernized from the list given in *Act for the Visitation of universities, colleges and schools*, 4 July 1690. Monro's list is identical with that in the Act.

<sup>375</sup> T.F. Henderson (rev. Patrick, Derek John) 'Lindsay, William, 18<sup>th</sup> earl of Crawford', *DNB*; Riley, *King William*, pp. 35-6.

<sup>376</sup> Groome, F.H. (rev. Adams, Sharon), 'Kennedy, John, 7<sup>th</sup> earl of Cassillis), *DNB*.

<sup>377</sup> Young, John R. 'Keith, John, 1<sup>st</sup> earl of Kintore', *DNB*.



- The duke of Hamilton (1634-1694, William Hamilton, formerly Douglas, 3<sup>rd</sup> duke). Brought up a Catholic but converted in order to marry duchess Anne Hamilton. Convinced monarchist, supporter of William, attempted to check the extremists. High Commissioner to Scotland for 1689. Privy Councillor.
- The earl of Argyll (d. 1703, Archibald Campbell, 1<sup>st</sup> duke), son and grandson of executed opponents of the Stuart regime, was ‘the darling of the Presbyterians’ but probably more interested in regaining the Argyll estates than in church politics. Was one of the three who went to London to offer the crown to William and Mary in May 1689.<sup>378</sup>
- Lord Carmichael (1638-1710, John Carmichael, 1<sup>st</sup> earl Hyndford). Convinced Williamite and Presbyterian, but not extremist.<sup>379</sup>
- Viscount Stair (1619-1695, James Dalrymple, 1<sup>st</sup> viscount Stair). Author of the *Institutions of the Law of Scotland*. Had served the Stuart regime but refused the Test. In the Netherlands became involved with the exile community and was on William’s ship for the invasion in November 1688. Became one of William’s principal Scottish advisers. Convinced Presbyterian.<sup>380</sup>

Other members of the Commission included Sir George Campbell of Cessnock, Sir Robert Sinclair of Stevenson, Sir John Maxwell of Pollock, William Cunningham of Craigend, John Anderson of Dowhill, Sir James Smollett, Alexander Spittall of Leuchat, Mr Gabriel Cunningham, Mr George Meldrum (1634-1709, Minister of Tron church, Edinburgh from 1692, Moderator of General Assembly, 1698)<sup>381</sup>, Mr William Violand, Mr George Campbell, Master John Oliphant.

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<sup>378</sup> John S. Shaw, ‘Campbell, Archibald, first duke of Argyll’, *DNB*.

<sup>379</sup> Derek John Patrick, ‘Carmichael, John, 1<sup>st</sup> earl of Hyndford).

<sup>380</sup> J.D. Ford, ‘Dalrymple, James, 1<sup>st</sup> viscount Stair’, *DNB*.

<sup>381</sup> Warrick, *Moderators*, pp. 100, 102-3.

The Commissioners for the University of Aberdeen:

- The earl Marischal (member of a prominent Aberdeen family, most of whom became Jacobite).
- Lord Cardross (1650-1693, Henry Erskine, 3<sup>rd</sup> lord Cardross). Convinced Presbyterian. In 1670s cited before Privy Council for encouraging conventicles. Emigrated first to South Carolina, then to Netherlands. Loyal supporter of William. Active in political and church affairs.<sup>382</sup>
- Lord Elphinstone (possibly 4th lord Balmerino, 1652-1736).

Other members of the Commission included: viscount Arbuthnott, the Master of Forbes, Sir George Munro of Culcairn, James Brodie of that Ilk, Ludovic Grant of that Ilk, Thomas Dunbar of Grange, George Moncrieff of Reidie, Mr Alexander Pitcairn, Mr Hugh Anderson, Mr Alexander Forbes, Mr William Mitchell, Mr Robert Wyllie.

The Commissioners for the University of Edinburgh:

- The earl of Lothian (1636-1703, Robert Kerr [Ker], from 1701 1<sup>st</sup> marquess) Moderate Presbyterian, supported William. Became High Commissioner to the General Assembly in January 1692.<sup>383</sup>
- Lord Raith [could this refer to a younger son of Melville?]
- The Master of Stair (1648-1707, John Dalrymple, later 1<sup>st</sup> earl of Stair), son of Viscount Stair. Lord Advocate under James VII and again under William. In spite of his unpopularity played a crucial part in the first Williamite Parliament. Actively involved in deprivation of ministers.<sup>384</sup>
- Sir Patrick Hume of Polwarth (1641-1724, 1<sup>st</sup> earl of Marchmont). Had been leading figure in the exile community. Close to William.

<sup>382</sup> Alison G. Muir 'Erskine, Henry, 3<sup>rd</sup> Lord Cardross', *DNB*.

<sup>383</sup> Tristram Clarke, 'Kerr [Ker], Robert', *DNB*.

<sup>384</sup> John R. Young, 'Dalrymple, John, 1<sup>st</sup> earl of Stair', *DNB*.

