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**Re-Formed by Kirk and Crown:
Urban Politics and Civic Society in Glasgow during the
reign of James VI, c.1585-1625**

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Submitted in fulfilment of the requirements for the degree of Doctor of Philosophy in
Scottish History
September 2017

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Abstract

This thesis provides a history of the burgh of Glasgow during the adult reign of James VI (c.1585-1625). It is the first dedicated study of the burgh during this period and revises existing published work on Glasgow, which has tended to be teleological in choosing to focus on the way that developments in this period provided the basis for the town's subsequent demographic and economic expansion in the late-seventeenth and eighteenth centuries. Here, the themes of Reformation and state formation are brought to the fore. The thesis argues that the period saw wholesale modernisation of Glasgow's municipal administration and that this was driven by central government. The modernisation of local government in Glasgow is therefore used to support arguments about a 'Stewart revolution in government' and the 'rise of the state' under James VI. Between 1600 and 1606, the crown's nominee as provost, Sir George Elphinstone of Blythwood, oversaw a wide-ranging programme of civic reform which established a constitution in the town that would last for more than a century. This period corresponded with the assertion of royal authority within the Kirk and the appointment of John Spottiswood as Archbishop of Glasgow in 1603. In discussing the impact of these developments upon Glasgow, the thesis also therefore provides the first examination of the ways in which the town experienced Scotland's 'Long Reformation' and takes into account the activity of the Kirk there under both the Presbyterian and Episcopalian settlements. A new framework is offered for understanding the nature of change and continuity in Scotland's late-sixteenth and early-seventeenth century burghs, which focuses more precisely on the change wrought by processes of state formation and Reformation than historians have done hitherto. In doing so, the thesis sheds new light on three important areas of Scotland's early modern history: the emergence of the Scottish 'early modern town' during the reign of James VI, the Reformation and Jacobean state formation.

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Acknowledgements

I would like to thank my two supervisors, Dr Steven Reid and Dr Karin Bowie, for their indispensable support, guidance and encouragement throughout the writing of this thesis.

This thesis was supported by a two-year Arts and Humanities Research Council Doctoral Training Partnership Studentship, provided through the Scottish Graduate School for Arts and Humanities, for which I am grateful [award number: 1503206].

Author's declaration

I declare that, except where explicit reference is made to the contribution of others, that this dissertation is the result of my own work, and has not been submitted for any other degree at the University of Glasgow or any other institutions.

Signature:_____

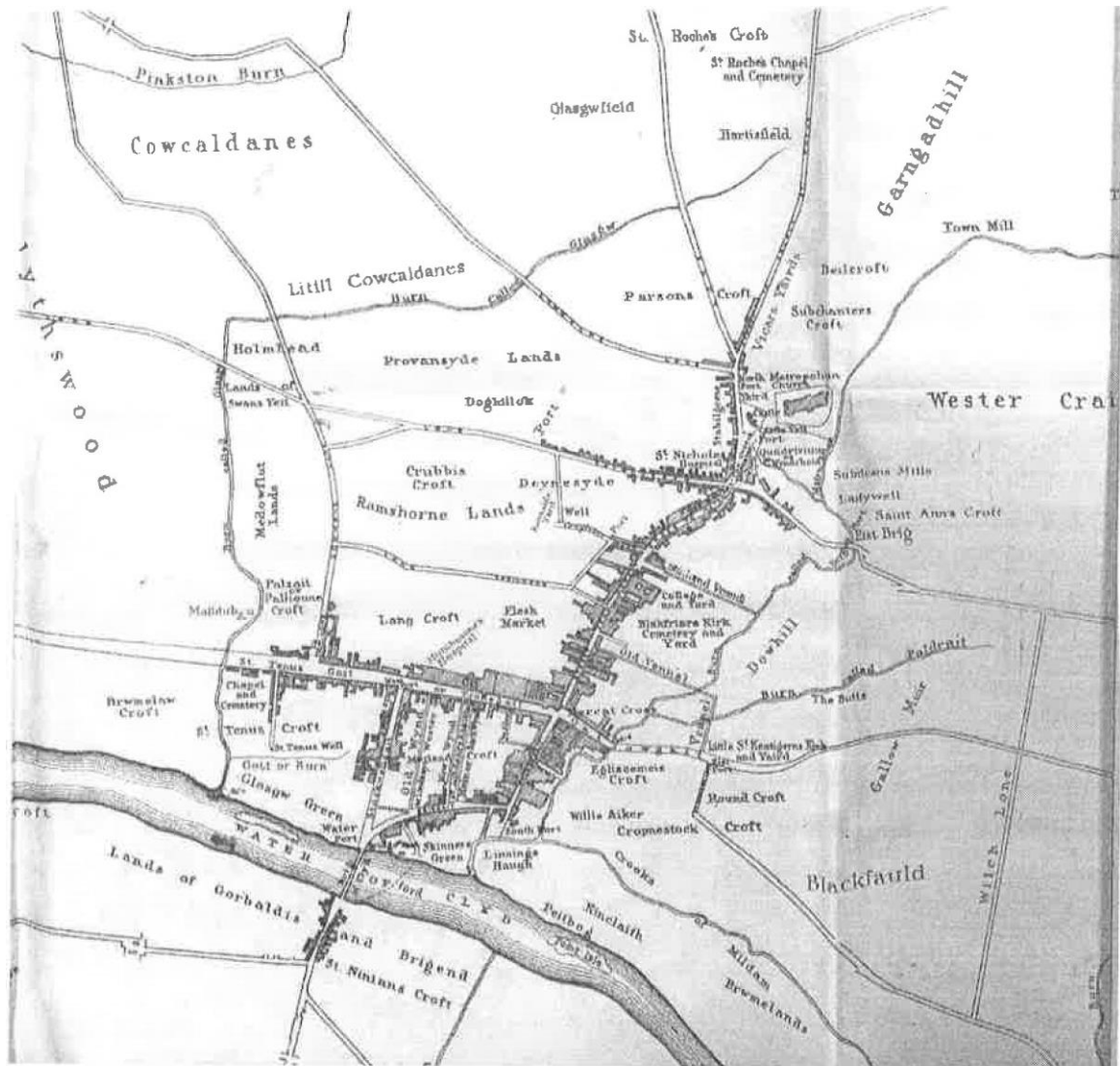
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Abbreviations and Conventions

Calderwood, <i>History</i>	D. Calderwood, <i>The History of the Kirk of Scotland</i> , ed. T. Thomson, 8 vols (Wodrow Society, 1842-9)
<i>IR</i>	<i>Innes Review</i>
<i>Liber protocollorum</i>	J. Bain and C. Rodgers (eds), <i>Liber protocollorum M. Cuthberti Simonis, notarii publici et scribae capituli Glasguensis, A.D. 1499-1513. Also, Rental book of Diocese of Glasgow, A.D. 1509-1570</i> , 2 vols (London, 1875)
Marwick, <i>Charters</i>	J. Marwick (ed.), <i>Charters and other documents relating to the city of Glasgow, 1175-1649</i> , 2 vols (Glasgow, 1894)
Marwick, <i>Glasgow Extracts</i>	J. Marwick (ed.), <i>Extracts from the Records of the Burgh of Glasgow, 1573-1642</i> , 2 vols (SBRS: Glasgow, 1876)
Innes, <i>Munimenta</i>	C. Innes (ed.), <i>Munimenta Alme Universitatis Glasguensis</i> , 4 vols (Maitland Club, 1854)
<i>ODNB</i>	<i>Oxford Dictionary of National Biography</i> (Oxford University Press, 2004) (www.oxforddnb.com)
<i>OLEAS</i>	D. Laing (ed.), <i>Original letters relating to the ecclesiastical affairs of Scotland</i> , 2 vols (Edinburgh, 1851)
<i>RCRBS</i>	J. Marwick and T. Hunter (eds), <i>Records of the Convention of the Royal Burghs of Scotland</i> , 7 vols (Edinburgh, 1866-1918)
<i>RPC</i>	J. H Burton et al (eds.), <i>The Register of the Privy Council of Scotland</i> (Edinburgh, 1877-).
Renwick, <i>Glasgow Protocols</i>	R. Renwick (ed.), <i>Abstracts of the Protocols of the Town Clerks of Glasgow</i> , 11 vols (Glasgow 1894–1900)
<i>RStAKS</i>	D. Hay Fleming (ed.), <i>Register of the Minister, Elders and Deacons of the Christian Congregation of St Andrews, 1559-1600</i> , 2 vols (SHS, 1889-90)
<i>SHR</i>	<i>Scottish Historical Review</i>
SHS	Scottish History Society

All dates are given assuming the New Year begins on 1 January. All sums of money are given in £ Scots (£), shillings (s.) and pence (d.). Between the mid-sixteenth century and 1603, the value of the £ Scots in relation to the £ sterling decreased from about 4:1 to 12:1. The latter value was then fixed as the exchange rate. A merk was equal to two thirds of £1 Scots. All quotations from primary sources have kept original spellings. All translations of Older Scots words are taken from the online Dictionary of the Older Scottish Tongue (DOST), available here: <http://www.dsl.ac.uk/>.

Map



Map of Glasgow, c. 1650, in J. Marwick (ed.), Charters and Documents Relating to the City of Glasgow, 1175-1649, Part 1 (Glasgow, 1897).

Introduction

From March 1626 to April 1627, Glasgow's town council oversaw the building of a new tolbooth.¹ The town's master of work, John Boyd, oversaw the project, which employed many of Glasgow's craftsmen, with the masons playing a central role. The old tolbooth, which had stood on the same site, was demolished and while the work was ongoing, meetings of the burgh's magistracy and town council were held in the Tron Kirk, on the Trongate, a few hundred yards from where the building work was taking place.² The town's provost and bailies routinely supervised the work throughout the year, with prominent members of the council and elders from the kirk session also nominated to do so on a weekly basis.³ A sum of £760 was provided at the outset from the burgh's common good accounts, to pay for labour and building materials, and warrants were regularly submitted to the town's treasurer throughout the year by workers in return for payment.⁴ The building of the tolbooth was a major architectural expression of civic pride, which flexed the muscles of Glasgow's modernising municipal administration.⁵ Its steeple stands at the city's Glasgow Cross to this day.

Visitors to the city were impressed by the structure. In 1636, Sir William Brereton referred to it as 'a very fair and high-built house ... the fairest in the kingdom' while in the 1650s, the English soldier Richard Franck was effusive in his praise, describing it as 'a very sumptuous, regulated, uniform fabrick, large and lofty ... infinitely excelling the model and usual built of town halls; and is, without exception, the paragon of beauty in the west.'⁶ These views were reflected in recent comments made by the Royal Commission on the Ancient and Historical Monuments of Scotland, which described the tolbooth as 'the most remarkable civic building [in Scotland] of the seventeenth century.'⁷ The architectural design of the tolbooth was a physical manifestation of the two sources of power upon which the town council's authority was based by the end of James VI's reign, the sovereign Scottish

¹ J. Marwick (ed.) *Extracts from the Records of the Burgh of Glasgow, 1573-1642* [hereafter Marwick, *Extracts*, i] (Glasgow, 1876), 352-3, 358; Royal Commission on the Ancient and Historical Monuments of Scotland, *Tolbooths and Town-houses: civic architecture in Scotland to 1833* (Edinburgh, 1996), 99.

² Marwick, *Extracts*, i, 353.

³ Glasgow City Archives [GCA], C1/1/8, Glasgow Town council minutes, September 1623-December 1630, fos. 26v-45r.

⁴ *Ibid.*; Marwick, *Extracts*, i, 353.

⁵ The argument that civic buildings served this function in England has been made most clearly by Robert Tittler, in R. Tittler, *Architecture and Power: The Town Hall and the English Urban Community, c.1500-1640* (Oxford, 1991).

⁶ P. Hume Brown (ed.), *Early Travellers in Scotland* (Edinburgh, 1891), 151, 191.

⁷ *Tolbooths and Town-houses*, 2.

crown and the Protestant Kirk.⁸ It was also built out of necessity, in order to accommodate the administration's growing size and increasing volume of work. The tolbooth was built in the Scottish Renaissance style and the original main building comprised five stories, with a steeple of seven stories, including a clock stage. The original narrow closed crown spire still sits atop the surviving steeple. The closed crown spire has long been understood as a symbol of sovereign, imperial Scottish kingship but is usually only to be found on church buildings, such as St Giles' cathedral in Edinburgh or King's College, Aberdeen.⁹ Other examples of royal iconography can be found throughout the tolbooth. A panel bearing the Scottish royal arms was positioned to the east of the central second floor window in the main building, while a crown was also engraved on the main door lintel and all of the windows were originally decorated with rose and thistle finials.¹⁰ A Latin inscription was carved above the foot of the central fore-stair, which read: *Haec domus odit, amat, punit, conservat, honorat, nequitiam, pacem, crimina, jura, probos*. This motto ('This house doth hate all wickedness, loves peace but corrects faults, observes all laws of righteousness, and elevates good men') provides a further sense of the way in which the patrician town council viewed its relationship with the town and local community.¹¹

This thesis sets out to tell the story of how Glasgow's administration arrived at this position of power and civic confidence by charting the evolution of the town's civic administration during James VI's adult reign (c. 1585 - 1625)¹² from a simple system of oversight, based on the Archbishop of Glasgow's burgh court, to one far more sophisticated and complex, based on the merchant guild. It also analyses the way in which the post-Reformation Kirk established itself in the burgh, which has never before been the focus of a full-length study. The thesis argues that the period was one of dynamic change for the town and that the main drivers of reform or 'modernisation' between 1585 and 1625 were the crown and the Kirk, although the town's governing elite also played an active role in

⁸ See L. Stewart, *Urban Politics and the British Civil Wars: Edinburgh, 1617-53* (Leiden, 2006), 112, 131; R. Tittler, *The Reformation and the Towns in England: Politics and Political Culture, c.1540-1640* (Oxford, 1998), 14, 22, 254-69, 338; Tittler, *Architecture and Power*, especially 21-2, 89-97, 128 and 157-9 and P. Withington, 'Two Renaissances: Urban Political Culture in Post-Reformation England Reconsidered', *Historical Journal*, 44 (1), 239-267, at 253 for the idea that civic architecture was an expression of authority by urban governing elites.

⁹ R. Mason, *Kingship and the Commonwealth: Political Thought in Renaissance and Reformation Scotland* (East Linton, 1998), 130.

¹⁰ *Tolbooths and Town-houses*, 98, 100-101.

¹¹ J. Gordon (ed.), *Glasghu [i.e. Glaschu] facies: a view of the city of Glasgow... By John M'Ure, alias Campbel ... Glasgow ... MDCCXXXVI. Comprising also every history hitherto published*, 2 vols (Glasgow, 1873), i, 255-6; *Ibid.*, 100, 224.

¹² There is some debate about when James' adult reign is thought to have started. In the most recent contribution on the subject, Steven Reid has suggested that the period between March 1578 and November 1585 constituted 'a process of transition to full adult power so gradual that James himself was probably unaware of it.' S. J. Reid, 'Of bairns and bearded men: James VI and the Ruthven Raid' in M. Kerr-Peterson and S. J. Reid (eds), *James VI and Noble Power in Scotland, 1578-1603* (Abingdon, 2017), 50.

negotiating with both to their own advantage. The study builds upon work completed by James McGrath in his 1986 doctoral thesis, which provided an analysis of politics and local government in Glasgow between 1574 and 1586, based upon the first two extant volumes of the burgh court act books. This thesis takes up the town's story from the point at which McGrath finished his study.¹³

There are several reasons for pursuing this project. At its core, it is an attempt to write a political and religious history of Glasgow during James' reign. Work on Glasgow during the sixteenth and seventeenth centuries has been limited and most published research which does address the period has tended toward a teleological approach, by attempting to explain how the earlier period provided a basis for the city's rapid demographic expansion and economic growth in the late seventeenth and eighteenth centuries.¹⁴ The only full-length studies addressing the early modern town are McGrath's work and a recent thesis by Daniel MacLeod, which examined religious practice during the sixteenth and seventeenth centuries.¹⁵ By following on from McGrath's thesis, this study provides the second half of a diachronic history of Glasgow spanning the period between 1574 and 1625. Secondly, in doing so, the thesis will inform historiographical debate in three key areas relating to early modern Scotland: the Reformation, Jacobean state formation and urban history. Scotland's early modern towns have received relatively little attention from historians and in taking Glasgow as its focus, this thesis is a response to recent calls for more studies of Scotland's sixteenth and seventeenth-century burghs in general and Glasgow in particular.¹⁶ The study will also show how the complex processes involved in Jacobean state formation and Scotland's 'Long Reformation' drove change in the burgh between 1585 and 1625. Placing an emphasis on these external factors establishes the proper context from which to measure change and continuity in Glasgow during the period. These developments would eventually culminate in the building of the tolbooth as an expression of municipal power and civic pride.

¹³ J. McGrath, 'The Administration of the burgh of Glasgow, 1574-1586', 2 vols (University of Glasgow PhD thesis, 1986) [hereafter McGrath, 'Administration'].

¹⁴ T. C. Smout, 'The Development and Enterprise of Glasgow, 1556-1707', *Journal of Scottish Political Economy* 6 (3) (Nov., 1959), 194-212, at 207 for mention of the town's future growth; J. McGrath, 'The Medieval and Early Modern Burgh', in T. Devine and G. Jackson (eds), *Glasgow, Volume 1: Beginnings to 1830* (Manchester 1995), 17-62, at 55; also see T. C. Smout, 'The Glasgow merchant community in the 17th century', *SHR* 47 (1968), 53-71. P. Reed (ed.), *Glasgow: The Forming of the City* (Edinburgh, 1999).

¹⁵ D. MacLeod, 'Servants to St Mungo: The Church in Sixteenth Century Glasgow', (University of Guelph PhD thesis, 2013); McGrath, 'Administration'.

¹⁶ See L. Stewart 'Politics and Government in the Scottish Burghs, 1603-1638', in J. Goodare and A. MacDonald (eds) *Sixteenth-Century Scotland: Essays in Honour of Michael Lynch* (Leiden, 2008), 428-31 for the suggestion that burghs should receive greater attention and K. Brown, 'Early Modern Scottish History – A Survey', *SHR*, 92 (2013), issue supplement, 5-24, at 23 for specific mention of Glasgow.

This thesis revisits arguments about Scotland's early modern towns that were put forward by Michael Lynch and Ian Whyte in the 1980s. Their work is still regarded by historians as a high-water mark in the study of the kingdom's early modern urban history.¹⁷ As Rob Falconer has recently observed, Lynch and Whyte took urban history in new directions, asking questions about urbanisation and urban networks, in the context of political, social and economic change. This marked a departure from earlier studies that had tended to focus on *why* certain burghs were formed in the first place and their various functions within the realm, and which had therefore concentrated upon the constitutional and legal aspects of Scotland's urban history.¹⁸ Lynch and Whyte revealed the early modern burghs to be politically and socially complex places, which were subject to distinct phases of meaningful change. They showed that the continuities assumed by earlier generations of historians were no longer helpful when it came to understanding urban development during the early modern period and opened up new vistas for further research.¹⁹

Lynch in particular identified the long reign of James VI as a turbulent but defining one for many towns, during which the formerly 'medieval burgh' evolved into a definably 'early modern town.' As Laura Stewart has recently observed, he identified increased interference by central government during the reign as the primary factor driving change in burghs' political and social fabric, but also argued that the 'early modern town' emerged as a result of this increasingly intrusive government interference 'from above' being combined with indigenous demographic and socio-economic changes which arose 'from below'.²⁰ Firstly, the government intrusion into urban affairs that came 'from above' involved significant increases in taxation but also aimed at centralisation and greater uniformity in burgh governance, policies which Lynch described as an attempt by the crown to impose 'the example of Edinburgh' upon the burghs.²¹ Secondly, and as Stewart has noted, Lynch

¹⁷ See J. R. D. Falconer, 'Surveying Scotland's urban past: The pre-Modern burgh', *History Compass*, 9 (1) (2011), 34-44, at 35 for this observation. For other fruits of this programme of research, see for example M. Lynch (ed.), *The Early Modern Town in Scotland* (Worcester, 1987); M. Lynch, M. Spearman and G. Stell (eds.), *The Scottish Medieval Town* (Edinburgh, 1988). M. Lynch, 'Whatever happened to the Medieval Burgh? Some guidelines for sixteenth and seventeenth century historians', *Scottish Economic and Social History* 4 (1984), 5-20; I. Whyte, 'Urbanization in Early Modern Scotland: A Preliminary Analysis', *Scottish Economic & Social History* 9 (1989), 21-37; M. Lynch, 'Urbanization and Urban Networks in Seventeenth-Century Scotland: Some Further Thoughts', *Scottish Economic & Social History* 12 (1992), 24-41.

¹⁸ Falconer, 'Surveying Scotland's urban past', 34-5.

¹⁹ Stewart 'Urban Politics and Government', 427.

²⁰ Lynch, 'Introduction: Scottish Towns, 1500-1700' and id., 'The Crown and the Burghs 1500-1625', in Lynch, *Early Modern Town*, 16-17, 28-9, 73-5; M. Lynch, 'Continuity and change in urban society, 1500-1700', in R. Houston and I. D. Whyte (eds), *Scottish Society, 1500-1800* (Cambridge, 1989), 86-90; Stewart 'Urban Politics and Government', 427-8.

²¹ Lynch, 'The Crown and the Burghs', 71-3; Lynch, 'Continuity and change in urban society', 85; Quotation in Lynch, 'Scottish Towns', at 14.

identified the most important of these changes ‘from below’ as being population growth in towns, increased overseas trade and rampant price inflation, and argued that these factors contributed to the rise of a newly-affluent urban social elite. This group benefitted from property speculation and money-lending in a rapidly changing economy.²² The third significant factor contributing to the emergence of the ‘early modern town’ during the reign of James VI was what Stewart termed the ‘aftershock of Reformation.’²³ For Lynch, the most important effect of this in terms of driving change in Scottish towns was the significant increase in the number of new parishes that appeared within many of Scotland’s larger burghs during the 1590s, so that the medieval system of one town being based on a single parish came to an end.²⁴

This thesis explores all of these themes in relation to Glasgow between 1585 and 1625. It largely agrees with the chronology put forward by Lynch and Whyte for the emergence of the ‘early modern town’ but identifies many more ways in which the activities of church and state impacted the burgh during James’ reign and locates the drivers of change more precisely. The provostship of Sir George Elphinstone of Blythwood (1600-1606) is pinpointed as the period of most significant change, which established a constitution for the town that would endure until the end of the reign. Central to this was the important civic reform known as the Letter of Guildry (1605), analysis of which is a key component of this thesis. Elphinstone was a courtier and the royal appointee as provost and he was either tasked with or took responsibility for extensive reform of Glasgow’s civic administration after his appointment in 1600. On this reading, Glasgow provides an example of a town that was thoroughly modernised by the state during the reign of James VI. By the time of Elphinstone’s arrival as provost, the Kirk was already well-established in the burgh under the Presbyterian settlement. Elphinstone’s provostship coincided with the return of John Spottiswood as Archbishop of Glasgow, and together these two developments constituted a re-assertion of royal authority in the burgh and the surrounding region.

A study of Glasgow is also timely because although some recent work on the early modern towns has begun to present a more sophisticated picture of Scotland’s urban communities, the focus has tended to be on Edinburgh and Aberdeen, Scotland’s two largest towns in this period.²⁵ The capital has received the most attention, but because it was by far

²² Stewart ‘Politics and Government’, 428.

²³ *Ibid.*

²⁴ Lynch, ‘Scottish Towns’, 28.

²⁵ For example, see M. Lynch, *Edinburgh and the Reformation* (Edinburgh, 1981); Stewart, *Urban Politics and the British Civil Wars*; E. Dennison, D. Ditchburn, and M. Lynch, (eds.), *Aberdeen before 1800: A New History* (East Linton, 2002). Stewart makes this point in Stewart ‘Urban Politics and Government’, at 428-9. She notes that only Edinburgh, Aberdeen and Glasgow have received ‘serious scholarly attention’, but that Glasgow has received only an overview, rather than detailed investigation, in T. Devine and G. Jackson (eds), *Glasgow, Volume 1*.

the most affluent Scottish burgh in the late sixteenth and early seventeenth centuries, which dominated overseas trade and had a tax bill 170 times that of many smaller burghs, it cannot be seen as representative of the wider urban experience.²⁶ The focus on these two towns has presented a skewed picture of urban Scotland during the early modern period and the study of others has become necessary in order to redress the imbalance. This is also true of the recent cultural turn in Scottish urban history. Falconer has drawn attention to this, noting a shift towards questions ‘that consider burghs as centres of broader human activities.’²⁷ His own examinations of petty crime in sixteenth-century Aberdeen are pioneering examples of such studies but require comparative testing in other local contexts.²⁸ Recent studies of credit and money-lending in both Edinburgh and Aberdeen during the seventeenth century by Catherine Spence, Gordon DesBrisay and Karen Sander Thomson are also part of this cultural turn. This work has broken new ground by scrutinising the behaviour of townspeople in Scotland more closely and reinterpreting that behaviour in terms of their exercise of agency in social, economic and cultural terms, but the focus nevertheless remains upon Edinburgh and Aberdeen.²⁹

Glasgow is used here not just as a test model for theories on the emergence of the early modern town, but also in order to engage with wider European debates about state formation and the idea of a ‘Long Reformation’. The concept of a ‘Long Reformation’ has been employed to help understand the European Reformations for many years and has recently been applied to Scotland.³⁰ This thesis owes much to a large corpus of local studies of Scotland’s Reformation, which continues to grow. Ian Cowan’s ground-breaking pamphlet, *Regional Aspects of the Scottish Reformation* (1978) and subsequent monograph, *The*

²⁶ Lynch, *Edinburgh and the Reformation*; Stewart, *Urban Politics*; This point about Edinburgh is made in Stewart, ‘Politics and Government’, at 430.

²⁷ Quotation in Falconer, ‘Surveying Scotland’s urban past’, 34-5; See K. Bowie, ‘Cultural, British and Global turns in the history of early modern Scotland’, *SHR* 92 (2013), issue supplement, 28-38 for the suggestion that early modern Scottish History is currently experiencing a cultural turn.

²⁸ J. R. D. Falconer, *Crime and Community in Reformation Scotland: Negotiating Power in a Burgh Society* (London, 2013); J. R. D. Falconer, ‘A Family Affair: Households, Misbehaving and the Community in Sixteenth-Century Aberdeen’, in J. Nugent and E. Ewan, (eds), *Finding the Family in Medieval and Early Modern Scotland* (Aldershot, 2008), 139-50; J. R. D. Falconer, ‘Mony Utheris Divars Odious Crymes: Women, Petty Crime and Power in Later Sixteenth Century Aberdeen’, *Crimes and Misdemeanours; Deviance and the law in historical perspective* 4 (1) (2010), 7-36; E. P. Dennison, ‘Recreating the Urban Past’, in D. Ditchburn and T. Brotherstone (eds.), *Freedom and Authority: Scotland c.1050-c.1650: Historical and Historiographical Essays Presented to Grant G. Simpson* (East Linton, 2000), 284.

²⁹ C. Spence, *Women, Credit, and Debt in Early Modern Scotland* (Manchester, 2016); G. Desbrisay and K. Sander Thomson, ‘Crediting Wives: Married Women and Debt Litigation in the Seventeenth Century’, in E. Ewan and J. B. Nugent (eds), *Finding the Family in Medieval and Early Modern Scotland* (Aldershot, 2008); Also see: A. Glaze, ‘Women’s Networks of Family, Work, Support and Slander in Canongate, 1600-1660’, (University of Guelph PhD thesis, 2017), which examines social relations between women more widely, and ventures outside Edinburgh, but still remains within the Edinburgh area.

³⁰ For the idea of a ‘Long Reformation’ being applied to Scotland, see J. McCallum (ed.), *Scotland’s Long Reformation: New Perspectives on Scottish Religion, c. 1500-1660* (Leiden, 2016), especially id., ‘Introduction’, 18-22.

Scottish Reformation: Church and Society in Sixteenth Century Scotland (1982), called for full-length local studies of the Reformation and several historians responded to his call over the next two decades.³¹ The work of Mary Verschuur, Margaret Sanderson, Jane Dawson and Frank Bardgett, among others, tended to focus on the years around the Reformation rebellion itself and highlighted the diverse ways in which those events were experienced across the kingdom.³² Michael Graham's *The Uses of Reform* (1996), analysed church discipline and popular behaviour across a range of parishes prior to the re-establishment of the episcopate in 1610, and took into account evidence of gendered, popular and elite behaviour in the ecclesiastical records.³³ Margo Todd's seminal study, *The Culture of Protestantism in Early Modern Scotland* (2002), then examined Scottish religion 'in the pew' at the local level, making a key contribution to the broader cultural turn taking place in early modern Scottish studies. Recent years have seen important work by John McCallum and Catherine McMillan build upon the agenda set by both of those books, by making use of local parish records to analyse long-term processes of reform in Fife and Aberdeenshire respectively after 1560. Their focus has largely been upon the successful establishment, or otherwise, of the Kirk within these regions. McCallum, for example, has argued that 'by the 1620s and 1630s, most of the features of a reasonably healthy reformed church were in place' in Fife and that the long period of time that it took the Kirk to fully establish itself contributed to its ultimate success, allowing it to root itself deeply in local communities.³⁴ He has recently noted that an overall theme to have emerged from these local area studies is the 'complexity and variety' with which different regions experienced the ongoing processes of Scotland's Reformation after 1560.³⁵ This thesis shows that the Kirk established itself in Glasgow in the same manner and according to the same chronology that it did elsewhere in Lowland Scotland, but that in introducing practices of disciplinary and social reform it was sensitive to local conditions.

³¹ I. Cowan, *Regional Aspects of the Scottish Reformation* (London, 1978); I. Cowan, *The Scottish Reformation: Church and Society in Sixteenth Century Scotland* (London, 1982).

³² This literature is extensive, but see for example Verschuur, *Politics or Religion?: the Reformation in Perth, 1540-1570* (Edinburgh, 2006); F. Bardgett, *Scotland Reformed: The Reformation in Angus and the Mearns* (Edinburgh, 1989); J. Dawson, "'The face of ane perfyt Reformed Kyrk": St Andrews and the early Scottish Reformation' in *Humanism and Reform: Essays in honour of James K. Cameron* (Oxford, 1991); M. Lynch, *Edinburgh and the Reformation* (Edinburgh, 1981); M. Sanderson, *Ayrshire and the Reformation* (East Linton, 1997); A. White, 'The impact of the Reformation on a burgh community: The case of Aberdeen', in Lynch, *Early Modern Town*.

³³ M. Todd, *The Culture of Protestantism in Early Modern Scotland*, (Yale, 2002); M. Graham, *The Uses of Reform: Godly Behaviour and Popular Discipline in Scotland and Beyond* (Leiden, 1996).

³⁴ J. McCallum, *Reforming the Scottish Parish: The Reformation in Fife, 1560-1640* (Farnham, 2010), 231-3, quotation at 233; C. McMillan, 'Keeping the Kirk: The Practice and Experience of Faith in North East Scotland, 1560-1610' (University of Edinburgh PhD Thesis, 2016).

³⁵ McCallum, 'Introduction' in *Scotland's Long Reformation*, 12.

As with individual studies of Scotland's early modern towns, Glasgow has largely been missing from this corpus of area studies of the Scottish Reformation. MacLeod helped to rectify this with the completion of his doctoral thesis in 2013.³⁶ He analysed religious practice, in a broad sense, in Glasgow from the early sixteenth century until the trial and execution of the Jesuit martyr John Ogilvie in the town in 1615 and adopted Todd's methodology of studying religious culture from a largely synchronic and anthropological perspective. This allowed him to emphasise the continuities in religious practice that endured within the burgh across the sixteenth century. While MacLeod made significant further strides in overturning the long-established 'heroic Protestant narrative' which has tended to dominate Scottish Reformation studies, and he was careful to state that his study focused predominantly upon religious *culture*, his thesis gave the impression that Glasgow was only lightly touched by the processes of Reformation identified by McCallum.³⁷ The chapters on the Kirk in this thesis attempt to offer a complementary counter-point to MacLeod's work, by examining the establishment of the post-Reformation Kirk in Glasgow from a diachronic perspective, in a similar fashion to McCallum's work on Fife.

The paradigm of a 'Long Reformation' during the reign of James VI must also take into account the king's success in establishing royal supremacy within the Kirk and the shift from Presbyterian to Episcopalian church settlements which gradually took place after 1600. These discussions are of great relevance to an ecclesiastical burgh such as late-sixteenth and early-seventeenth-century Glasgow.³⁸ Here, the work of Alan MacDonald has been pivotal. He has shown that a Presbyterian resistance movement within the Kirk did emerge in response to royal policies, but that this did not galvanise noticeably until 1604 and the Hampton Court conference of January that year.³⁹ MacDonald has suggested that 'the episcopate as it had stood in 1602 was acceptable to the majority of ministers in the Kirk but it is difficult to argue the same for that of 1610.'⁴⁰ He has contended that a gradual re-establishment of the episcopate took place under James and a similarly slow, piecemeal and contingent Presbyterian resistance movement emerged in response. While this undermines the idea that distinct Presbyterian and Episcopalian 'parties' existed within the Kirk under James VI, disagreement remains amongst historians as to the overall impact of the restored

³⁶ MacLeod, 'Servants to St Mungo'.

³⁷ *Ibid*; for reference to the 'heroic Protestant narrative', see A. Ryrie, *Origins of the Scottish Reformation* (Manchester, 2006), 5.

³⁸ Glasgow became a royal burgh in April 1611 but the archbishop retained the right to appoint the magistrates of the burgh court. J. Marwick (ed.), *Charters and other documents relating to the city of Glasgow, 1175-1649*, 2 vols (Glasgow, 1894) [hereafter Marwick, *Charters*], ii, 278-83.

³⁹ A. MacDonald, *The Jacobean Kirk, 1567-1625, Sovereignty, Polity and Liturgy* (Aldershot, 1998), 102, 179-187.