Negotiated with Cameronians. Collaborated with Club in drawing up revolutionary documents. Member of Privy council.<sup>385</sup>

- Sir John Hall of Dunglass, Provost of Edinburgh, 1689-91.
- Mr Hugh Kennedy, Moderator of the General Assembly of 1690.
- Mr Gilbert Rule (c1629-1701) Presbyterian minister, was briefly imprisoned on the Bass in 1680, qualified as doctor in the Netherlands. Presented Presbyterian Address to William in February 1689. Prolific pamphleteer in the 1690s. Became Principal of Edinburgh University after the purges.<sup>386</sup>

Other members of the Commission included: lord Ruthven Mr Alexander Swinton of Mersington, Mr David Home of Crossrig, Mr John Hamilton of Halcraig, Mr John Dempster of Pitliver, Sir William Hamilton of Whitelaw, Mr Edward Jamieson, Mr John Law (c 1632-1712, Moderator of General Assembly 1694)<sup>387</sup>, Mr James Kirkton (d. 1699).

At the same meeting on 23 July the 'Rules of Tryal' agreed on by the Committees were spelled out as follows:<sup>388</sup>

- To enquire if any of the teaching staff is guilty of erroneous doctrine, such as 'Popish, Arminian or Socinian principles'. Information to be gathered from informants.
- To enquire if any of the staff are guilty of scandalous or immoral living.
- To enquire about the teaching practices of the staff, how many contact hours they have with their students, what books they give them to read, how often the students are examined, how the students are taught Christianity and how often they attend church.
- To enquire how well qualified the staff are.

<sup>385</sup> John R. Young, 'Hume, Patrick, 1<sup>st</sup> earl of Marchmont', *DNB*.

<sup>386</sup> Alexander du Toit, 'Rule, Gilbert', *DNB*.

<sup>387</sup> Warrick, *Moderators*, pp. 67-69.

<sup>388</sup> [Monro] *Presbyterian Inquisition*, pp. 24-25.

- To find out what their political attitudes are, how they regard the 'late Happy Revolution'.
- To enquire about the foundations and laws of the university, how it is managed financially, what money is spent on books and how donations are used.
- To enquire from the professors of Divinity what books they are using, what they are teaching, and how much practice they give their students in homilies, exercises and disputes.
- To find out if the Hall Masters subscribe to the oath of allegiance and the Confession of faith.

The Committees were sent away to gather evidence and met again at their respective universities on 20 August.<sup>389</sup> In the month that followed there were ousted from Glasgow Dr James Fall (1646/7 – 1711), the Principal, who would not acknowledge the Confession, and with him three professors including Dr James Wemyss, professor of Divinity;<sup>390</sup> but many others complied.<sup>391</sup> Dr Fall retired to England where he became Precentor of York Cathedral. He was succeeded as Principal at Glasgow by William Dunlop (1649?-1700), the brother in law and friend of William Carstares. Some of the commissions acted more gently than others: the commission for St Andrews was led by the earl of Crawford who behaved particularly roughly to the staff including his old philosophy teacher, Dr Wemyss, whom he forced to stand during the interrogation. Under Crawford's leadership at St Andrews the committed Jacobite principals and regents were purged.<sup>392</sup> By contrast, the Visitation to Glasgow was led by lord Carmichael, 'a man of temper and good breeding'; in many cases no replacements were made for the ousted

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<sup>389</sup> [Monro] *Presbyterian Inquisition*, p. 25.

<sup>390</sup> Lawson, *History of the Scottish Episcopal Church*, p. 109.

<sup>391</sup> Clarke, *Scottish Episcopalians*, pp. 58-9.

<sup>392</sup> Clarke, *Scottish Episcopalians*, p. 59.

professors.<sup>393</sup> At Aberdeen the commission had the least effect: only Dr James Garden being deprived (though his deprivation did not take effect until 1696). The other principals remained in place and as a result Aberdeen university, particularly King's and Marischal colleges were 'important resorts of Episcopalian students' whose influence kept Jacobitism alive among the gentry of the north-east.<sup>394</sup>

The most detailed account of one of these proceedings is that published by Dr Alexander Monro (d. 1698) the principal of Edinburgh. Monro describes the interrogation, the methods used, the arguments and evidence brought up against him. Though obviously written from his point of view as victim and no doubt with an English audience in mind, his narrative sheds valuable light on the issues raised and the mindset of the commission. Monro did not challenge the legality of his interrogation but seems to have cooperated fully with the proceedings. Monro's pamphlet, written a year later, starts with an epigraph from Psalm 109: 'For the mouth of the wicked and the mouth of the deceitful are opened against me, they have spoken against me with a lying tongue; they compassed me about with words of hatred and fought against me without a cause.' Monro's pamphlet is illustrative of what has been called the 'proto-enlightenment' in Edinburgh in the last years of the Stuarts, a movement to which the Presbyterian victory put a temporary halt. It reveals the Presbyterian ideology and it also sheds light on the pressures put on the Episcopalian establishment by the catholicizing policies of James VII.

Hugh Ouston,<sup>395</sup> for instance, has suggested that Edinburgh in the decade before the Revolution was growing into a flourishing cultural centre where the professions - medicine, law and science, were gaining independent status, and the old medieval structures of town government – guilds and

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<sup>393</sup> Lawson, *History of the Scottish Episcopal Church*, pp. 108-09.