⁴⁰ *Ibid.*, 182.

episcopate once it had been fully re-established.⁴¹ Where Keith Brown, Laura Stewart, James Kirk and Vaughn T. Wells have argued that, following their gradual return to power between 1600 and 1610, the position of the bishops remained inherently unstable,⁴² Walter Foster and more recently, Margo Todd, have put forward a more positive view, maintaining that the model of ‘bishop in presbytery’ was not only sustainable but indeed a positive development for the Kirk, at least prior to the king’s controversial introduction of the Five Articles of Perth in 1618.⁴³ In the case of Glasgow, John Spottiswood’s combative approach to the pre-existing church settlement after his appointment as archbishop in 1603 ensured that royal supremacy was established over the Kirk in the local area, but this also helped to foster religious controversy, resistance to crown policy and an intensified persecution of Catholics.

The second major factor driving change in Glasgow during James VI’s adult reign was the effort made by his governments to modernise the Scottish state. Arguments about Jacobean state formation are controversial and an attempt has been made throughout this thesis to remain sensitive to both sides of what remains an ongoing argument. In this context, Julian Goodare’s influential work has placed state formation at the centre of discussions about the reign.⁴⁴ He has argued for a strengthening of government institutions and an increase in their complexity under James. The Privy Council became fully established as a corporate decision-making body, for example, while below the Privy Council in the hierarchy of government institutions, the activity of the Exchequer and subsequently the Treasury also increased markedly. In addition, the level of parliamentary taxation rose dramatically, a new governmental Register of Sasines became the primary means of recording property transactions and a new customs system was introduced.⁴⁵ Goodare originally termed these developments a ‘Stewart revolution in government,’ but has recently

⁴¹ For the old idea of a Presbyterian, ‘Melvillian’ party in the late sixteenth-century Kirk, see J. Kirk, ‘The development of the Melvillian movement in late sixteenth century Scotland’, 2 vols (Edinburgh University PhD thesis, 1972).

⁴² Stewart, *Urban Politics*, 9, 10-12; Brown, *Noble Power*, 224; J. Kirk, *Patterns of Reform: continuity and change in the Reformation Kirk* (Edinburgh, 1989), 444-5; Vaughn T. Wells, ‘The Origins of Covenanting Thought and Resistance’ (unpublished University of Stirling PhD thesis 1997); A. S. Wayne Pearce, ‘John Spottiswoode, Jacobean Archbishop and Statesman’ (unpublished University of Stirling PhD thesis, 1998). For the gradual establishment of the bishops’ powers between 1606 and 1610, see A. MacDonald, ‘James VI and I, the Church of Scotland, and British ecclesiastical convergence,’ *Historical Journal* 48 (4), 885-903 at 889-90 and id., *Jacobean Kirk*, 179-87.

⁴³ M. Todd, ‘From Reformation to Revolution’ in B. Harris and A. MacDonald (eds.), *Scotland: the making and unmaking of the nation, c. 1100-1707* (Dundee, 2007); M. Todd, ‘Bishops in the kirk: William Cowper of Galloway and the puritan episcopacy of Scotland’, *Scottish Journal of Theology* 57 (3) (2004), 300-312; W. Foster, *The Church before the Covenants: The Church of Scotland, 1596-1638* (Edinburgh, 1975), 65, 205.

⁴⁴ J. Goodare, *State and Society in Early Modern Scotland* (Oxford, 1999); J. Goodare, *The Government of Scotland, 1590-1625* (Oxford, 2004).

⁴⁵ J. Goodare, ‘Parliamentary Taxation in Scotland, 1560-1603’, *SHR* 68 (1) (1989), 23-52; Goodare, *Government of Scotland*, 149-152, 155-160, 277.

revised this view to describe them as pertaining to a ‘modernising state.’⁴⁶ He has argued that this revolution in government extended into the localities but how this worked in practice in specific regions has not been studied systematically.⁴⁷ This thesis argues that these ‘modernising’ tendencies extended to thorough reform of Glasgow’s municipal administration after 1600.

The most consistent critique of Goodare’s thesis has come from Keith Brown, in the context of his work on the Scottish nobility and the ways in which they exercised their power. Brown has downplayed the idea of a ‘Stewart revolution in government’, arguing that nobles retained their local jurisdictional authority despite the growing ambitions of the crown and that their networks of power ‘remained more important to local government than institutions and administrative structures.’⁴⁸ He has specifically made the point that burgh office-holding was an area in which noble influence remained strong and that burghs generally welcomed noble involvement in their affairs.⁴⁹ On this last point he is in agreement with both Lynch and MacDonald, who have stressed that the relationships between nobles and towns in this period were generally of mutual benefit to both parties.⁵⁰ As a result of debates between Goodare and Brown, the current consensus on Jacobean state formation reflects recent ‘third-wave’ theories on the subject that have been applied elsewhere in Europe, which have progressed beyond an understanding that this was a ‘zero-sum game’.⁵¹ Such studies have placed an emphasis on the negotiation and brokerage of government authority and recognised alternative sources of power, distinct from the state and often based upon diverse, quasi-feudal structures. These could resist ‘co-option, neutralisation or oppression’ by government, while at other times complementing or reinforcing its activities.⁵² This

⁴⁶ Goodare, *Government of Scotland*, 277; Goodare, ‘The Octavians’, 188. Also see L. Stewart, ‘The “Rise” of the State?’ in T. Devine and J. Wormald (eds), *The Oxford Handbook of Modern Scottish History* (Oxford, 2012), 204 for the idea that the Scottish state accumulated power during the reign of James VI, albeit that this process was ‘very gradual’.

⁴⁷ Goodare, *Government of Scotland*, 202-219.

⁴⁸ K. Brown, *Noble Power in Scotland from the Reformation to the Revolution* (Edinburgh, 2011), 118.

⁴⁹ *Ibid.*, 118-9.

⁵⁰ A. MacDonald, *The Burghs and Parliament in Scotland, c.1550-1651* (Aldershot, 2007), 37; Lynch, ‘Scottish Towns’, 21; This is a view reflected in studies of towns elsewhere in Europe. Also see C. Patterson, *Urban Patronage in Early Modern England: corporate boroughs, the landed elite, and the crown, 1580-1640* (Stanford, 1999), 2-8; M. Breen, *Law, City, and King: Legal Culture, Municipal Politics, and State Formation in Early Modern Dijon* (Rochester, 2007); M. Breen, ‘Law, Patronage and Municipal Authority in seventeenth century France: The aftermath of the Lanturelu revolt in Dijon,’ *French History* 20 (June, 2006), 138-160; S. Annette Finlay-Crosswhite, *Henry IV and the towns: the pursuit of legitimacy in French urban society, 1589-1610* (Cambridge, 1999).

⁵¹ See J. Goodare, ‘Review of Keith Brown, *Noble Power in Scotland from the Reformation to the Revolution*’, *SHR*, 91 (1) (2012), 179-80 for this point. Also see Stewart, ‘The “Rise” of the State?’, 200.

⁵² S. Hindle, *The State and Social Change in Early Modern England, c.1550-1640* (London, 2000); M. Braddick, *State Formation in Early Modern England* (Cambridge, 2000), especially ch. 2, cf. Stewart, ‘The “Rise” of the State?’, 200-201; P. Gorski, ‘Beyond Marx and Hintze? Third-Wave Theories of Early Modern State Formation’, *Comparative Studies in Society and History*, 43 (2001), 851-61; M. Braddick and J. Walter (eds), *Negotiating Power in Early Modern Society: Order, Hierarchy and Subordination in Britain and Ireland* (Cambridge, 2001). Also see the research project on European state formation currently being conducted at the

disagreement over the reach of monarchical and magnate power in Jacobean Scotland raises questions over who exercised greatest authority in Glasgow between 1585 and 1625, the crown, the nobility, or indeed the reinstated archbishop. The findings presented in this thesis suggest that although disputes arose over access to offices in Glasgow, the crown comprehensively established its authority over the burgh during the adult reign of James VI and that the government was the primary driver of modernisation in the town during the period. In addition, this thesis contends that this process enabled a greater number of men to become involved in the running of Glasgow's civic administration. This provides support for the dispersed model of state formation developed by Michael Braddick and Steve Hindle for early modern England, which identifies the expanding state as having provided a resource for the middle ranks in society, thus conferring upon it an increased level of participation, legitimacy and 'social depth'.⁵³

Similar studies investigating the impact of Reformation and state formation upon individual towns have been completed for other parts of Europe, although they are relatively few and far between.⁵⁴ In an English context, recent work taking this approach has given rise to the concept of the urban 'city commonwealth.' This is the idea that a distinctive urbanity, or civic political culture, emerged in England between the Dissolution of the early sixteenth century and the mid-seventeenth-century Civil Wars.⁵⁵ Phil Withington has shown that this new ethos overlapped the public and private spheres and that its contributing factors were complex, involving the fusion of cultural, economic, political and religious influences. This political culture had an independent streak that was difficult for the crown to control, and Withington has described this as the 'civic republicanism of England's post-Reformation towns and cities.'⁵⁶ His work built upon that of Robert Tittler, who argued that a traditional and doctrinally-informed, pre-Reformation urban political culture vanished in England after the Dissolution, to be replaced by a new culture, which was self-consciously manufactured by urban oligarchies, predominantly secular and civic in nature, and succeeded in legitimising the authority of those governing elites.⁵⁷ Both historians agreed that royal charters of incorporation – the nearest English equivalent to Scotland's royal burgh charters

University of Ghent under the direction of Frederik Buylaert, 'Lordship and the Rise of States in Western Europe, 1300-1600.'

⁵³ Hindle, *The State and Social Change*; Braddick, *State Formation in Early Modern England*; M. Braddick, 'State formation and social change in early modern England: a problem stated and approaches suggested', *Social History*, 16 (1) (1991), 1-17.

⁵⁴ See A. MacDonald, 'Dundee and the Crown', c.1550-1650' in C. McKean, B. Harris and C. Whatley (eds), *Dundee: Renaissance to Enlightenment* (Dundee, 2009), 33 for this point.

⁵⁵ P. Withington, *The Politics of Commonwealth: Citizens and Freemen in Early Modern England* (Cambridge, 2005).

⁵⁶ Withington, 'Two Renaissances', 260.

⁵⁷ Tittler, *The Reformation and the Towns*, 336.

– marked key maturation points in the development of this ethos within a town, and served as ways in which civic leaders could negotiate a new status with central government ‘from a position of institutional strength.’⁵⁸

A key point to note here is that although many of the developments outlined by Tittler and Withington are relevant to a study of early modern Scottish burghs, perhaps especially Glasgow as so much change occurred there in this period, the underlying concept of a ‘city commonwealth’ cannot be applied to Scotland. Withington has drawn some parallels between English and Scottish towns,⁵⁹ and the period analysed in this thesis corresponds exactly to the chronological framework used by both historians. In addition to building the new tolbooth during 1626-7, Glasgow’s civic leaders reinforced their authority in the town during the late sixteenth and early seventeenth centuries by seeking out royal charters, employing more local government officials, generating greater quantities of statutes and municipal by-laws and, as a consequence of this, increasing the volume and sophistication of their record keeping, all of which are activities directly comparable to England.⁶⁰ But in Scotland the close attentions of church and state did not provide the necessary political space for a ‘city commonwealth’ to develop, let alone what has been described as ‘civic republicanism.’⁶¹ A new type of urbanity did develop in Glasgow between 1585 and 1625 but for deep-rooted reasons relating to the nature of the very different Reformations and models of state formation that evolved in the two kingdoms, many of which will hopefully be elucidated by this thesis, the civic culture that emerged in the Scottish burghs is better understood as being driven more completely by the actions of the Kirk and the crown. Urban political culture in Jacobean Scotland was consequently both Calvinist and Royalist in nature, and more deeply embedded in a widely-agreed upon national identity and polity than was the case in England.

Demography, economy and education: Glasgow ‘on the move’

Before we can investigate Glasgow in the reign of the adult King James, we need to have a clear picture of the burgh’s evolution prior to that point. What is known about Glasgow during the late sixteenth and early seventeenth centuries suggests above all that it was a town

⁵⁸ *Ibid.*, 87-91, 188-193, *id.*, *Architecture and Power*, 90; Withington, *The Politics of Commonwealth*, quotation at 40.

⁵⁹ See Withington, *The Politics of Commonwealth*, 18-20.

⁶⁰ Tittler, *The Reformation and the Towns*, 186-8, 195-6, 214-7, 221-3, 240-3; Withington, *The Politics of Commonwealth*.

⁶¹ See Withington, ‘Two Renaissances’, 241, 256-67. Sharon Adams has recently argued against the existence of republicanism in Scotland between 1637 and 1651. S. Adams, ‘In Search of the Scottish Republic’, in S. Adams and J. Goodare (eds), *Scotland in the Age of Two Revolutions* (Woodbridge, 2014), 97-114, especially 114.

undergoing significant socio-economic change. In 1585, Glasgow was the head burgh of the archbishop's barony of Glasgow, which was his most lucrative territory amongst a total of eight baronies within his patrimony. These were: Glasgow, Carstairs, Ancrum, Lilliesleaf, Eskirk, Stobo, Ediston and Bishopsforest.⁶² Estimating the population of the town at the end of the sixteenth century is an inexact science, but as far as is known it was rising quickly. The population stood at around 4,500 adults in 1560 and had risen to 7,000 by 1600.⁶³ The 'landward' part of the barony, to the north, east and west of the town itself, included the estates of Barrowfield, Carmyle, Kenmure, Shettleston, Haghill, Possil, Cowcaddens, Woodside and Govan.⁶⁴ Within the barony, the territory or 'liberty' that belonged exclusively to the burgh was quite extensive, comprising 1,768 acres. This extended two miles from Camlachie Burn in the east of the settlement to Hamilton Hill in the west and a little less than two miles from Possil in the north to the River Clyde in the south.⁶⁵ The extent of this territory did not change significantly during the reign of James VI, although it did receive some new additions, which will be discussed in this thesis.⁶⁶ In the late sixteenth century, most of Glasgow's inhabitants lived near the town's market cross, which stood at the intersection between the main thoroughfare, which ran from the cathedral in the north of the town to the bridge at the Clyde, and the Trongate, Gallowgate and Walkergate streets.⁶⁷ There were other built-up areas along each side of this main street, which is now the city's High Street, and at the cross-section between the main street and the Rottenrow and Drygate roads in the north of the town. The university, by then over 130 years old, was situated on the east side of the main thoroughfare.⁶⁸ The cathedral and many of the buildings and prebends [lands provided for the canons of the cathedral chapter] that had supported its pre-Reformation religious community remained in place at the end of the sixteenth century. However, according to some accounts much of this area of the town had become dilapidated by then, as a direct consequence of the Reformation, the disappearance of the archbishop and the loss of the cathedral as a place of Catholic worship.⁶⁹

McGrath has shown that in 1585, the town's structures of administrative oversight were simple by the standards of other burghs. The burgh court, the town council and the common

⁶² J. Bain and C. Rodgers (eds), *Liber protocollorum M. Cuthberti Simonis, notarii publici et scribae capituli Glasguensis, A.D. 1499-1513. Also, Rental book of Diocese of Glasgow, A.D. 1509-1570*, 2 vols [hereafter *Liber protocollorum*] (London, 1875), i, 23-5; This has sometimes been mistaken for eighteen baronies. See for example, J. M'Ure, *A View of the City of Glasgow*, 3; Bain and Rogers, *Liber protocollorum*, i, 24.

⁶³ McGrath, 'The Medieval and Early Modern Burgh', 41-44.

⁶⁴ D. Murray, *Early burgh organization in Scotland: as illustrated in the history of Glasgow and of some neighbouring burghs*, 2 vols (Glasgow 1924-1932), i, 19.

⁶⁵ Murray, *Early burgh organization in Scotland*, i, 79.

⁶⁶ *Ibid.* See chapter 5 in this thesis.

⁶⁷ *Ibid.*, i, 79-81.

⁶⁸ N. Baxter (ed.), *A Tale of Two Towns: A History of Medieval Glasgow* (Glasgow, 2007), 48.

⁶⁹ Eyre-Todd, *History of Glasgow*, ii, 1-6. See MAP.

good were the three main organs of Glasgow's administration between 1574 and 1586, with the burgh court being by far the most important of these.⁷⁰ McGrath defined the court as Glasgow's 'judiciary' and the council as its 'legislature', and argued that the court was capable of dealing with most of the town's administrative requirements, with the council being mainly responsible for passing its annual statutes, or bye-laws.⁷¹ This relationship between the two main organs of the administration had developed because, as was the case in some other ecclesiastical burghs or burghs of barony in Scotland, Glasgow's town council had evolved from the medieval assize or *doussane* of the burgh court.⁷² This was essentially a jury chosen by the magistrates to oversee them as they dispensed justice, which could also act as a consultative and advisory body.⁷³ The long process by which this evolution had taken place in Glasgow was markedly different to how civic administrations in royal burghs such as Edinburgh or Berwick had developed, where the council evolved from the merchant guild.⁷⁴ Glasgow's merchants do seem to have enjoyed some degree of organisation at the end of the sixteenth century, although a merchant guild would not be established until the Letter of Guildry in 1605.⁷⁵ The town was also home to a broad manufacturing base of thirteen incorporated crafts at the end of the sixteenth century. Discussion of relations between merchants and craftsmen during the remainder of James' reign forms a key part of this thesis.

The thesis will show that Glasgow's administrative system became far more complex after 1605, largely because of policies introduced by central government. Before 1585, the way in which the town's civic records were kept reflected the simplicity of its administrative system. McGrath confirmed George Pryde's observation that in medieval and early modern Scotland, 'all manner of burghal proceedings ... might be entered together in the same book, so that it is hard to guess in what capacity a magistrate or group of burgesses acted: this state of affairs is no accidental outcome of clerical slovenliness – it is symptomatic of the times.'⁷⁶ Glasgow's civic administration was comprehensively modernised during the first two decades of the seventeenth century and one consequence of this was greater bureaucracy and thus an increasing volume of local government records.

Despite its small size and simple system of administrative oversight towards the end of the sixteenth century, the town was an important economic centre within the local region.

⁷⁰ McGrath, 'Administration', i, chapters 3, 4 and 5.

⁷¹ *Ibid.*, 136-7, 237.

⁷² *Ibid.*, 136.

⁷³ K. Brown, 'Towards political participation and capacity: elections, voting and representation in early modern Scotland', *The Journal of Modern History* 88 (1) (2016), 1-33, at 15; McGrath, 'Administration', i, 4.

⁷⁴ McGrath, 'Administration', i, 4.

⁷⁵ *Ibid.*, 83.

⁷⁶ G. S. Pryde, 'The Burgh Courts and Allied Jurisdictions', in G. Campbell and H. Paton (eds), *An Introduction to Scottish Legal History*, Stair Society 20 (Edinburgh, 1958), 387. McGrath, 'Administration', i, 135.

An eye-witness report by Bishop John Leslie in 1578 is often cited as evidence of the burgh's flourishing market at that time. He remarked:

Surlie Glasgow is the maist renoumed market in all the west, honorable and celebrate ... it is sa frequent and of sik renoume, that it sends to the Easte cuntreyes [east of Scotland] verie fat kye, herring lykwyse and samonte, oxnehydes, wole and skinis, buttir lykwyse that nane better, and chiese. Bot, contrare, to the west (quhair is a people verie numerable in respect of the commoditie of the sey cost), by uthir merchandise, all kind of corne to thame sendes. Bot till Argyle, in the hilande Iles, and lykwyse to the outmest Iles in Irland it sends baith vine and ale and sik kynde of drink as thir natiouns have pleasure off, to wit, made of ale, of honie, anat [anise] seide, and sum othires spices (this drink the commone peple commonlie calls Brogat [bragwort, a kind of mead]). In this country they likewise sell aqua vitæ, quilk heir in place of wine they commonlie use ... Farther it hes a verie commodious seyporte quhairin little schipis ten myles from the sey restis beside the brig, quhilke brig haveng eight bowis [arches] is ane gret delectation to the lukeris upon it.⁷⁷

During the reign of James VI, the town's economy would continue to grow. The steady improvement in Glasgow's economic fortunes is evidenced by its rise from fifth place on the list of the tax rolls of the Convention of Royal Burghs in 1591 to second behind Edinburgh by 1670.⁷⁸ The reign also saw improvements within the kingdom's mercantile economy as a whole, and this was reflected in the Clyde region.⁷⁹ Recent research by Jennifer Watson, using extant customs records, has shown that customs revenue surged during James' reign, with three particularly notable increases in takings during the collection periods of 1609/14, 1620/24 and 1630/34.⁸⁰ During the 1620s, Scottish merchants diversified the commodities that they exported, with completely new wares such as linen yarn and linen cloth quickly becoming an essential part of the kingdom's overall economy. Merchants retained access to their traditional markets in France, the low countries, the Highlands and Isles and Ireland, but in addition, an increase in trade with England followed the 1603 Union of Crowns, which was sustained throughout the remainder of the reign.⁸¹ Glasgow's geographical location allowed it to benefit from the new overland trade with England, and the town exported £1,748-worth of merchandise south between 1618 and 1627.⁸² These improvements in the local economy were reflected by a doubling in the town's estimated population between 1600 and 1660 from 7,644 to 14,678.⁸³ This rapid growth

⁷⁷ Hume Brown, *Scotland before 1700 from Contemporary Documents*, 120-1. McGrath, 'Administration', i, 431.

⁷⁸ McGrath, 'The Medieval and Early Modern Burgh', 41-44.

⁷⁹ See the tables and figures presented in J. Watson, 'Scottish Overseas Trade, 1597-1645', 2 vols (University of Edinburgh PhD thesis, 2003), i, 29, 32, 38, 59, 56, 70, 76, 86, 94, 101, 154, 187.

⁸⁰ The customs duties were collected during five-year terms.

⁸¹ J. Watson, 'Scottish Overseas Trade, 1597-1645', 1-4, 190-201.

⁸² McGrath, 'The Medieval and Early Modern Burgh', 47.

⁸³ *Ibid.*

made Glasgow Scotland's second most populous burgh by 1639, behind Edinburgh but having overtaken Aberdeen.⁸⁴

This economic growth was complemented by Glasgow's burgeoning reputation as an educational centre. By 1585, the university had recently seen comprehensive reform of its curriculum in line with the most recent European humanist trends, and improvement of its financial situation, under the leadership of Andrew Melville as principal.⁸⁵ In November 1599 this reputation was burnished further, with the establishment of Scotland's only college of surgeons and physicians under a royal charter granted to the continentally-educated doctors Peter Lowe and Robert Hamilton.⁸⁶ Thus Glasgow was a 'town on the move' during the reign of James VI.⁸⁷ From 1585 to 1625 its economy continued to expand, its population was rising quickly and its reputation as an educational centre became further consolidated. These developments have been outlined to provide a backdrop for the main subjects of investigation in this thesis, which are the ways in which the town's political and social order were refashioned through the efforts of church and state.

Sources and chapter outline

This study is broadly based on a chronological structure. This allows for discussion of all the main events and drivers of change in Glasgow between 1585 and 1625 and exploration of the major themes outlined above. The level of detail that can be brought to bear in discussing these topics has been dictated by the availability of primary source material. Part of the reason for the relative lack of work on early modern Glasgow to date has been the uneven nature of the source base. The municipal records only become extant from January 1573-4. They are then consistent until 1586 but patchy after that. The extant volumes of the manuscript town council and burgh court records for the period between 1573 and 1625 have been listed in TABLE 1. They are all housed in the Glasgow City Archives at the Mitchell Library.

⁸⁴ Lynch has provided a higher estimate. Using the stent roll for a 1639 tax levied by the Covenanted regime on the basis of valued rent, he suggested that the population of Glasgow by then already numbered 15,200 people. Making use of the same tax roll, Ian Whyte put forward the more conservative estimate of 14,000 people for that year. See Lynch, 'Urbanization and Urban networks,' 26; Whyte, 'Urbanization in Early Modern Scotland', 24.

⁸⁵ S. J. Reid, *Humanism and Calvinism: Andrew Melville and the universities of Scotland, 1560-1625* (Farnham, 2011), 78-84.

⁸⁶ J. Geyer-Kordesch and F. Macdonald, *Physicians and surgeons in Glasgow: the history of the Royal College of Physicians and Surgeons of Glasgow, 1599-1858* (London, 1999), 6-11. Peter Lowe was the driving force behind the establishment of the college. See *Ibid.*, 37.

⁸⁷ Professor Devine has used this phrase to refer to Glasgow in the 1640s. See Devine, 'Introduction', in Devine and Jackson, *Glasgow, Volume 1*, 6.

TABLE 1: Extant town council and burgh court records, Glasgow City Archives

Date	Type of Record	Reference
19 January 1573-4 to 12 May 1581	Burgh Court and Town Council encompassed together.	Glasgow City Archives [GCA], C1/1/1.
16 May 1581 to 27 April 1586	Burgh Court and Town Council	GCA, C1/1/2.
22 October 1588 to 31 July 1590	Burgh Court and Town Council	GCA, C1/1/3.
5 October 1594 to 29 May 1597	Burgh Court and Town Council	GCA, C1/1/4.
21 November 1598 to 27 October 1601	Burgh Court and Town Council	GCA, C1/1/5.
13 June 1605 to 4 June 1610	Burgh Court and Town Council to October 1609. Town Council only October 1609 to June 1610	GCA, C1/1/6.
16 January 1609 to 28 August 1613	Town Council only	GCA, C1/1/7.
October 1621 to 30 March 1624	Burgh Court only	GCA, B1/1/1.
20 September 1623 to 11 December 1630	Town Council only	GCA, C1/1/8.

Sources: Glasgow City Archives [GCA], C1/1/1-8; GCA, GCA, B1/1/1.

As the TABLE indicates, the burgh court and town council minutes were first separated into individual act books in October 1609. This was done as the civic administration modernised during the first decade of the seventeenth century and will be discussed in the thesis, primarily in chapter 5. The burgh court and town council records are complemented by those of the Dean of Guild court and Deacon Convenor's council. These were institutions established by the Letter of Guildry in February 1605, in order to regulate the activities of the town's merchants and craftsmen respectively. Robert Renwick's printed extracts of the Glasgow town clerk's protocol books, which encompass a period between 1547 and 1600, have also been used.⁸⁸ The church records for Glasgow during James VI's reign are also uneven. The detailed High Kirk session book is only extant for the decade between 1583 and 1593 and as much use as possible has been made of this in an attempt to gauge the impact of the Reformation upon Glasgow during that period. In order to measure change and continuity in the ongoing processes of religious reform in Glasgow across the entire period

⁸⁸ GCA, B4/1/1 and B4/1/2, Dean of Guild court act book, 1605-1622 and 1622-1638; R. Renwick (ed.), *Abstracts of the Protocols of the Town Clerks of Glasgow*, 11 vols (Glasgow 1894-1900); H. Lumsden (ed.), *The Records of the Trades House of Glasgow, A.D. 1605-1678* (Glasgow, 1910).

between 1593 and 1625, Robert Wodrow's edited synopses of the town's kirk session minutes have also been used, alongside the records of the Glasgow presbytery, which are continuous from 1592 until the mid-seventeenth century. Wodrow's records are selective summaries of once-extant Glasgow kirk session books, and he seems to have had access to consistent records encompassing a period from 1583 until the 1660s. He chose individual entries from the minutes and organised them by theme, including topic areas such as 'communion', 'church buildings', 'discipline' and 'ministers'.⁸⁹ These records are very limited in scope but have been used here to augment the presbytery and earlier kirk session records as part of the source base for chapter 4. Where relevant, central government records, charters and the printed *Original Letters Relating to Ecclesiastical Affairs of Scotland, 1603-1625* have been used to supplement these local sources throughout the thesis.⁹⁰

The thesis comprises five chapters. Chapter 1 discusses political change and continuity in the town between 1585 and 1606, at which point the disappearance of the provost, Sir George Elphinstone of Blythswood and arrival of the archbishop, John Spottiswood, ushered in a new regime in the burgh. That chapter also considers the impact of these developments upon Glasgow's oligarchic ruling elite – the men who served most frequently on the burgh's magistracy and town council. It shows that noble networks of power, such as kinship and marriage ties, reached into the burgh throughout that period, and provided a way for the crown, nobility and archbishops to exercise their authority. The town's ruling oligarchy also remained fairly undisturbed between 1585 and 1606, despite the political changes that took place. Chapter 2 then investigates the work of the Kirk in Glasgow between the beginning of the extant kirk session records in 1583 and the crown's re-appointment of Spottiswood as archbishop in 1603, revealing that in terms of ministerial provision during the 1580s and 1590s, and the level of activity of the session, Glasgow should be considered one of the 'best-reformed' towns in Lowland Scotland by the end of the sixteenth century. Chapter 3 then examines the Letter of Guildry, which was ratified by Glasgow's town council in February 1605, and its impact upon the oligarchic ruling elite. Chapter 4 analyses the impact of the archbishop's return upon religion and politics in the town, including a significant political crisis that engulfed the burgh during the summer of 1606. Chapter 5 then assesses the effect that the 1605 Letter of Guildry had upon the town's civic administration over the longer term, between 1605 and 1625. The complexity of the administration and its

⁸⁹ National Library of Scotland [hereafter NLS], Glasgow Kirk Session, MS 2782; R. Wodrow, *Collections upon the lives of the reformers and most eminent ministers of the Church of Scotland*, 2 vols [hereafter *Biographical Collections*] (Glasgow, 1834); GCA, Glasgow High Kirk Session Book, 1583-1593, CH2/550/1; Glasgow Presbytery Records, 1592-1627, CH2/171/1-2, Transcripts, CH2/171/31-36.

⁹⁰ D. Laing (ed.), *Original Letters Relating to the Ecclesiastical Affairs of Scotland*, 2 vols (Edinburgh, 1851) [hereafter *OLEAS*].

sophistication increased considerably and responsibility for local government was devolved from the crown and the archbishop to an increasingly broad base of both merchants and craftsmen. The new administration which emerged during this period was able to cater effectively to a growing urban population but it was designed to serve the interests of the new merchant guild that had been created by the Letter of Guildry.

All of these chapters show that the archbishop had comprehensively established his authority over both the civic administration and the local church courts by the end of James VI's reign. However, at the same time, the power of the town's expanding governing elite was significantly enhanced within the local community and they came to enjoy many new powers and the oversight of a more complex and sophisticated urban court system. This in turn enabled them to exercise an unprecedented level of authority over the lives of the town's inhabitants. By the end of the reign, their power had been consolidated as result of many changes to the burgh's structures of governance and oversight, some of them incremental and others decisive. Nevertheless, their authority rested upon a definitively Jacobean settlement, which had seen Glasgow thoroughly reformed and 'modernised' by the efforts of Kirk and crown.

Urban Politics and Glasgow's Ruling Elite, c. 1585-1606

Introduction

Glasgow had been founded as an ecclesiastical burgh in the twelfth century, under the direct control of the bishop of Glasgow. It remained under his feudal superiority until the flight of Archbishop James Beaton (II) during the Reformation Rebellion of 1559-60. During James VI's minority, the crown gradually increased its influence over the burgh until the town came fully under royal control as a result of the annexation of ecclesiastical benefices in 1587. These political developments naturally had a major impact upon the oligarchic ruling elite that had traditionally held power in Glasgow. This chapter addresses these developments by first examining the nature of the crown's growing influence over the burgh between 1585 and 1606. While there was change at the top of the civic administration at various points, this chapter also argues that a familiar oligarchic elite, whose power depended upon ties of kinship, marriage and sociability, retained power throughout the period. This indicates that burgh governance at the end of the sixteenth century and the beginning of the seventeenth century depended to a great degree upon consent. Regime change at the top of urban administrations was difficult. A violent political crisis broke out in the burgh during the summer of 1606, which will be explored in more detail in chapter 4. For the purposes of this chapter, it should be noted that the clash took place between the incumbent provost, Sir George Elphinstone of Blythwood, and the previous holder of that office, Sir Matthew Stewart of Minto, and their supporters. During his time as provost, Elphinstone introduced a new political faction into the burgh and in 1606 Minto was able to attract the support of a large number of the burgesses. It is likely that this was because by parachuting his own supporters into important roles within the civic administration, Elphinstone had antagonised many of the pre-existing political elite.

Power and politics in Glasgow, c.1585-1606

The years of James VI's minority were turbulent for Glasgow. McGrath has shown that between 1573 and 1586, the burgh directly felt the effects of the unsettled political situation at court.¹ As Julian Goodare has observed, the period of James VI's minority saw 'at least

¹ McGrath, 'Administration', i, 92-116.

six palace coups, five of which were successful.’² One way in which the successive regimes sought legitimacy was by installing clients as provosts of burghs.³ This tendency reached its apogee during the ascendancy at court of Captain James Stewart, Earl of Arran, in 1584 and 1585, a period that has been described as ‘the high-water mark of Stewart authoritarian government.’⁴ Laura Stewart has shown that many burghs were affected by these events, emphasising that they should be seen as an example of towns becoming caught up in the factionalism of James VI’s early reign, rather than ‘a determined crown attack on burghal independence.’⁵ In Glasgow, these minority governments appointed a succession of their clients to the office of provost [chief magistrate of the burgh] and a series of ‘tulchan’ archbishops between 1571 and 1587, which enabled the government to retain control of appointments to the burgh court and receive the lucrative revenues pertaining to the temporalities of the archiepiscopal see.⁶

In so far as the political instability of James’ minority affected Glasgow, James Douglas, the fourth Earl of Morton (regent from November 1572 to March 1578), set a precedent for government interference in the burgh’s affairs when he appointed the magistrates of the town’s burgh court himself in October 1573. That month he also installed his client, Robert Lord Boyd, as provost and in November elevated Boyd’s nephew, James Boyd of Tochrig, to the archbishopric.⁷ James McGrath has shown that the office of provost must have dated from the time of the burgh’s first royal charter in the twelfth century, as some form of administration and oversight by the bishop existed there at that time. Before the Reformation, the provost was appointed by the bishop (and then after 1492 by the archbishop) as the chief magistrate of his burgh court. The first mention of a *preposti* [provost] and *ballivi* [bailies: junior magistrates of the burgh court] can be found in a charter dated to the 1260s, by which Robert of Mythingby transferred lands within the burgh to Reginald Irewyn, the archdeacon of Glasgow cathedral.⁸ The archbishop also delegated the management of his barony to a bailie, a position held by either the Earls of Lennox or the Earl of Arran during the sixteenth century, and they in turn appointed a depute bailie, who by the 1580s typically also held the

² J. Goodare, ‘Scottish Politics in the Reign of James VI’ in J. Goodare and M. Lynch (eds), *The Reign of James VI* (East Linton, 2000), 35.