<sup>394</sup> Clarke, *Scottish Episcopalians*, p. 59.

<sup>395</sup> Hugh Ouston, 'York in Edinburgh: James VII and the Patronage of Learning in Scotland, 1679-1688', in *New Perspectives on the Politics and Culture of Early Modern Scotland*, eds. John Dwyer, Roger A. Mason, and Alexander Murdoch, Edinburgh, n.d.; Hugh Ouston, 'Cultural Life from the Restoration to the Union', in Andrew Hook ed. *The History of Scottish Literature*, vol. 2, 1660-1800, Aberdeen, 1987.

borough council - were being challenged. Something of this spirit is reflected in Monro's pamphlet. This proto-enlightenment came about, according to Ouston, on the basis of the stability provided by the monarchy, the nobility and the Episcopalian establishment. Monarch, church and subjects were bound into one unity. Sir George Mackenzie's *Jus Regium* (1684) was the vindication of this view. He saw, says Ouston, the actual social and political structure of Scotland as 'a continuation of an idealized situation before the Civil War, the Divine model of a hierarchical society under an absolute monarchy. Stability and property were its main features'.<sup>396</sup> When Mackenzie, the 'bluidy' Lord Advocate to the Covenanters, dealt harshly with the Covenanters he justified it on the grounds that they were a threat to the stability of the state, and not because they were religious dissidents. Stability was the corner-stone of the successful state, and an episcopally ordered church ensured that religion was integrated into the body politic.

To be an Episcopalian then at that period would be defined as much negatively – by not being a Presbyterian, as politically – by believing in an integrated state under the monarchy. Leading Episcopalians in late seventeenth century Edinburgh included, besides Sir George Mackenzie, the pioneer botanist, geographer and physician, Sir Robert Sibbald, the doctors Sir Andrew Balfour (1630-94), Archibald Pitcairne (1652-1713), author of several anti-Presbyterian satires,<sup>397</sup> and Sir Archibald Stevenson who became the first President of the royal college of Physicians in 1681. That this intellectual elite was mostly not Presbyterian is shown by the composition of the committee specially appointed to hear the objections to the new Royal College: it consisted of the earl of Perth, bishop Paterson of Edinburgh, Sir George Mackenzie, Lord Tarbat, and Lord President Stair,<sup>398</sup> all of them apart from Stair, Episcopalians. When Sir George Mackenzie wrote his speech in Latin for the opening of the Advocates' Library in March 1689 he

<sup>396</sup> Ouston, 'York in Edinburgh', p. 135.

<sup>397</sup> Guerrini, 'Pitcairne, Archibald' in *DNB*.

<sup>398</sup> Ouston, 'York in Edinburgh', p.142.

spoke of the untroubled world of the scholar withdrawn into the sanctuary of books and learning, a dream that could of course only materialize in a stable political situation. But to find such a world in the first months of the Revolution, he had to flee Edinburgh, fearing assassination, for the tranquillity of Oxford. In fact as Lynch has trenchantly commented, 'Mackenzie and Sibbald consciously moved in a Jekyll-and-Hyde age, in which political chaos threatened and culture flowered.'<sup>399</sup>

Alexander Monro belonged to those circles, being friends with Mackenzie, Gregory and Pitcairne, and known as a scholar and wit. He had a successful career as an Episcopalian minister, before becoming professor of divinity at St Mary's college, St Andrews in 1682. In 1685 Edinburgh town council elected him principal of the University and on 30 December 1685 he was inducted to the second, collegiate charge of the High Church [St Giles] by bishop John Paterson. In October 1688 he was nominated bishop of Argyll but never took the post on account of the Revolution. He demitted his charge on 24 April 1689 for refusing to pray for William and Mary, and began to hold well-attended private services in Edinburgh based on the Book of Common Prayer. After losing the principalship of the University he moved to London where he died in relative poverty.<sup>400</sup> Monro's account of his interrogation is that of an eye-witness who is attempting to give an accurate account of what happened. What happened to him, such as accusation by unnamed witnesses, was to be repeated in many other cases by the commissions interrogating teachers and clergy. The interrogation itself gives interesting glimpses of university life in the last years of the Stuart regime, the pressure from the Catholic side, the latent unrest among the students, an atmosphere of unease and uncertainty.

The Edinburgh University hearings were delayed by one week and opened on 27 August 1690. Dr Monro was called before the committee which

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<sup>399</sup> Michael Lynch, *Scotland: A New History*, p. 298.