³ Stewart, ‘Politics and Government’, 434.

⁴ Lynch, *Early Modern Town*, 58.

⁵ Stewart, ‘Politics and Government’, 434.

⁶ R. Renwick, ‘The Archiepiscopal Temporalities of Glasgow’, *Regality Club*, iv, (Glasgow, 1900), 145-55. The term ‘tulchan’ bishops originates with James Melville. R. Pitcairn (ed.), *The autobiography and diary of Mr James Melville* (Edinburgh, 1842), 31, where he stated that at the Conference of Leith in January 1571-2, ‘ther aggreit to make bishops ... when they were named ‘tulchains’, that is calf’s skins stuffed with straw, to cause the cow gif milk.’

⁷ McGrath, ‘Administration’, i, 33.

⁸ Marwick, *Charters*, i, 17-19. McGrath, ‘Administration’, i, 3-4.

office of provost.⁹ The provost continued to serve as the burgh's chief magistrate at this time and his duties included overseeing the business of the burgh court.

Following Morton's fall in 1580, Esmé Stewart, the first Duke of Lennox and father of the second Duke, Ludovick, rose to power at court. He adopted a similar policy toward Glasgow, establishing himself as provost and then appointing a compliant archbishop, Robert Montgomery, the former minister of Stirling, after the death of James Boyd the following year. The Kirk and several of Esmé's political opponents suspected that he intended to benefit financially from this move, as he had convinced Montgomery to lease the temporalities of the see to him in return for an annual salary of £1,000.¹⁰ Steven Reid has recently argued that Esmé Stewart's appointment of Montgomery was just one aspect of a wider programme of avaricious government policies carried out by the duke, which were the direct cause of the *coup d'état* that came to be known as the Ruthven Raid. The Raid was carried out by a noble faction opposed to the regime of Esmé and Arran (December 1580-August 1582). The *coup* was led by William Ruthven, the fourth Lord Ruthven and first Earl of Gowrie, whose intent in capturing the king in August 1582 was to restore a government that would be more acceptable to the majority of the aristocracy.¹¹

While the Ruthven lords held power, they oversaw the re-appointment of Sir Matthew Stewart of Minto as provost of Glasgow. Esmé Stewart had initially appointed Minto to the office in October 1581, as his replacement. He was the eldest son of Sir John Stewart of Minto, who had been provost of the burgh between 1565 and 1573. Sir John had also been the keeper of the archbishop's castle in Glasgow from May 1568 until 1573, at which date the Earl of Morton had replaced him in both of these offices by appointing his own client, Robert Lord Boyd.¹² Stewart had been able to cheaply obtain alienated church property between 1564 and 1572 and set about dispensing this to members of his family, the burgh magistrates and other influential burgesses for financial gain from 1566.¹³ He had been instated as provost by Matthew Stewart, the fourth Earl of Lennox, upon the latter's receipt of the office of bailie of the barony and regality of Glasgow in 1565, which highlights the Minto Stewarts' longstanding service to the Earls of Lennox. The fourth earl's return to power followed a period of Hamilton predominance in which James Hamilton, the Earl of Arran and Duke of Châtelherault, had been the bailie of the barony (of regality) between 1545 and 1565.¹⁴ The office of depute bailie of the barony of Glasgow had also been held

⁹ McGrath, 'Administration', i, 7-8.

¹⁰ Reid, *Humanism and Calvinism*, 97-102. Spottiswood described the transaction as a 'vile bargain', Spottiswood, *History*, ii, 282.

¹¹ Reid, 'Of Bairns and Bearded Men', 37-9.

¹² Renwick, 'The Archiepiscopal Temporalities', 145.

¹³ Renwick, *Glasgow Protocols*, iii-vi, nos. 882, 894, 899-900, 923, 1536, 1646, 1714, 1717, 1727.

¹⁴ McGrath, 'Administration', i, 22; ii, 10, 25.

by the Minto Stewart family on an almost hereditary basis since the early sixteenth century.¹⁵ Sir Matthew's return as provost in 1582 was most likely masterminded by his younger half-brother, Walter Stewart, the lay prior or commendator of Blantyre, who was an important member of the Ruthven government.¹⁶

The king escaped from the Ruthven lords in June 1583 and appointed Arran as the head of his government, much to the raiders' surprise and chagrin.¹⁷ During this second short spell in power, Arran installed John Graham, the third Earl of Montrose, as Glasgow's provost in October 1583 and then Sir William Livingstone of Kilsyth, who served as provost during 1584 and 1585. Again, this was an example of the most powerful faction at court rewarding their loyal followers. In November 1585, the tables at court were turned once again when a group of lords linked to the Ruthven raiders successfully deposed Arran, causing Montgomery, who had switched his allegiance to Arran after the fall of Lennox, to finally surrender the archbishopric.¹⁸ One of the most influential of this group of lords was John Erskine, the second Earl of Mar, and he ensured that his kinsman, the layman William Erskine, was appointed to the archbishopric, while Minto continued as provost.¹⁹ James McGrath has shown that during this turbulent period for Glasgow, the archbishops' influence waned in relation to these government appointees and real power within the burgh came to be exercised by whoever was in the ascendant at court.²⁰

In July 1587, James VI annexed the temporalities of ecclesiastical benefices to the crown. This marked a new phase in the crown's relationship with the burgh of Glasgow, making the town a property of the royal demesne for the first time, although not yet a royal burgh. This further strengthened the crown's hold over the town at the expense of the archbishops.²¹ The annexation itself constituted a significant power grab by the king at the expense both of the Kirk and the many secular landowners who had succeeded in carving estates out of former ecclesiastical lands since the Reformation. It considerably increased the size of the crown's landholdings across Scotland and allowed James to use the property he had gained as a

¹⁵ McGrath, 'Administration', i, 106. Sir Matthew Stewart of Minto was Sir John's first son by his first marriage to Johanna Hepburn. See Balfour, *Scots Peerage*, ii, 80 and below.

¹⁶ McGrath, 'Administration', i, 110.

¹⁷ Reid, 'Of Bairns and Bearded Men', 50; Marshall, 'Stewart, James, earl of Arran (c.1545–1596)', *ODNB*; *Ibid.*

¹⁸ Montgomery had met with repeated resistance from Presbyterians in Glasgow throughout his tenure (1581–85), and was excommunicated by the General Assembly in 1582, but had held on to his position doggedly. It seems to have been Arran's fall which finally convinced him to relinquish power. Reid, *Humanism and Calvinism*, 97–102; McGrath, 'Administration', i, 115.

¹⁹ McGrath, 'Administration', i, 92–115. There is a gap in the MS burgh records between April 1586 and October 1588 but it is clear from the Glasgow High Kirk Session record that Minto held the provostship in October 1586, GCA, CH2/550/1, 103.

²⁰ McGrath, 'Administration', i, 149, 444.

²¹ *RPS*, 1587/7/18, 'Annexation of the temporalities of benefices to the crown, 29 July 1587.'

reservoir of patronage.²² However, the king only decided to annex the temporalities after much deliberation.²³ During early 1587, he had contemplated restoring the pre-Reformation Archbishop of Glasgow, James Beaton, to his archiepiscopal lands, in order to bring them under *de facto* crown control. Beaton had fled the kingdom during the Reformation rebellion in 1560, and the Privy Council had denounced him as a rebel and escheated him of the archiepiscopal temporalities in August 1568 and finally forfeited him of his lands in September 1570, under the regency of James Stewart, first Earl of Moray.²⁴ But during 1587, James VI planned to reinstate him. On 17 March, the Privy Council wrote that the king:

Meaning to employ James, sumtime archbishop of Glasgow in his service, has restorit and reponit in integrum the said James ... aganis the sentences of forfaltour and barratrie given contrare him for all offensis and crymes therein contenit and others committit by him wherewith he may be chargit, and to all his lands, benefices, rowmes, possessions, broukit and possessed by him at any time before the said sentences, and as the same had never been given.²⁵

In order to reconcile this plan with William Erskine's ongoing status as Archbishop of Glasgow, the king declared that Erskine would continue to receive the revenues from the see until the parliamentary ratification of Beaton's reinstatement.²⁶ But the king eventually chose to abandon this plan and annexed the temporalities in their entirety, which officially placed the burgh court, and the rights of nomination pertaining to it, in crown hands. This decision was ratified by Parliament on 29 July 1587.²⁷

Following the annexation, the crown adopted a new policy towards the burgh. The regents had appointed their own clients as both archbishops and provosts but James made no attempt to restore the archbishop after the resignation of Erskine in 1587.²⁸ Instead of retaining the archbishop in his position as the minority governments had done, he appointed some of his closest lay courtiers, first to the feudal superiority of Glasgow vacated by the archbishop, and then to the office of provost. During this period, he used the barony lands to create a temporal lordship for Walter Stewart, commendator of Blantyre, in November 1587 and then transferred those same lands to Ludovick Stewart, the second Duke of Lennox, in July 1593.

²² Brown, *Noble Society*, 28, 241; Goodare, *Government of Scotland*, 154.

²³ James seems to have regretted the Annexation. In *Basilikon Doron* (1599) he recommended that his son should reward loyal ministers with bishoprics and other gifts, 'annuling that vyle act of annexation' of 1587. J. Craigie (ed.), *The Basilikon Doron of King James VI*, 2 vols (Edinburgh, 1944; 1950), i, 74, cited in MacDonald, *Jacobean Kirk*, 88.

²⁴ T. Thomson, *Acts and Proceedings of the General Assemblies of the Kirk of Scotland*, 3 vols (Edinburgh, 1839-45), [hereafter *BUK*], i, 207-236; *RPC*, first ser., i, 638.

²⁵ *RPC*, first ser., iv, 154.

²⁶ *Ibid.*, Renwick, 'The Archiepiscopal Temporalities of Glasgow', 152.

²⁷ *RPS*, 1587/7/18.

²⁸ James would eventually reinstate James Beaton as Archbishop of Glasgow in June 1598. *RPS*, 1598/6/17, 'Act in favour of [James Beaton], archbishop of Glasgow, 29 June 1598'; McGrath, 'Administration', i, 115-6.

The privileges attached to the lands were extensive and included the right to appoint the magistrates of Glasgow's burgh court – the provost and (usually) three bailies – and the freedom to feu the barony lands. For this second reason, Walter Stewart was known as 'lord feuer' of Glasgow during his time as a temporal lord.²⁹ The king intended that Walter Stewart should hold and manage these lands for the second Duke of Lennox until the latter came of age.

Although James Beaton had left Scotland in July 1560, during his long period of exile in France he maintained a correspondence with those of his supporters who remained within the burgh and barony of Glasgow. One letter in particular sheds light on the king's plans for the barony lands. On 7 March 1587-8, one of Beaton's supporters in Glasgow wrote to him under a false name, informing the archbishop that he had been working to protect his rights following the Annexation. The author wrote:

I am persuaded we should not have found as great a favour as is promised,³⁰ yet at least that shift should not have holden us aback. After that I had causit serve inhibitions in all the kirks, I raisit very ample letters at your instance, conform to the act of Parliament, commanding the hail tenants to answer and obey you, your factours and chamberlains, of all duties appertaining to your living, quhilkis after I had causit Archibald Hegate to put in execution, they were very extraordinarily suspended.³¹

The writer added that the whole temporal lands of the archbishopric had been given to Walter Stewart:

To the end he may dispone them to the tenants and apply the silver gotten for the feus to my lord Duke's utilitie, and the heal feus disponit that the Prior shall renounce the superiority in favour of my lord Duke in his majesty's hands; and all this is founded upon the late act of Parliament called the Act of Annexation of the heal temporal lands unto the crown.³²

The anonymous writer of this letter was making clear that far from being returned to him, as Beaton and his supporters had hoped during 1586-7, the archbishop's lands were now lost. Instead, the letter reveals that the second Duke of Lennox was due to receive them, and that

²⁹ *RPS*, 1593/4/74, 'Act in favour of [Ludovic Stewart], duke of Lennox regarding the superiority of the bishoprics of St Andrews and Glasgow, 21 July 1593'; 'Charter of James VI granting in feu the lands and barony of Glasgow to Walter, Commendator of Blantyre (1587)' in Marwick, *Charters and Documents*, ii, 215-225. The lands granted to Stewart also included the archbishops' former border baronies of Ancrum, Eskirk and Lilliesleaf.

³⁰ This probably refers to James' initial plan to reinstate Beaton.

³¹ W.J. Duncan (ed.), *Miscellaneous papers, principally illustrative of events in the reigns of Queen Mary and King James VI* (Glasgow, Maitland Club, 1834), 43-44. Renwick, 'The Archiepiscopal Temporalities', 153.

³² *Ibid.*

the king also planned to benefit from the new arrangement through the archiepiscopal lands being held by the Duke, who was his kinsman and one of his most loyal supporters.

The king's vacillating policy regarding the patrimony of the archdiocese reflects the piecemeal way in which he rewarded the second Duke of Lennox with lands, offices and titles. Adrienne McLaughlin has recently discussed many of these in detail and shown how Lennox remained a staunch supporter and close confidant of James VI throughout his life.³³ In so far as Ludovick's rights and privileges related to Glasgow, he was confirmed as second Duke of Lennox on 31 July 1583 at only nine years of age, and in December of that year the crown transferred to him the sheriffdom of Dumbarton and the bailiesship of the barony of Glasgow, from John Graham, the third Earl of Montrose. This decision was announced at Glasgow's market cross, where the town's burgesses were ordered to obey the Duke and his tutor, Ludovick's great-uncle Robert Stewart, the Earl of March, 'in the said offices and manrent.'³⁴ In July 1593, he received the lands of the archbishoprics of Glasgow and St Andrews and from 1596 he began personally appointing the magistrates of Glasgow's burgh court.³⁵ In June 1598, Parliament restored James Beaton to the archbishopric, and this was later ratified again on 15 November 1600.³⁶ However in February 1600, Lennox agreed articles with Beaton's agent in Scotland, Mr Alexander King, which established the Duke's right to the temporalities of the archbishopric and secured possession of them during the absence of the archbishop.³⁷ The next month the king signed an obligation to 'maintain the Duke of Lennox in the possession of all offices and privileges which the house of Lennox had enjoyed of the archbishopric of Glasgow during the lifetime of the archbishop James Beaton, and after his death to erect the said archbishopric into a temporal lordship, to remain with the house of Lennox forever.'³⁸ The parliamentary act of November 1600 did return the archiepiscopal lands to Beaton, but Lennox would continue to appoint the magistrates of Glasgow's burgh court until 1603. The impact of John Spottiswood's elevation to the archbishopric that year upon Lennox's rights and privileges will be explored in chapter 4. However between 1587 and 1593, Walter Stewart held the lands of the Glasgow archbishopric, in name of the second Duke.

³³ A. McLaughlin, 'Rise of a courtier: The second Duke of Lennox and strategies of noble power under James VI', in Reid and Kerr-Peterson, *James VI and Noble Power*, 136-154.

³⁴ *RPC*, first ser., iii, 614-5.

³⁵ *RPS*, 1593/4/74.

³⁶ *RPS*, 1598/6/17; *RPS*, 11/70, 'Act of Parliament, ratifying to James Archbishop of Glasgow his restitution to his whole heritages and possessions, 15 November 1600.

³⁷ NRS, Montrose papers, GD220/1/F/8/2/1, 'Articles agreed between Ludovick, Duke of Lennox and Mr Alexander King, agent to the bishop of Glasgow' (1600).

³⁸ NRS, Montrose papers, GD220/2/1/187, 'Obligation by King James VI to maintain Ludovick Duke of Lennox in the possession of all offices and privileges which the house of Lennox had before enjoyed of the Archbishopric of Glasgow' (1600).