<sup>400</sup> Tristram Clarke, 'Monro, Alexander', *DNB*.

consisted of sixteen members and was headed by Sir John Hall of Dunglass, the Provost; it included the ‘ante-deluvian’ Presbyterian ministers, James Kirkton and Gilbert Rule, soon to take Dr Monro’s place as principal.<sup>401</sup> The Clerk began to read out the articles of Indictment against him. Dr Monro thereupon objected that ‘he was obliged to answer an unsubscribed libel’, and requested that he should be told who his accuser was; he objected that this method of trial was ‘new, unjust and illegal’. He was given a copy of the articles to read and later the same day came back with his answers.<sup>402</sup>

The accusations show a bizarre mixture of questions of principle with tittle-tattle and minutiae:<sup>403</sup>

1. That he had become a Papist. [Lawson points out that this was an example of the frequent tendency of Presbyterians to identify Episcopalianism with Roman Catholicism<sup>404</sup>].
2. That he favoured those who inclined to Roman Catholicism, including a certain Regent, Mr Burnet.
3. That he used the English liturgy in the College.
4. That he is well known to be disaffected to the new government of State and Church as is proved by the letter he wrote to the late archbishop of St Andrews on 5 January 1689, that he had rejoiced at the victory of Killicrankie, that he had badly used Mr James Inghish who was a convinced Presbyterian, and Mr Gourlay another.
5. At the graduation ceremony he had sat and listened to Dr Pitcairne ridiculing the Confession of Faith and denying the existence of God. [i.e. Dr Archibald Pitcairne the pioneer anatomist, author of the satire, *The Assembly* (1692) which circulated in samizdat].<sup>405</sup>

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<sup>401</sup> Lawson, *History*, pp. 107-121; Skinner, *Ecclesiastical History*, pp. 555-56; Grub, *Ecclesiastical History*, vol. III, pp. 317-21.

<sup>402</sup> [Monro] *Presbyterian Inquisition*, p. 26

<sup>403</sup> [Monro] *Presbyterian Inquisition*, pp. 27-28.

<sup>404</sup> Lawson, *History of the Scottish Episcopal Church*, p. 113.

<sup>405</sup> Anita Guerrini, ‘Pitcairne, Archibald’, *DNB*.



6. He had removed the portraits of the Protestant Reformers from the Library.
7. When Mr Cunningham had composed verses on the birth of the Prince of Wales he had personally presented them to the Chancellor.
8. That he is given to cursing and using bad language.
9. That he neglects family worship at home.
10. That last Saturday he baptized the child of Mr James Scott in the parish of West Kirk without informing the minister.

Monro's answers were as follows, point by point:

1. It is a 'spiteful and malicious calumny' that he ever was a Papist. How could he have been ordained into the church of Scotland being a papist? Are there not hundreds of witnesses to his sermons against papacy preached in the High Church and at Holyrood house? He had taken the Test, given his students books to read which confuted the superstitions of the Roman church. The libel is absurd. [This accusation was dropped from the charge].<sup>406</sup>
2. He had done everything he could to keep Mr Burnet out of the College and had wanted to appoint someone else. But Mr Burnet 'had been thrust upon us' by the duke of Gordon.<sup>407</sup> [An example of the pressure put by the Roman Catholics at this time. This Burnet may be the one described as professor of moral philosophy who was deprived at the same time as Monro].
3. The liturgy of the Church of England had been widely used in the early years of the Scottish Reformation. It has never been forbidden in Scotland. The Church of England is 'the true pillar and Centre of the Reformation ... a Bulwark against popery and

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<sup>406</sup> [Monro] *Presbyterian Inquisition*, pp. 29-30.

<sup>407</sup> [Monro] *Presbyterian Inquisition*, pp. 30-31.

enthusiasm.’[Interestingly the Commission were divided over Monro’s answer, the Presbyterians being exasperated, but the nobility who were present urging them ‘to cease their fooleries’. This accusation was also dropped].<sup>408</sup>

4. The letter to the archbishop has been taken out of context: in January 1689 there was still expected to be an interregnum, not a new monarch and the term ‘phanatiks’ referred to the ‘rabblers’ of the south-west. What evidence can the libeller give of Monro’s rejoicing at Dundee’s victory? – every civil war is a cause for sorrow. Mr James English was a stubborn trouble-maker, and the students had turned against Mr Gourley.<sup>409</sup> Whether they were Presbyterian or not had nothing to do with it.
5. Dr Pitcairne was doing what any philosopher does – ‘to load some Propositions in the Thesis with this Absurdity’ – in order to set them in their true light. The libeller is just ignorant.<sup>410</sup>
6. Monro explained the circumstances of the pictures being moved verbally to the Provost.<sup>411</sup> [Monro evidently did not wish to drag in the name of the previous Provost, Sir Thomas Kennedy, who had given the order to remove the pictures for a few days, ‘lest the sight of them might cause some unpleasant altercations between the Popish and the Protestant members of the Chancellor’s visitation’ (the Chancellor being the Roman Catholic earl of Perth); in defence of Monro Kennedy sent in a written declaration on 7 October to explain the circumstances, mentioning his fear that the visitation might be in order to set up a catholic seminary].<sup>412</sup>

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<sup>408</sup> [Monro] *Presbyterian Inquisition*, pp. 31-33.

<sup>409</sup> [Monro] *Presbyterian Inquisition*, pp.33-39.

<sup>410</sup> [Monro] *Presbyterian Inquisition*, p. 39.

<sup>411</sup> [Monro] *Presbyterian Inquisition*, pp. 39-40, 45..

<sup>412</sup> Lawson, *History of the Scottish Episcopal Church*, p. 118

7. It is true that the verses were given to the Chancellor but there was nothing suspicious or Romanish about them.<sup>413</sup>
8. The origin of this story is that one of the students, the trouble-maker Robert Brown, was stirring up the students to 'make Tumults', to burn effigies of the pope. Brown was imprisoned overnight and let out on promise to behave better, but he became worse and worse, the 'Captain of the Rabble'. It came to a head when he invaded the Lord President's house with his troop seeking to drive out a maid who was know to be popish, this at a time when my lady was in child-bed and the Lord President away in London. Monro cornered Brown, gave him a piece of his mind, ordered him to apologize to Lady Lockhart, and expelled him. [This accusation was also dropped].<sup>414</sup>
9. Typical accusation by a Presbyterian to say that all episcopalians are Atheists and scandalous, while Presbyterians are full of devotion and piety. Therefore not worth answering!<sup>415</sup>
10. The accusation is untrue. The child was baptized with the knowledge of the lawful minister who is Episcopalian. The libel came from the Presbyterian minister who is claiming the parish.<sup>416</sup>

Monro was also closely questioned about his acceptance of the Westminster Confession. Having first agreed that he accepted it very cheerfully in its generality, as *vinculum unitatis ecclesiasticae* ['a bond of ecclesiastical unity'], he was later summoned before the General Commission and required by the hard-liners, earl Crawford, Mr Kennedy and others, to subscribe to it point by point. He objected:

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<sup>413</sup> [Monro] *Presbyterian Inquisition*, p. 40.

<sup>414</sup> [Monro] *Presbyterian Inquisition*, pp. 41-43.

<sup>415</sup> [Monro] *Prsebyterian Inquisition*, p. 42.

<sup>416</sup> [Monro] *Presbyterian Inquisition*, pp. 42-43

Was it not enough [he asked] that he was content to Sign the Confession of Faith, with that Freedom and latitude the Protestant churches used to impose Confessions upon their Members: But the earl of Crawford, *praeses* of the General Commission, asked the Doctor whether he would sign the Westminster confession of Faith, without Restriction, Limitation, Explication, or any Reserve whatever; to this the Doctor answered plainly and resolutely, he would not ... [adding] to Sign the Confession of Faith in all Articles, and to hold every one of them to be *de fide* [‘essential to faith’] he thought not consistent with the *Fredome* of Universities and Schools.<sup>417</sup>

In spite of his spirited defence Monro was deprived by the Committee on 23 September 1690 the reasons being given were clauses 2, 4, 6, and 10, as well as his attitude to the Westminster Confession. A further reason was that he had allegedly altered the graduation oath which referred to the ‘Reformed Christian Religion’, by scrubbing out the word ‘*reformata*’ and leaving a blank space! The deprivation was confirmed by the Commission two days later, signed by the earl of Crawford.

Along with Dr Monro were outed John Strachan, professor of Divinity,<sup>418</sup> John Drummond, professor of philology, Alexander Douglas, professor of Hebrew and oriental languages, and Thomas Burnet, professor of moral philosophy. Dr David Gregory (1659-1708), the professor of Mathematics, prominent in the Edinburgh ‘proto-enlightenment’, refused to take the test but the Visitors hesitated to expel him possibly on account of his influential patrons.<sup>419</sup> He soon decided to leave Edinburgh to Scotland’s loss; in 1691, through his friendship with Isaac Newton, he became Savillian Professor of Astronomy at Oxford, and subsequently a fellow of the Royal Society.

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<sup>417</sup> [Monro] *Presbyterian Inquisition*, pp. 48-9.

<sup>418</sup> [Monro] ‘Report of the Committee concerning Doctor Strachan’ in *Presbyterian Inquisition*, pp. 83-97.

<sup>419</sup> Anita Guerrini, ‘Gregory, David’, *DNB*.

## 2. The Church

The purging of the Church had begun earlier, as discussed in Chapter Three; it was greatly intensified by the Commissions of the General Assembly, continued much longer and was geographically far more extensive than the purging of the universities. The aim was to get rid of all of the pre-Revolution clergy. To do this, the General Assembly set up two Commissions for Visitation, one for north of the Tay, and one for the south.

### Commissioners for Visitation south side of the Tay

Ministers: Messrs Hugh Kennedy [the Moderator], John Veatch, John Law [see above], Gabriel Semple, Gilbert Rule [see above], James Kirkton, William Areskyne, William Weir, William Crichton [see above], John Anderson of Perth, Alexander Pitcairn, Richard Howison, George Campbell, John Lawrie, Archibald Hamilton, Patrick Peacock, John Spalding, Michael Bruce, Gabriel Cunningham, Patrick Warner, Alexander Forbes, John Hutcheson, William Eccles, James Veatch, Patrick Symson [Simson] (1628-1715, Moderator of General Assembly, 1695)<sup>420</sup> Matthew Crawford, William Legat, Neil Gilles, Thomas Forrester [?1635-1706, later professor at St Andrews]<sup>421</sup>, Andrew Morton, Robert Duncanson, John Bannatyne, William Ker, William Vilant, Robert Rule, James Frazer, George Meldrum at Kilwinning, David Blair, Samuel Nairn, Edward Jamison, James Rymer;

Ruling elders: Earl of Crawford, earl of Sutherland, viscount of Arbuthnet, lord Halcraig, lord Aberuchil, laird of Ormiston, Sir John Hall provost of Edinburgh, Sir John Riddel, laird of Greenknowes. Archibald Muir late Bailiff of Edinburgh, James Maclurg Dean of Guild, George Stirling Deacon Convener, Peter Hay of Naughton, Adam Drummond of Meggans, Alexander

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<sup>420</sup> Warrick, *Moderators*, p. 79.