The lives of Ludovick and Walter Stewart have received little attention from historians. The long governmental career of Walter Stewart provides an informative case study in the exercise of noble and royal power during James' reign, as he was a kinsman and loyal servant both of the king and the second Duke of Lennox. He worked in the private interests of the latter as well as in the 'public' service of the king and his government. Where historians have taken note of him, they have tended to emphasise his wide-ranging governmental responsibilities.³⁹ Whether he should be regarded as one of the king's 'new men' at court is coloured by the fact that his circumstances were possibly unique. He was one of James' childhood friends and also played an important role in managing the second Duke's affairs after his arrival in Scotland, particularly those which related to the Duke's core patrimony of the Lennox and the burgh and barony of Glasgow.⁴⁰

As a child, Walter Stewart had been educated in the king's schoolroom in Stirling Castle by George Buchanan and Peter Young. Amy Juhala has shown that his career subsequently benefitted from the trust and intimacy forged between James and his classmates during that formative period, and that other courtiers also profited in this way, such as John Erskine (later the second Earl of Mar), and his cousin Thomas Erskine of Gogar.⁴¹ Stewart was a distant kinsman of James and the second Duke of Lennox and the younger half-brother of Sir Matthew Stewart of Minto, the long-standing provost of Glasgow mentioned previously (1581-1583 and 1586-1600). He was the first son of Sir John Stewart of Minto and his second wife, Margaret Stewart. Margaret was the second daughter of James Stewart of Cardonald (1512-1584), who was descended from Allan Stewart of Cardonald, the younger son of John Stewart, first Earl of Lennox.⁴² As a result of these familial links, he was a trusted servant of both the king and the Duke. He served as a vital mediator between the royal government and the private interests of Lennox, who held great power as the largest noble landowner in Scotland and 'second person' of the realm, as well as because of his close relationship with

³⁹ Zulager, 'Stewart, Walter, first Lord Blantyre (d. 1617)', *ODNB*, Date accessed: 12 Aug 2015; J. Goodare, 'The Octavians' in Reid and Kerr-Peterson, *James VI and Noble Power*, 179-80, 183-4; A. Juhala, 'The Household and Court of King James VI of Scotland, 1567-1603' (University of Edinburgh PhD thesis, 2000), 96-7.

⁴⁰ In 1991, Ried Zulager's doctoral thesis largely brought an end to arguments about the emergence during James VI's reign of a Scottish *noblesse de robe* in the French style. He argued that, far from being a new administrative class created by James to act as a power base to rival the traditional nobility, these royal officials had often achieved their positions through the time-honoured channels of noble patronage. They could even on occasion be placed at court by powerful nobles in order to extend their influence and protect their interests there. See R. Zulager, 'A Study of the Middle-Rank Administrators in the Government of King James VI of Scotland, 1580-1603' (University of Aberdeen PhD thesis, 1991), 138, 153-155, 198-199; Also M. Kerr-Peterson, 'Sir William Keith of Delny: Courtier, Ambassador and Agent of Noble Power', *INR* 67:2 (2016) for the idea of a 'laird of court'; And Brown, *Noble Power*, 244-5 for the debate about 'new men'. Indeed, the distinction between a *noblesse de robe* and a *noblesse d'épée* in early modern France has also recently been eroded, see Brown, *Noble Power*, 244.

⁴¹ Juhala, 'The Household and Court of King James VI', 93-8.

⁴² Balfour, *Scots Peerage*, ii, 80-1; v, 350.

the king.⁴³ James' skilful management of his nobility between 1578 and 1603 rested in large part upon his astute employment of officials of lairdly origins whom he trusted, such as Walter Stewart.⁴⁴

The king made Walter the commendator of the priory of Blantyre in 1580. He then served as a gentleman in the king's privy chamber between May 1580 and 1594, holding a pension between May 1580 and 1592. He became keeper of the Privy Seal and a member of the Privy Council in 1582, and served as Lord of the Privy Seal between January 1583 and March 1596. His promotions to these offices indicate that he was a central figure under both the Ruthven regime of August 1582 to May 1583, and then in James' own administration once the king took over the reins of government from 1585. He became an assessor to the treasurer in April 1583 and tutor to the eight year-old Ludovick following the latter's arrival from France in May of that year. In May 1593, Stewart was appointed a judge extraordinary of the Court of Session and, in March 1596, became one of the 'Octavians', a group of government administrators charged with stabilising the royal finances. From March 1596 until April 1599 he was the royal treasurer and during 1597, the royal comptroller.⁴⁵ It is little wonder a contemporary joked that the weight of all these government offices made it impossible for him to ride his horse.⁴⁶

The life and career in Scotland of Ludovick Stewart, the second Duke of Lennox, has also been little studied beyond an entry in the *Oxford Dictionary of National Biography* and McLaughlin's recent article. His close relationship with James VI and his non-confrontational attitude to the other members of Scotland's high nobility has created the impression of a largely emollient character, whose main interests lay in maintaining a close relationship with the king and extending his influence at court.⁴⁷ Yet Lennox's interactions with James Beaton, mentioned above, do suggest that he pursued a policy of hard-nosed practicality when it came to managing his interests in his localities, which was similar to the behaviour of many other noble chiefs in Scotland and not so far removed from the aggressive approach taken by his father, Esmé. In his management of these practical affairs, he benefitted from the service of Walter Stewart, and the latter's considerable legal expertise and administrative capabilities, as well as the favour of the king. Walter's work as 'lord

⁴³ R. Macpherson, 'Stuart, Ludovick, second duke of Lennox and duke of Richmond (1574–1624)', *ODNB* (Oxford, 2004), accessed 21 October 2016; Brown, *Noble Society*, 30.

⁴⁴ See Kerr-Peterson and Reid, 'Introduction', *James VI and Noble Power*, 9, for James' successful management of his nobility.

⁴⁵ R. Zulager, 'Stewart, Walter, first Lord Blantyre'; Juhala, 'The Household and Court of King James VI', 96–7, 312, 322, 336–7.

⁴⁶ C. Rodgers (ed.), Sir John Scot of Scotstarvet, *The Staggering State of Scottish Statesmen* (Edinburgh, 1872), 56.

⁴⁷ McLaughlin, 'Rise of a courtier', 136–7; Juhala, 'The Household and Court of King James VI', 101–102; Brown, *Noble Power*, 62.

feuer' of Glasgow should thus be viewed in the context of his place within a triangular relationship that existed between himself, James and Lennox and in terms of his 'portfolio' of public and private work.

Walter Stewart had wide-ranging legal duties relating to his work in Ludovick's service. From 1586, for example, he helped to mediate an on-going feud in the region of the Lennox between the Colquhoun family of Luss and the McFarlanes of Arrochar.⁴⁸ The former were followers of the Duke of Lennox, while the latter were close adherents of the Campbell Earls of Argyll.⁴⁹ The Colquhouns were significant landholders within the Lennox in their own right, their primary holding being the barony of Luss itself, which they had held since the mid-fifteenth century. Their family seat was the castle of Rossdhu, on the south bank of Loch Lomond.⁵⁰ They had connections to Glasgow which will be explored in more detail later in this chapter. During the late sixteenth century, the Earls of Argyll expanded their influence in the Lennox, which meant that the Colquhouns were caught up in the rivalry between the Duke and Argyll. The family seem, for the most part, to have allied themselves with the Duke, although the level of the latter's support for the Colquhouns during their feud with the McFarlanes may have been conditional upon expectations of good governance and vassalage. For example, Ross Crawford has recently argued that Lennox was reluctant to support Sir Humphrey Colquhoun during his turbulent chiefship but provided his more competent brother, Alexander, with more fulsome support after Sir Humphrey's death in 1592.⁵¹ Walter Stewart became involved in the Colquhouns' feud with the McFarlanes on at least two occasions, arbitrating on behalf of Alexander Colquhoun in 1595 and 1608.⁵² In November 1599, Stewart sat on one of the Duke's justice ayres in the Lennox, which had been established to punish the MacFarlanes for historic crimes.⁵³ These episodes seem to indicate that the second Duke reasserted his rights in the Lennox after reaching his maturity, at the expense of Argyll, or was at least able to retain some of his legal rights, and that Walter Stewart played a key role in his attempts to take back control there.

Walter would continue to manage the Duke's affairs after the latter moved to England with the king in 1603 and he remained his most important broker in Scotland after that date. In February 1606, for example, Lennox named Stewart at the head of a commission to

⁴⁸ The territory of the Lennox extended from Partick in the south east to the lands of the Earls of Argyle in the west. It encompassed all of Loch Lomond to the north and its seat was the royal castle of Dumbarton. See for example: National Library of Scotland [NLS], Maps of Scotland, Maps of Scotland, The Shire of Lenox [i.e. Lennox] or Dunbarton by H. Moll, Shelfmark: EMS.b.2.1(18) (London, 1745), <http://maps.nls.uk/rec/238>.

⁴⁹ R. Crawford, 'Warfare in the Highlands and Islands of Scotland, c. 1545-1615' (University of Glasgow PhD thesis, 2016), 158.

⁵⁰ *Ibid.*, 155.

⁵¹ *Ibid.*, 160-165. I am grateful to Dr Crawford for sharing his knowledge about the Colquhouns of Luss.

⁵² *Ibid.*; *CSP Scot.*, xii, 52; *RPC*, first ser., viii, 73.

⁵³ W. Fraser (ed.), *The Lennox*, 2 vols (Edinburgh, 1874), ii, 340-41.

‘appoint factors and chamberlains upon the Duke's estate under them [the commission] and to call them to account, to enter and receive vassals and all other duties to manage the Duke's affairs in Scotland.’⁵⁴ In June 1610, in his capacity as a commissioner for Ludovick, he created a precept of clare constat [a deed confirming the title of the heir of a dead vassal] in favour of Robert, Lord Lindsay, which confirmed Lindsay in the hereditary office of bailliary of the monastery of St Andrews and its lands, and stated that he was to receive an annual fee from the teinds generated by lands within the barony of Byres and constabulary of Haddington.⁵⁵

Between 1587 and 1595, Walter Stewart appointed the magistrates of Glasgow's burgh court, in lieu of the Duke. Lennox then did so from 1596 until 1603. Throughout the entire period between 1586 and 1600, they both named Sir Matthew Stewart of Minto as provost every year. His time in office came to an end in September 1600 when James VI personally appointed Sir George Elphinstone of Blythswood as the provost of the burgh, with Lennox also present, at the annual Michaelmas elections of that year. Elphinstone would serve until Michaelmas 1606, when the king removed him following the violent clash that took place between himself and Minto during the summer of that year, by which the latter tried to reclaim his position.⁵⁶ This will be explored in more detail in chapter 4. At the Michaelmas elections of 1603, the town council, under Elphinstone's leadership, began to appoint the magistrates itself, which marked a significant reform of Glasgow's constitution and infuriated the Duke, who felt his rights had been usurped. During his time in office, Elphinstone also introduced a number of other reforms that revolutionised Glasgow's urban administration. These innovations can be read as a coordinated programme of civic reform designed to formalise the burgh's constitution, rationalise its administration and re-configure its relationship with government during the uncertain few years either side of the Union of Crowns. They will be examined in chapter 3. These reforms also appear to have been an attempt by Elphinstone, in his role as an agent of the crown, to bring Glasgow's constitution more closely into line with that of other towns, particularly Edinburgh.⁵⁷ Elphinstone is commonly credited as one of the architects of the burgh's 1605 Letter of Guildry. This wide-ranging reform established a merchants' guild and Dean of Guild court in Glasgow for the first time, alongside a council for the deacons of the town's thirteen incorporated crafts and

⁵⁴ NRS, Montrose papers, GD220/1/F/8/4/3, ‘Extract commission by Ludovick, Duke of Lennox’ (1606).

⁵⁵ Edinburgh, National Records of Scotland [hereafter NRS], Papers of the Earls of Glasgow (Crawford Priory), GD20/1/184, ‘Precept of clare constat by Walter, Lord Blantyre, commissioner of Ludovic, Duke of Lennox’ (1610).

⁵⁶ P. Goatman, ‘James VI, Noble Power and the Burgh of Glasgow, c.1580-1605’ in Kerr-Peterson and Reid, *James VI and Noble Power*, 81-8.

⁵⁷ Michael Lynch has suggested that during James' reign, the government attempted to impose ‘the example of Edinburgh’ upon the burghs. Lynch, ‘Scottish Towns’, 14.

the offices of Dean of Guild of the Merchants, Deacon Convenor of the Crafts and visitors of the maltmen and mealmen.⁵⁸ This was a significant restructuring which had been demanded by Parliament and the Convention of Royal Burghs for over a decade but resisted by Glasgow's ruling elite until Elphinstone's appointment as provost. It will also be examined in chapter 3. Elphinstone's arrival as provost and his reforming zeal seem to have been the driving force behind the Letter's introduction and this raft of other measures.

Prior to his appointment as provost in September 1600, Sir George Elphinstone had also been a successful courtier and one of King James' favourites. He was the son of George Elphinstone senior, a successful Glasgow merchant who had served as a bailie of the burgh court during the 1570s and 1580s. He was therefore also a member of a branch of the family of the Lords Elphinstone, whose kinsmen had begun to settle in the burgh from at least the 1470s.⁵⁹ During the 1570s, George Elphinstone senior had been able to use his wealth to purchase the local estate of Blythswood and transform his rental of the lands of Gorbals, Bridgend and part of Woodside into a feu-holding, which was a far more secure form of land-holding.⁶⁰ Rather than pursue a career as a 'merchant laird' in the Glasgow area as his father had done, George junior made his way to the royal court, where the king knighted him at the baptism of Prince Henry in 1594.⁶¹ Less than a month before James VI appointed him to the provostship of Glasgow, he presented Sir George's bride, Agnes Boyd, with a wedding gift of a belt set with pearls. This indicates James' pleasure with him at that time, as he only tended to present gifts such as these to the wives of his favourite courtiers.⁶² Elphinstone was also someone over whom the second Duke of Lennox exercised great influence, both at court and in the royal bedchamber.⁶³ In this sense, his career was similar to that of Walter Stewart as he too found himself in a triangular relationship with Lennox and the king. Elphinstone was not a burghess of Glasgow before he was installed as provost by James, and he and a number of his servitors were created burghesses immediately prior to his appointment

⁵⁸ 'Letter of guildry and relative documents', in Marwick, *Charters and Documents*, i, dcv-dcxxii [hereafter 'Letter of guildry and relative documents']; Jackson, *Dean of Guild Court*, 10; Eyre-Todd, *History of Glasgow*, 122-4; Gibson, *The History of Glasgow*, 153-4; Denholm, *The History of the City of Glasgow*, 259.

⁵⁹ W. Fraser, *The Elphinstone family book of the Lords Elphinstone, Balmerino and Coupar*, 2 vols (Edinburgh, 1897), i, xiv, 1-2; Eyre-Todd, *History of Glasgow*, ii, 122. The Lords Elphinstone held lands in Stirlingshire, Perthshire and Aberdeenshire. The title was created in 1510 by James VI for Sir Alexander Elphinstone of Elphinstone, who died at Flodden three years later. See Fraser, *Elphinstone Family Book*, i, 36-50.

⁶⁰ McGrath, 'Administration', i, 70-1.

⁶¹ W. Fowler, *A True Reportarie of the Baptisme of the Prince of Scotland* [Edinburgh, 1594] (STC [2nd edn] /11214.6), 19; Eyre-Todd, *History of Glasgow*, 123.

⁶² Juhala, 'Household and Court', 166; Agnes Boyd was the daughter of Thomas, sixth Lord Boyd. The marriage contract between Agnes and Sir George was agreed on 9 July 1600: Balfour, *Scots Peerage*, v, 167; NRS, Boyd papers, GD8/439, 'Instrument of Renunciation by Archibald Heigate, in favour of Thomas, Lord Boyd' (1598); NRS, GD8/450, 'Bond by Sir George Elphinstone of Blythswood, knight, to Thomas, Lord Boyd' (1600). Sir George Elphinstone's marriage linked him politically to the Boyd family and underpinned his influence in the Glasgow area.

⁶³ Elphinstone was an ordinary gentleman of the royal bedchamber between 1596 and August 1599, which was dominated by Lennox. Juhala, 'Household and Court', 304, 310, 313.

in September 1600.⁶⁴ By appointing Elphinstone as the provost, the king deliberately installed one of his favourite courtiers as Glasgow's chief magistrate.

Elphinstone also expanded the scope of the office of provost of Glasgow. Due to a gap in the town council and burgh court records between October 1601 and June 1605, it is difficult to fully discern the nature of his provostship.⁶⁵ However, it is clear that during his time as the chief magistrate, the minutes of the burgh court and town council began to be recorded separately for the first time, whilst clearly distinguishable minute entries for court and council business and town council sederunts were also introduced. It was also during Elphinstone's tenure as provost that the town council began to convene in Glasgow's council house independently from the magistrates of the burgh court, who continued to meet in their traditional room in the (old) tolbooth.⁶⁶ Whereas Sir Matthew Stewart of Minto was almost never present at meetings of the town council during his provostship, between June 1605 and June 1606 Elphinstone attended eighteen out of twenty-nine council meetings, or sixty-two per cent, indicating that he was heavily involved in its work.⁶⁷ In addition, it also seems fair to suggest that during his time as provost, Elphinstone established the newly-strengthened town council as his base of support within the burgh, in an attempt to rival Minto.⁶⁸ In October 1605 the council chose Elphinstone as provost for a sixth consecutive year. The councillors listed amongst their reasons for doing so that he had led a thus far successful campaign before central government, in favour of the town council appointing the burgh's magistrates, and that he had devolved to the common good some of the unlaws [fines paid for legal violations] that he had previously been personally entitled to as provost.⁶⁹ As late as October 1605 therefore, Elphinstone seems to have been a popular provost, at least amongst Glasgow's town councillors.

Therefore, between 1585 and 1606, the burgh of Glasgow was increasingly drawn under crown control. The king's firm hand in the governance of the town is clearly evident after his annexation of the ecclesiastical benefices in 1587, and his subsequent creation of a temporal lordship that year for Walter Stewart, the prior of Blantyre, using the temporalities of the Glasgow archbishopric. He chose to govern the burgh by keeping it in the hands of

⁶⁴ J. Anderson, *The Burgesses and Guild brethren of Glasgow, 1751-1846* (Edinburgh, 1935), 29.