<sup>421</sup> Colin Kidd, 'Religious realignment', p. 159. Kidd mentions Rule and Meldrum, as well as Forrester and Carstares as part of the 'new breed' of moderate Presbyterians.

Spittal of Leuchat, Sir Thomas Stewart, laird of Glanderstown, laird of Lamington, Provost Muir of Ayr, Thomas Dunbar of Grange Hamilton.<sup>422</sup>

Commissioners for Visitation north of the Tay

Ministers: Messrs Hugh Kennedy, John Law, William Crichton, Edward Jamison, Robert Rule, James Rymer, James Frazer, Alexander Forbes, John Anderson at Perth, George Meldrum at Kilwinning, Thomas Ramsay, Andrew Bowie, Robert Young, William Legat, William Mackie

-who are to join with ministers from the north:

Messrs John Stewart, James Urquhart, Alexander Dunbar, Alexander Frazer, Thomas Hogg, Hugh Henryson, William Mackay, Walter Dinnoon, George Meldrum of Glass, Arthur Mitchell, William Ramsay, Francis Melvin, John McCulloch.

Ruling elders: Earl of Sutherland, laird of Brodie, laird of Grant, Thomas Dunbar of Grange , laird of Eight, laird of Culloden, laird of Dalsolly, laird of Bank-Hay, Sir John Monro, Sir George Monro, Sir Robert Gordon of Embo, David Frazer of Mains, John Campbell of Moy, Hector Monro of Drummond, Alexander Duff of ....., Robert Martyne of Burnbrae.

Obviously absentees were expected, because the quorums were decided at ten ministers and five elders for the south, and seven ministers and three elders for the north. A strict calendar for meetings was specified for the south while the north after their first meeting in March 1691 at Aberdeen were to set their own timetables, being always accountable to the General Assembly. Both commissions were to complete their work by 1 November 1691 or as appointed by the next General Assembly.<sup>423</sup>

The men listed as members of the commissions of visitors had the power to evict ministers from their parishes on the grounds that they were

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<sup>422</sup> *Principal Acts of the General Assembly of the Church of Scotland convened at Edinburgh the 16<sup>th</sup> Day of October 1690*, p. 30 [Proper names have been added to the estate titles where possible],

<sup>423</sup> *Principal Acts*, pp. 30-33.

‘insufficient, negligent, scandalous and erroneous’. Hearsay evidence was accepted and the accused had no right to question witnesses. The wording opened the way for the eviction of the remaining episcopal ministers, even those who had conformed, very many on trumped up charges. In many cases the purge degenerated into a kangaroo court of character assassination.

Late in December 1691 news of what was going on was taken to William in London by two Episcopalian ministers, James Canaries (1653/4-1698) and Alexander Leask. (dates unknown). They followed William to the Hague in January 1691, receiving appointments of royal chaplain and clerk of the closet respectively.<sup>424</sup> William now had Episcopalian voices close to his ear. The results were immediate, though ultimately fruitless.

In mid February William issued an order to the General Assembly Visitation Commission to cease activities while he was absent abroad; moreover he required them to unite with those Episcopals who acknowledged his government; to admit to vacant parishes those deposed when called by a plurality of heritors and elders; to review cases where harsh sentences had been passed.<sup>425</sup> The Southern Commission delayed opening William’s letter and then simply disobeyed and continued their work. In March 1691 the Northern Commission was met by a riot in Aberdeen. In April a delegation of clergy from Angus asked for protection from the Presbyterian commission, which William assured them of.<sup>426</sup>

In June 1691 William and Mary together, perhaps at Canaries’ suggestion, encouraged Episcopal clergy to address the Commissioners, stating their willingness to own William’s authority, to join the church judicatories with their Presbyterian brethren, and to subscribe to the Confession of Faith. The first address, on 16 or 17 July. from Alexander Leask and several ‘northern brethren’ was deflected to the Northern

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<sup>424</sup> Clarke, *Scottish Episcopalians*, pp. 85-87.

<sup>425</sup> Clarke, *Scottish Episcopalians*, p. 87.

<sup>426</sup> Clarke, *Scottish Episcopalians*. pp. 87-88.

Commission – even though the Northern Commission was subordinate to the other.<sup>427</sup> The second address from William Denune (1656-1704) and Thomas Wood (c. 1645-1718) and twelve others from East Lothian and Berwickshire, was answered on 22 July. The reply, thought to have been written by Sir James Stewart, was devious and non-committal, underlying it was hostility to the king's interference in church matters and the fear of diluting 'pure Presbytery' by admitting Episcopalians.<sup>428</sup>

Though this would seem to be belied by the Act of June 1690 for the Settlement of the Church, it seems that William and his advisers evidently shared the belief that by law benefices were not tied to Presbyterian clergy. However what was happening 'on the ground' seems to have little regard for niceties of the law, and the processes of deprivation, after a judicial pause, continued.

At court, the pro-episcopalians rallied round Tarbat and Dalrymple in opposition to Melville. Thereupon the Presbyterians, notably Gilbert Rule as their spokesman, mounted a character assassination attack on Canaries. As the next session of the General Assembly was imminent, a conference of laity and clergy of both persuasions was called in London in December 1691 to formulate grounds for a church settlement. The debates were heated, the Presbyterians accusing the Episcopalians of disloyalty, and the Episcopalians jibbing at Presbyterian authority. The king was seeking a single church establishment and a Formula was issued to this end in January 1692, inviting 180 'conform' Episcopalian clergy to apply to the General Assembly for admission.

The Assembly opened on 15 January 1692. The earl of Lothian was William's Commissioner, and William Crichton (c. 1630-1708), described by Polwarth as 'a man of somewhat violent character', was elected Moderator.<sup>429</sup>

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<sup>427</sup> Clarke, *Scottish Episcopalians*, pp. 88-89, nn.49, 52.

<sup>428</sup> Clarke, *Scottish Episcopalians*, pp. 89-90, p. 455 nn. 50, 51, 52, 53.

<sup>429</sup> Warrick, *Moderators*, p. 52.



The Assembly, composed of ‘a set of men much younger and hotter spirited than the last’<sup>430</sup> simply prevaricated over the King’s request to admit the Episcopalians. William lost patience with their stubbornness and ordered Lothian to close the Assembly which he did on 13 February 1692 for ‘failing in the ‘principal designe of calling this Assembly of uniting with your brethren’ and for showing ‘no great inclination’ to comply with the King’s demands.<sup>431</sup> When the earl of Lothian threw his Erastian bomb on the floor of the Supreme Court’,<sup>432</sup> it marked the King’s response to the first major assertion of the divine right of Presbytery since the ‘Erastian settlement’ of 1690.<sup>433</sup> Impasse had been reached. But the deprivations continued. William who had been the ally had become the antagonist.

The purging of the Church is summarized in a contemporary document cited by Robert Weir:<sup>434</sup> of the 807 ministers in place in 1688/89, 435 were soon to lose their posts. (215 were deprived by the Privy Council, 76 were rabbled, 30 were removed to make way for ministers dismissed at the Restoration, 62 demitted, 52 were deposed by the Church). This left 372 episcopally ordained ministers in place. By 1701, however, 137 Episcopal clergy had been evicted, leaving 235 in place.<sup>435</sup> By 1707 another 113 had been evicted leaving 122 in place.<sup>436</sup> By 1716, a total of 664 episcopalian clergymen had been deprived, that is, just over two thirds of the total number of clergy for the 926 parishes of the kingdom.<sup>437</sup>

The effect of the purges on the church and on society was devastating. Robert Weir, one of the few Presbyterian historians to comment on the purges, wrote in 1912, that, at that time

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<sup>430</sup> Warrick, *Moderators*, p. 52.

<sup>431</sup> Clarke, *Scottish Episcopalians*, pp. 102-106.

<sup>432</sup> Warrick, *Moderators*, p. 54.

<sup>433</sup> Clarke, *Scottish Episcopalians*, p. 107.

<sup>434</sup> Weir, ‘The Revolution Settlement’, p. 113 citing ‘a MS book in the Library of the General Assembly containing lists of ministers of the Church at this period’ [1694].

<sup>435</sup> Weir, ‘The Revolution Settlement’, p. 117, citing a MS dated 1701 in the Advocates Library.

<sup>436</sup> Lawson, *History of the Scottish Episcopal Church*, Appendix II, pp. 515-6.

<sup>437</sup> Rowan Strong, *Episcopalianism in Nineteenth Century Scotland*, Oxford, 2002, p. 11.

The Church of Scotland was depleted of ministers as it never was before or since except in the days of the Reformation. Neither the loss of ministers in 1661 nor in 1843 came as near to what was then experienced.<sup>438</sup>

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<sup>438</sup> Weir, 'The Revolution Settlement,' pp. 113-114.

## AN EPILOGUE:

### BROKEN HOPES AND SHATTERED DREAMS

William, pragmatic, ambitious and resourceful, a man of the new post-Reformation Europe, hoped to set Scotland free from the arbitrary rule of his father-in-law, from Roman Catholicism, and to establish firmly the light of Protestantism in his new people. His dream was of a nation prosperous, happy (- the word recurs often in his proclamations), living under the rule of law, safe from threat of invasion. He believed all religious problems would be solved if the people chose the form of religion they preferred. He did not realize that the Scottish institutions – the Convention, the Parliament, the General Assembly, were not as democratic or representative as he assumed, or that Scottish ideological Presbyterianism was very different from the apolitical Presbyterianism he was familiar with from the Netherlands. The hidden rifts in Scottish society were to prove beyond his powers to heal.