⁶⁵ See TABLE 1, 'Introduction', 27 for the extant Glasgow town council and burgh court records.

⁶⁶ The first dedicated town council minute entry, showing the council meeting in the council house, as opposed to the tolbooth, is recorded in June 1605. GCA, C1/1/6, fo. 3r.

⁶⁷ For Elphinstone's attendance at town council meetings, see for example GCA, C1/1/6, fo. 4v (first record of the council meeting independently of the burgh court) – fo. 77v. These pages account for the year between June 1605 and June 1606. During that year, the council met twenty-nine times and Sir George Elphinstone of Blythswood was present at eighteen meetings. During the same period, the burgh court met on seventy-six occasions, with Elphinstone present only six times.

⁶⁸ See chapter 3.

⁶⁹ Marwick, *Extracts*, i, 234.

his favourite courtiers, the second Duke of Lennox, Walter Stewart and Sir George Elphinstone of Blythswood. By the time of Blythswood's appointment as provost in September 1600, royal authority in Glasgow was uncontested.

The Burgh's ruling elite, c.1585-1606

The changes to the feudal superiority of Glasgow and the nature of the provostship between c. 1585 and 1606 directly impacted upon the ruling elite in the burgh. Oligarchic rule was normal in towns in early modern Europe and was rooted in the Aristotelian ideas of 'aristocratic rule' by a few of the 'better sort' (which was generally seen as desirable), the 'city commonwealth' and the concept of 'common good' or 'common profit'.⁷⁰ The town's political elite is defined here as those men who served most frequently on the burgh court and town council. Prior to the period between September 1600 and July 1606 (for which records are largely missing), when the burgh administration was reformed under Sir George Elphinstone's leadership, Glasgow's magistrates were chosen by the feudal superior of the burgh every Michaelmas. These were the provost as head magistrate and three junior magistrates known as bailies. These elections took place in the first week of October, when the magistrates were chosen by the archbishop or lay superior. He chose the provost directly and selected the bailies from a leet of (usually) eight names, which had been drawn up by the new provost, together with the previous year's bailies and town council. The town council was then chosen, typically the following week, by the new provost, the new bailies and the old bailies.⁷¹ In this way, the make-up of the town council was dependent upon the choices made by the magistrates of the burgh court, who were themselves chosen by the superior. This process reflected the seniority of the burgh court over the council within the urban administration and the latter's evolution from originally having been an assize of the former. Overall, the magistracy and town council were dominated by a small, self-perpetuating oligarchy between 1585 and 1606.⁷² The process of selection changed under Elphinstone's leadership, when the previous year's town council chose the provost and

⁷⁰ P. Withington, 'Agency, Custom and the English Corporate System' in J. Barry and H. French (eds), *Identity and Agency in Early Modern England, 1500-1800* (Basingstoke, 2004), 201, 208-9; Tittler has distinguished between ideas of 'neutral' or desirable oligarchic rule in towns and 'corrupt' oligarchy, which could be resented or resisted: Tittler, *The Reformation and the Towns*, 183; Brown, 'Towards political participation', 19.

⁷¹ McGrath, 'Administration', ii, 83, 98.

⁷² The right of out-going magistrates and town councillors to choose those for the following year was established by acts of Parliament in 1469, 1474 and 1504: *RPS*, 1469/19; *RPS*, A1474/5/12; W. Croft Dickenson, *Scotland from the earliest times to 1603* (London, 1965), 232-4. M. Verschuur, 'Perth and the Reformation: society and reform, 1540-1560', 2 vols (University of Glasgow PhD thesis, 1985), i, 222.

bailies, who in turn then selected the new council.⁷³ Following Elphinstone's fall from power after 1606, and the arrival of John Spottiswood as archbishop, the old system was re-established.⁷⁴

James McGrath's analysis of Glasgow's political elite between 1574 and 1586 showed that the burgh's bailies were consistently appointed, whether by archbishops or regents, from a pool of the same twenty-four elite town councillors.⁷⁵ As has been noted, the provosts were either members of the nobility, such as John Graham, third Earl of Montrose or Robert Lord Boyd, or lairds of some standing, such as Thomas Crawford of Jordanhill, Sir William Livingstone of Kilsyth or Sir Matthew Stewart of Minto.⁷⁶ TABLE 1.1 in the appendix lists those men who served as provosts of Glasgow after that period, between 1586 and 1625, while TABLE 1.2 details the twenty-four elite councillors who were identified by McGrath, and the number of times that they each held office on the magistracy and town council between 1574 and 1586. McGrath's method of identifying these men was to include only those who served for more than six years on the council.⁷⁷ The same method has been employed in compiling TABLE 1.2. Using McGrath's core data, the number of times that each of Glasgow's ruling elite held office has been calculated and only those who served a minimum of six times on the council have been included, as this is an efficient benchmark for ascertaining the identities of the most powerful political figures in the burgh between 1574 and 1586. Where possible, the dates of their deaths have been recorded, as this often gives a sense of a councillor's age, and death was frequently the only reason why members of the elite ceased to serve within the administration.

The list of names presented in TABLE 1.2 underscores McGrath's point that during this period Glasgow's town council and magistracy were dominated by a small, oligarchic elite. Between 1574 and 1586, twenty-eight different men were leeted for the burgh's bailieships but only twelve of these were appointed to the thirty-nine bailie positions available for those years.⁷⁸ Of these, the position was dominated by just three men. These were William Cunningham, who was leeted nine times and appointed seven, George Elphinstone (senior),

⁷³ GCA, C1/1/6, fo. 22v; Marwick, *Extracts*, i, 234-5.

⁷⁴ Marwick, *Extracts*, i, 270.

⁷⁵ McGrath, 'Administration', i, 62.

⁷⁶ McGrath, 'Administration', ii, 80-82.

⁷⁷ *Ibid.*, 98-149. In her recent study of the politics of early seventeenth-century Edinburgh, Laura Stewart adopted a similar approach, recording the names of councillors who served for ten years or more between 1616 and 1653, in order to identify those who enjoyed greatest political influence in the capital and to use this 'discrete body of people to describe cultural and social expressions of power.' Stewart, *Urban Politics*, 100-101.

⁷⁸ There are only eleven bailies listed in the table as Colin Campbell was a one-off appointment made by Esmé Stewart in 1581. He served only one year on the magistracy and on the town council only twice, on the second council of 1580-1 and in 1585-6, meaning that he did not fall within McGrath's designation of elite councillors. See McGrath, 'Administration', ii, 95, 112, 127.

leeted seven times and appointed six and Robert Stewart, leeted six times and appointed five. Less successful, but still very influential, were John Graham, who was a bailie three times, and Robert Rowatt and Adam Wallace, who held the post four times each.⁷⁹

After 1587, Walter Stewart appointed the magistrates and his choices show that he made a conscious effort to consolidate a support base around a group of town councillors linked to his Stewart kindred and the Colquhouns of Luss. He was also conscious to establish a legitimate oligarchy in the burgh, whose loyalty to the crown could be guaranteed following the factionalism of the early 1580s, but who were also acceptable to the existing elite in the town.⁸⁰ This trend reflects a shared finding in other work on towns in both Scotland and France during the early modern period, namely that urban governance rested to a large degree upon consent.⁸¹ In a study almost precisely contemporaneous to Jacobean Glasgow for example, Annette Finlay-Crosswhite has shown how the French Bourbon king Henri IV was able to secure the support of towns within his kingdom by positioning his clients within them as urban office-holders. This was a particularly urgent matter in the case of the rebellious Catholic League following France's sixteenth-century religious wars. Henri's governments carefully chose men who were both acceptable to the townspeople and able to effectively dispense royal patronage and reflect the king's will.⁸² In Scotland, there was no comparable challenge to James' authority and the problems he and Walter Stewart of Blantyre faced in Glasgow were minor by comparison. Walter nevertheless assumed responsibility for appointing the burgh magistrates following a period of political instability engendered by the policies of successive minority governments,⁸³ and he was faced with the task of re-establishing orderly governance and consolidating the authority of the crown and the new adult king over the burgh. He did this by appointing bailies to the magistracy who were acceptable to the other burgesses of the town, in that they were members of the burgh's traditional ruling elite, but were also men upon whom he could depend, as they were closely linked to his own kindred and those of the Lennox Stewarts' allies in the west of Scotland, the Colquhoun family of Luss.

Analysis of Walter Stewart's appointments suggests that there was marked continuity between the personnel appointed to the magistracy after 1587 with those who had served before, which underlines the point that he was intent upon re-establishing a legitimate

⁷⁹ McGrath, 'Administration', ii, 84, 133-4.

⁸⁰ Within early modern European polities, the concept of 'legitimacy' was central to the means by which monarchs established authority over towns. See Finlay-Crosswhite, *Henry IV and the towns*, 1-9.

⁸¹ M. Lynch, 'From privy kirk to burgh church: an alternative view of the process of Protestantisation' in N. MacDougall (ed.), *Church, Politics and Society: Scotland, 1408-1929* (Edinburgh, 1983), 87; Finlay-Crosswhite, *Henry IV and the towns*, 1-9.

⁸² Finlay-Crosswhite, *Henry IV and the Towns*, 1-5, 45. The level of Henri VI's continued unpopularity is of course evidenced by his assassination in 1610.

⁸³ See McGrath, 'Administration', i, 442-5 for political instability in Glasgow during the 1570s and 80s.

governing oligarchy. TABLE 1.3 in the appendix outlines the most influential bailies and town councillors who served between 1588 and 1606. This encompasses the period when Walter Stewart and the second Duke of Lennox appointed the magistrates, and the three-year period during which Sir George Elphinstone and the town council usurped that right and did so themselves between 1603 and 1606. The TABLE shows that between 1588 and 1594, just four men dominated the twenty bailie positions available during those years. They were James Stewart of Flock, William Cunningham, Robert Chirnside and Robert Rowatt. With the exception of Chirnside, who only seems to have risen to prominence in Glasgow through his marriage in 1587 to Marion Scott, George Elphinstone senior's widow, they were all men who could count themselves amongst the twenty-four elite councillors identified by McGrath as being most influential during the earlier period of 1574-1586. TABLE 1.3 shows that between 1588 and 1594, Walter Stewart appointed James Stewart as a bailie six times, William Cunningham four times, Robert Chirnside twice and Robert Rowatt four times.⁸⁴ As has been mentioned, he appointed his half-brother, Sir Matthew Stewart, as the provost every year. All of these men were closely linked by ties of marriage, kinship and sociability and they were strongly associated with the Stewart and Colquhoun kindreds.

Evidence of this can be found in the commissary court testaments of Sir Matthew Stewart of Minto, provost from 1581 to 1583 and again from 1586 until 1600, and William Cunningham, the most frequently-appointed bailie of the burgh court between 1587 and his death in 1598.⁸⁵ Cunningham's testament of that year names Robert Chirnside of Possil as the executor of his estate and Walter Stewart of Blantyre, Sir Matthew Stewart of Minto and Sir George Elphinstone of Blythswood as the guardians of his wife and children. Cunningham had married Elizabeth Colquhoun, of the Colquhoun surname, in the 1550s.⁸⁶ George Elphinstone senior was also Elizabeth Colquhoun's son from an earlier marriage and therefore William Cunningham became Elphinstone's stepfather upon his own marriage to her.⁸⁷

As has been noted above, George Elphinstone senior was a direct descendent of the Lords Elphinstone.⁸⁸ By the 1570s his presence in Glasgow as an influential merchant laird followed a long tradition of Elphinstones holding high political office in Glasgow. Keith Brown has noted that during the 1580s, the chief of George's family was Alexander, fourth

⁸⁴ GCA, Glasgow Kirk Session Register, 1583-93, CH2/550/1, 200, 237, 274, 316, 362; GCA, C1/1/3, fos. 1v, 100v-r; C1/1/4, fo. 1v; TABLE 1.3 in Appendix.

⁸⁵ Balfour, *Scots Peerage*, ii, 80-81; Crawford, 'Warfare in the West Highlands and Isles', 156-7.

⁸⁶ NRS, Edinburgh Commissary Court Testaments, William Cunningham, CC8/8/39/628; Renwick, *Glasgow Protocols*, iv, 2-3, no. 983, n. 1; v, 58, no. 1466, n. 1.

⁸⁷ Renwick, *Glasgow Protocols*, v, 58, no. 1466, n. 1.

⁸⁸ Fraser, *Elphinstone*, i, xiv.

Lord Elphinstone, from whom George sought protection for the family of his wife, the aforementioned Marion Scott, in his own testament, made shortly before his death in 1587.⁸⁹ George was a patrilineal descendent of one John Elphinstone, who had been a bailie of Glasgow as early as 1485, and who was himself the third son of Henry Elphinstone. Henry was the second son of a William Elphinstone, and in 1471 he had unsuccessfully challenged his niece Agnes over the inheritance of the family's titular lands.⁹⁰ As a consequence of these family ties, John Elphinstone was therefore a cousin of another William Elphinstone, the famous Bishop of Aberdeen and founder of Aberdeen University. It is likely that these two men both lived in Glasgow during the 1470s and early 1480s, during the period in which William worked as a canon lawyer and as the official of the bishop's consistory court during the episcopates of Andrew de Durisdeer and John Laing.⁹¹ This branch of the family had become alienated from their ancestral lands when Agnes Elphinstone married Gilbert Johnstone of Annandale in 1471, and they seem to have subsequently sought their fortunes in Glasgow as merchants.

A conclusion that can be drawn from these observations is thus that the Elphinstone family saw the office of bailie of the burgh court, but not that of the provost, as an office which belonged within their family by the 1570s.⁹² It was not unusual across late-medieval and early modern Europe for men of noble lineage to pursue careers in towns and cities while maintaining their positions as part of aristocratic society. A recent study of towns in late-medieval Flanders has shown that many nobles served as urban officials there during the fifteenth century, for example.⁹³ In the case of the Glasgow Elphinstones, their arrival in Glasgow does seem to have been linked to the loss of their family lands during the early 1470s.

Robert Chirnside of Over Possil was also named as an executor in William Cunningham's testament of 1598. He was a parliamentary commissioner for Glasgow in 1593 and 1594, a bailie of the burgh court in 1594 and served on the town council on four occasions under the superiority of Walter Stewart and the second Duke of Lennox.⁹⁴ He was known to King

⁸⁹ Fraser, *Elphinstone*, ii, 263-4; Balfour, *Scots Peerage*, iii, 536-7; Brown, *Noble Power*, 46.

⁹⁰ Fraser, *Elphinstone*, i, xiv, 1-2; Eyre-Todd, *History of Glasgow*, ii, 122.

⁹¹ L. Macfarlane, *William Elphinstone and the kingdom of Scotland*, 61-79; L. Macfarlane, 'Elphinstone, William (1431-1514)', *ODNB* (Oxford, 2004) [<http://www.oxforddnb.com/view/article/8753>, accessed 25 Feb 2017].

⁹² This provides interesting context for an incident recorded in the burgh court act book in January 1579-80, when a notable burghess, George Herbertson, insulted George Elphinstone, calling him a knave and a loun and claiming to be gentler-born than Elphinstone. Marwick, *Extracts*, i, 77 and GCA, C1/1/2, fol. 8r (11 June 1581) cited in E. Ewan, 'Impatient Griseldas: Women and the Perpetration of Violence in Sixteenth-Century Glasgow', *Florilegium*, 28 (2011), 149-168, at 156.

⁹³ F. Buylaert, 'Lordship, Urbanisation and Social change in Late Medieval Flanders', *Past and Present*, 227 (1) (2015), 31-75, at 44-6.

⁹⁴ See TABLES 1.2 and 5.3 in Appendix; Young, *Parliaments of Scotland*, i, 121.

James personally and was occasionally called upon by the crown to carry out government business. In November 1588, for example, he became closely involved with the affairs of the Colquhoun family when he was given the escheat of the 'lands and heritages' of the barony of Luss. This temporarily deprived the clan chief Sir Humphrey Colquhoun of his lands. The king made this decision because Sir Humphrey had failed to pay his share of a £40,000 tax due to the crown. In January 1591, Chirnside transferred the lands to Humphrey's brother, Alexander, and he may simply have been charged by the crown with holding them during the period that the Colquhouns found themselves out of royal favour.⁹⁵ Other instances of the crown using similar tactics can be found elsewhere during James' reign. Ross Crawford has shown, for example, that another incident involving the Colquhouns took place in 1592, when King James gifted the barony of Luss to Walter Stewart of Blantyre upon Sir Humphrey's death. Humphrey's brother Alasdair was subsequently forced to buy the lands back from Stewart at a cost of 5,000 merks in January 1593.⁹⁶

William Cunningham's testament provides clear evidence of the close inter-relationships that existed between the Glasgow bailies and the Colquhouns of Luss during the 1580s and 1590s. Cunningham married into the Colquhoun family and as a result, George Elphinstone senior became his stepson. A relative of Robert Chirnside's, William, was the parson of Luss. He was married to Gellis Colquhoun, who was the aunt of the clan's former chief, Sir John Colquhoun of Luss (c.1520-1574) and therefore the sister of the previous chief, Sir John's father, Humphrey.⁹⁷ William Chirnside and the Colquhouns both benefitted from this relationship. For example, Sir John Colquhoun received back ninety merks from the stipend that he paid for William's upkeep and the latter frequently enjoyed Sir John's lavish hospitality.⁹⁸ Other personal ties linking the bailies at this time can also be found. In 1587 Robert Chirnside married Marion Scott, the widow of George Elphinstone of Blythswood senior, and it seems to have been due to this marriage that he rose to a position of prominence in Glasgow.⁹⁹ These relationships mirrored those that existed between town and country

⁹⁵ W. Fraser (ed.) *Cartulary of Colquhoun of Colquhoun and Luss* (Edinburgh, 1873), 12; Fraser, *The Chiefs of Colquhoun and Their Country*, 2 vols (Edinburgh 1869), i, 149. Crawford, 'Warfare in the West Highlands and Isles', 157.