William achieved security from threats without, though not until the Peace of Ryswick in 1697. He did achieve security from threats within when the Highland clans surrendered to the government in January 1692, but that achievement was overshadowed by the outrage of the Glencoe massacre the following month.

Prosperity seemed a distant dream: the disaster of the Darien scheme of 1696 (which claimed, among many others, the life of Alexander Shields) dovetailed in to a succession of failed harvests at home. The grain harvest, vital to the survival of the majority of Scots, failed nationally in 1695, 1696 and again most devastatingly in 1698. Nationally famine was evident from the harvest of 1695 to that of 1700. Between 5 and 15 per cent of the population was lost.<sup>439</sup> For all this, in the popular mind, William was to

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<sup>439</sup> Karen J. Cullen, *Famine in Scotland: the 'Ill Years' of the 1690s*, Edinburgh, 2010, pp. 1-2.

blame. Because of the disruption to the Church after 1690 many parishes were still without ministers. Since it was the session that assumed primary responsibility for the collection and distribution of poor relief in a parish, the poor were likely to suffer during a vacancy. In rural parishes in particular, vacancies within the church were disastrous for the poor during a famine.<sup>440</sup>

William had promised rule of law, yet the laws that set up the Church Settlement of 1690, unfair in themselves, were executed in an arbitrary way by purgings and evictions which he was unable to control and whose victims were without legal redress.

Of the Episcopalians all the bishops and most of the clergy were deprived. Some, the Jacobites among them, clung on to their dream of the rightful monarch restored. Others, the 'conform' clergy, suffered the bitterest lot: the new monarch to whom they had sworn loyalty turned out to be unable to protect them, and they were caught between the aggression of the Presbyterians and the opprobrium of their Jacobite colleagues. The problem of the destitute Episcopal clergy persisted for several decades to come.

The Cameronians had dreamed of a church of 'pure Presbytery' without interference of government or civil authority. The dream died in 1690 when their leaders defected to the kirk newly established by law. To them, the Revolution settlement was flawed and well on into the eighteenth century they rejected it for 'condemning our glorious reformation and sacred covenants as rebellion'. Their subsequent fate has been described by Colin Kidd.<sup>441</sup>

The 'royalist intelligentsia' of Edinburgh in the late Stuart period, which included figures such as Sir George Mackenzie, Sir Robert Sibbald, Dr Alexander Monro, believed in a kingdom, ruled by law, stable and prosperous under a monarch where freedom of ideas and rationality in religion could take root. Monarchist, but by no means all Jacobite, they might have

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<sup>440</sup> Cullen, *Famine*, pp. 105-106.

<sup>441</sup> Colin Kidd, 'Conditional Britons: the Scots covenanting tradition and the eighteenth century British state', *English Historical Review*, November 2002.

prospered under William and Mary - had things worked out otherwise - as their colleagues in England were able to. Arguably it was James's Indulgences, as much as William's invasion, that destroyed the royalist establishment, and William, as it turned out, had no means to prevent the ascendancy of the ideologically motivated Presbyterians.

To that mindset disasters were caused by sin and sin had to be eradicated. Under the hardline Presbyterian Lord Advocate, Sir James Stewart, the atmosphere darkened: the little-used 1661 Act against blasphemy was renewed in 1694, and used to dire effect in the case against Thomas Aikenhead who was executed in January 1697. Under the influence of the Lord Advocate a new period of witch hunting was ushered in.<sup>442</sup> He himself was personally involved with the case of Bargarran's daughter in February 1697 speaking literally of the evidence of the child's possession through witchcraft, of devil markings, clairvoyance and flying locomotion.<sup>443</sup> In the words of one recent scholar these cases represented 'a full display of the powers of the covenanted (at least in the minds of some of its leaders) Presbyterian state, protecting itself from both internal disunity and the smitings of an obviously angry God.'<sup>444</sup>

Even the new Kirk by Law Established, which gave power to the old-timers and their hothead younger colleagues, had its discontents: they were numerically not enough to form a national church, and it was to be several years before a new generation of properly trained ministers could fill the ministerial ranks. But above all their powers were challenged by William who, though he had lost the right of supremacy over ecclesiastical affairs, still asserted the monarch's right to determine the dates of their supreme body,

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<sup>442</sup> Robert Chambers, *Domestic Annals of Scotland from the Revolution to the Rebellion of 1745*, Edinburgh and London, 1841, pp.135-136. See also Lizanne Henderson, 'The Survival of Witchcraft Prosecutions and Witch Belief in South West Scotland', *Scottish Historical Review*, vol. lviii, 1: No. 219, April, 2006, in which she cites cases where local initiatives against witches were stopped by the central authorities.

<sup>443</sup> Chambers, *Domestic Annals*, pp. 173-4.

<sup>444</sup> Michael F. Graham, *The Blasphemies of Thomas Aikenhead: Boundaries of Belief on the Eve of the Enlightenment*, Edinburgh, 2008, p.121.

the General Assembly, and to order accommodation with the episcopalians.  
The unhappy stalemate continued through his reign and into the next.

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