⁹⁶ Fraser, *Cartulary of Colquhoun*, 12-4. Crawford, 'Warfare in the West Highlands and Isles', 157, 160, 162-3. It is not known precisely when in 1592 Sir Humphrey died.

⁹⁷ Fraser, *Chiefs of Colquhoun*, i, 134.

⁹⁸ NRS, Edinburgh Commissary Court Testaments, James Fleming CC8/8/25/179; *RPC*, first ser., vi, 271.

⁹⁹ Renwick, *Glasgow Protocols*, ix, 141-2, no. 2992.

elsewhere in Scotland, and indeed Europe, whereby it was common for local landholders to hold office within urban administrations.¹⁰⁰

The long-term provost of Glasgow, Sir Matthew Stewart of Minto, also married into the Colquhoun family. His first wife was Jean Colquhoun, the eldest daughter of Sir John Colquhoun of Luss and therefore the sister of his son Sir Humphrey Colquhoun, who became chief of the clan during the 1580s and early 1590s, prior to his death in 1592.¹⁰¹ Minto died in 1612 and in his testament his half-brother Walter Stewart, the commendator of Blantyre and 'lord feuer' of Glasgow, and Alexander Colquhoun of Luss, who was Sir Humphrey's brother and became chief of the Colquhouns following the latter's death in 1592, were nominated to administer the estate on behalf of his second wife, Marie Hamilton. Sir Matthew Stewart's eldest son, also named Matthew, by his first wife Jean, was named as a beneficiary of the estate.¹⁰²

In making their appointments to the magistracy, Walter Stewart and the Duke of Lennox relied upon several members of a family of Glasgow Stewarts, whose names appear repeatedly in TABLES 1.2 and 1.3 as influential bailies and town councillors. They were relatives of Sir Matthew Stewart of Minto and Walter Stewart. Hector Stewart, Robert Stewart and James Stewart of Flock were all brothers and served as prominent magistrates.¹⁰³ A 1581 town council minute implies that these men may also have been sons of Sir John Stewart of Minto and therefore also brothers of Walter and Sir Matthew.¹⁰⁴ This Glasgow branch of the Minto Stewart family would remain powerful in the burgh well into the seventeenth century. James Stewart of Flock held the office of provost in 1613, 1617 and 1618; his eldest son, also named James Stewart, did so in 1637, 1640 and 1647; and Master William Stewart, Hector's son and a Glasgow University graduate, held the position in 1633, 1641 and 1642.¹⁰⁵

Walter Stewart does therefore seem to have been able to re-establish political stability in Glasgow after 1587, but this came at the cost of an even smaller ruling oligarchy than that which had governed the town between 1574 and 1586. Indeed, TABLE 1.3 shows that throughout the eighteen years between 1588 and 1606, only nineteen different men served

¹⁰⁰ Buylaert, 'Lordship, Urbanisation and Social change', 44-6. See M. Lynch and H. Dingwall, 'Elite Society in Town and Country', in Lynch et al., *Aberdeen before 1800*, 187-91 for the role played by 'merchant lairds' in New and Old Aberdeen at this time, and in the town's rural hinterland.

¹⁰¹ Balfour, *Scots Peerage*, ii, 81; Fraser, *Chiefs of Colquhoun*, i, xxv; NRS, Hamilton and Campsie Commissary Court Testaments, Sir Matthew Stewart of Minto CC10/5/2/539.

¹⁰² Testament, Sir Matthew Stewart of Minto CC10/5/2/539.

¹⁰³ Anderson and Gourlay, *Provosts*, 5.

¹⁰⁴ GCA, C1/1/2, fo. 91r, where James Stewart of Flock is described as a 'brother' of Sir Matthew Stewart of Minto. Also see Renwick, *Glasgow Protocols*, iii, no. 787 and iv, no. 1655, 1790 and *Scots Peerage*, ii, 81 for evidence that Robert Stewart was Hector and James' brother. McGrath, 'Administration', i, 72, n. 125.

¹⁰⁵ Anderson and Gourlay, *Provosts*, 5, 10, 14. It is possible that William Stewart graduated from Glasgow University in 1595. *Munimentia*, iii, 7.

as either a bailie or a town councillor on more than six occasions. There is a gap in the town council records between May 1597 and November 1598, which is one of two that appear prior to 1603. There is another lengthy gap in the record between October 1601 and June 1605, and only ten town council election lists have been found for the period between 1588 and 1606. This perhaps helps to explain why only nineteen men can be observed holding office on the town council on more than six occasions in this period and may exaggerate to some extent the impression that Glasgow's governing oligarchy was becoming smaller. Nevertheless, it does seem to be the case that the oligarchy was small at that time. Only fourteen men occupied the twenty-nine identifiable bailie positions between 1588 and 1606 and of these, only six held the position on more than one occasion. A significant number of men also held office across the two periods under discussion in this chapter, 1574-1586 and 1588-1606, which underlines the point that legitimacy remained a constant concern for those responsible for appointing the political elite. For example, TABLE 1.3 shows that eight men were members of the elite during both the 1574-1586 period and again between 1588 and 1606.¹⁰⁶ Of all those who held office between 1574 and 1586, five died before 1588 and two shortly afterwards, suggesting that seventeen men from the earlier oligarchic group would have still been alive and eligible to hold office in the later period, and of these eight did so. Another way of making the same point that there was remarkable continuity within the elite between 1574 and 1606 is to say that after 1588 only eleven new members can be identified who had not already been members of this exclusive group between 1574 and 1586.¹⁰⁷

Walter Stewart appointed two new men as bailies of the burgh court for the year 1595-6, John Anderson and Thomas Mure. The former was a craftsman and the latter a merchant, and he appointed them alongside regular bailies William Cunningham and Hector Stewart. This was an attempt by Walter to reduce conflict between the town's merchants and craftsmen, by appointing four bailies rather than three for each of the three years between 1594 and 1596, one of whom was a craftsman.¹⁰⁸ Conflict between merchants and craftsmen in Glasgow will be addressed in more detail in chapter 3, but during Walter Stewart's time as 'lord feuer' he seems to have tried to address this issue. It is also possible to identify at least eight craftsmen who served on the town council of 1596-7.¹⁰⁹ This was more than usual, and suggests that Stewart may have temporarily experimented with a new policy of allowing them greater political representation on the council.¹¹⁰

¹⁰⁶ These were: William Cunningham, Robert Rowat, Hector Stewart, Robert Adam, James Fleming, James Lyon, John Anderson and David Hall.

¹⁰⁷ See TABLES 1.2 and 1.3 in Appendix.

¹⁰⁸ Marwick, *Extracts*, i, 170-1.

¹⁰⁹ GCA, C1/1/4, fo. 129.

¹¹⁰ C1/1/4, fos. 1, 73; Marwick, *Extracts*, i, 157.

When the second Duke of Lennox took over responsibility for appointing the town's magistrates after 1596, he returned to appointing three bailies, but in terms of personnel, he seems to have initially followed the example set by Walter Stewart. That year, he appointed Hector Stewart, William Cunningham and Robert Rowatt as bailies. There is a gap in the burgh records between May 1597 and November 1598, but on the evidence of the notarial protocol books compiled for those years by Glasgow's town clerks, the long-standing bailie Robert Rowatt was appointed again in 1598, alongside one more new man, James Tempill, and Thomas Mure, who had served as a bailie in 1595-6. The following year Rowatt, Tempill and another new man, Thomas Glen, were chosen as bailies by Lennox.¹¹¹

When the crown appointed Sir George Elphinstone to the provostship in September 1600, Lennox selected Rowatt and two more new men as bailies, James Forrett and Alexander Baillie. The greater turnover of personnel within the magistracy during the Duke's time as the feudal superior suggests he spread his patronage more widely amongst the burgesses, and was perhaps more ready to listen to the proposals of the town councillors who presented him with the leets each year.¹¹² The town council may therefore have had some say in who sat on the magistracy prior to 1603, through negotiation with Lennox. At the Michaelmas elections of 1603, the town council began to appoint the bailies directly for the first time.¹¹³ Prior to that date, the choices made by Lennox and Walter Stewart indicate that they kept firm control over who was appointed to the burgh court, by restricting their selections to a small number of trusted men.

When Sir George Elphinstone was appointed to the provostship in 1600, he also brought some of his supporters with him and introduced a new political faction into the burgh. Unfortunately, only two town council election lists exist for the period encompassing Elphinstone's time as provost, those for October 1600, the year of his appointment, and 1605, his last year in office. A third list of names was also recorded in October 1605. Although not strictly a town council election list, this included the names of the previous year's councillors, and mentioned that they had been convened in order to appoint the magistrates.¹¹⁴ Comparing these lists, both to each other and to the list of rebels who rose up against Elphinstone during Sir Matthew Stewart of Minto's uprising in 1606,¹¹⁵ reveals that when the town council began appointing the burgh magistrates from 1603, it removed many

¹¹¹ GCA, C1/1/4, fos. 1, 73, 129; C1/1/5, fos. 48-50, 103-4, 157; Renwick, *Glasgow Protocols*, xi, nos: 3411, 3578, 3580, 3581, 3583.

¹¹² Goatman, 'James VI, Noble Power', 91.

¹¹³ See NRS, Montrose papers, GD220/6/2019 (5), 'Petition to Lords of Council of Ludovick, Duke of Lennox, relating to his claim to right of election of provost, bailies and council of Glasgow' (1604) and chapter 4.

¹¹⁴ GCA, C1/1/5, fos. 103-104; C1/1/6, fos. 21-22.

¹¹⁵ This incident is recorded in the Privy Council register. See *RPC*, first ser., vii, 141-2, 230-1, 234-5, 240-47, 249 and chapter 4.

of Minto's supporters and those who had been appointed to the town council under Walter Stewart and Lennox, and replaced them with Elphinstone's followers.

The story of how Sir George Elphinstone gathered supporters following his arrival in Glasgow is complex. It has recently been suggested that he brought in some new men, while also gaining the support of those who were already part of the burgh's ruling elite. Men such as his brother, James Elphinstone of Woodside and one of his servitors, William Stirling, were part of the first group and longstanding councillors and magistrates such as Robert Rowatt, Matthew Trumble, James Forrett and James Bell formed part of the second. Elphinstone also ostracised a third group, who were more closely associated with Sir Matthew Stewart of Minto, and which included men such as his kinsman James Stewart of Flock, James Hamilton, James Inglis and William Symmer.¹¹⁶ The last four of these were firm supporters of Minto in 1606. A fourth group can also be identified. Men such as James Anderson and Mr John Ross, a notary who also served as town clerk of Glasgow, seem to have been happy to sit on Elphinstone's town council prior to 1606, but then turned against him when fighting broke out that summer.¹¹⁷ In addition, large numbers of craftsmen chose to support Minto's faction at that time, rather than Elphinstone's.¹¹⁸ When John Spottiswood became Archbishop of Glasgow and began appointing the magistrates from Michaelmas 1607, he re-instated many of the Minto faction and relied upon them to fill most of the places on the magistracy.¹¹⁹ This will be discussed in more detail in chapter 5. However, John Spottiswood's arrival as archbishop did not lead to wholesale change within the burgh elite. He seems to have been more astute than Sir George Elphinstone because he was able to orchestrate a delicate balancing act in terms of representation on the magistracy and town council. Men associated with Sir Matthew Stewart of Minto, such as James Stewart, James Inglis and James Hamilton, returned to prominence, while Matthew Trumble and James Forrett, who both sided with Elphinstone in 1606, also retained their positions.¹²⁰ Most noticeably, Sir George Elphinstone and his brother James fell from power after 1606.¹²¹

¹¹⁶ Goatman, 'James VI, Noble Power', 91-2. The notary Archibald Hegate may also be considered one of the 'new men' introduced into the burgh administration by Elphinstone. He was re-appointed as town clerk in 1604, having served originally between 1581 and 1587, before being removed from this position by the crown in July 1588 after his excommunication in February 1587-8 for receiving Jesuits. See Renwick, *Glasgow Protocols*, viii, 'Preface', vii-ix and 'Act of Admission by the Lords of Council of Mr John Ross as a Notary Public', x-xii.

¹¹⁷ GCA, C1/1/6, fos. 141-2, 230-1, 234-5, 240-47, 249; C1/1/5, fos. 103-104, 157; C1/1/6, fos. 21-22 During July 1606, after the fighting had broken out, Mr John Ross was the leader of a group which petitioned the Perth Parliament of 1606 for the draft act granting Glasgow royal burgh status to be overturned. See Marwick, *Extracts*, i, 249-50.

¹¹⁸ See chapter 4.

¹¹⁹ Goatman, 'James VI, Noble Power', 92.

¹²⁰ GCA, C1/1/6, fos. 155v-r, 236v.

¹²¹ I have recently argued for a decline in Sir George Elphinstone's fortunes after 1606. However, he appears to have eventually secured a role in government and was admitted to the Privy Council in September 1624,

Robert Rowat retained his position on the town council but never sat on the magistracy again. Elphinstone's servitor, William Stirling, lost his place on the town council altogether. His son Walter would eventually appear as a councillor, but not until the 1620s.¹²² In this way, although TABLE 1.3 suggests that there was continuity within Glasgow's ruling elite between 1588 and 1606, there was repeated change right at the top of the administration, as Walter Stewart and Lennox, then Elphinstone and his faction, and then John Spottiswood all weighed political considerations when appointing the magistrates of the burgh court.

One striking feature common to the magistrates prior to 1606 is that, although they can certainly be described as 'merchant lairds' like many prominent magistrates and town councillors in other towns such as Aberdeen,¹²³ almost without exception they inherited their primary landholdings, rather than purchasing them with money that had been earned through trade. They then traded as merchants in Glasgow, augmenting the wealth already provided by their estates.¹²⁴ Similar patterns of mercantile activity have been identified elsewhere in Europe. For example, Henri Pirenne's influential early-twentieth century thesis about late-medieval Flanders argued for a clear separation between urban and rural life there during the late-medieval period. However, post-war consensus has since argued for greater fluidity between town and country status and has emphasised that urban elites often bought rural estates. Having done so, they were then often able to enter into aristocratic society themselves.¹²⁵ Frederick Buylaert has recently modified this view to argue that these trends existed in tandem with a concurrent involvement by nobles and landowners in urban mercantile and administrative affairs. This was just one aspect of a diverse range of town-based economic activities in which landowners could participate.¹²⁶ In Glasgow prior to 1606, the magistracy was dominated by men who already held estates, but who also used the town as a base from which to participate in local and overseas trade. James Forrett, for instance, who was one of Elphinstone's supporters, inherited the lands of Barrowfield from his father, Thomas, and was therefore a hereditary laird.¹²⁷ James Stewart styled himself 'of Flock', a landholding near present-day Newton Mearns. As was suggested earlier in this chapter, it is likely that he was an illegitimate son of Sir John Stewart of Minto and received lands from his father. George Elphinstone senior was an example of a merchant who purchased his estates of Blythwood and Woodside and landholdings in the Gorbals using

although he never subsequently attended its meetings. *RPC*, first ser., i, xiii, 603, xi; Goatman, 'James VI, Noble Power', 88-9.

¹²² GCA, C1/1/8, fo. 98v.

¹²³ See Lynch et al., *Aberdeen Before 1800*, 187 and MacDonald, *Burghs and Parliament*, 36 for this term.

¹²⁴ See T. C. Smout, 'The Glasgow Merchant Community in the Seventeenth Century', 67 for evidence of Glasgow merchants doing this in the late seventeenth century.

¹²⁵ Buylaert, 'Lordship, Urbanisation and Social Change', 34.

¹²⁶ *Ibid.*

¹²⁷ Renwick, *Glasgow Protocols*, viii, no. 2411 and n. 2; GCA, C1/1/6, fo. 22.

money he had accumulated through trade, before passing them on to his son.¹²⁸ As has also been demonstrated however, he was related to the Lords Elphinstone and one in a long tradition of a branch of that family who had settled in Glasgow from the late fifteenth century because they had lost access to their patrimonial lands. Robert Chirnside also inherited the lands of Over Possil from his father, Archibald.¹²⁹

There is also some evidence in the printed *Register of the Great Seal of Scotland* which indicates that other members of Glasgow's mercantile political elite, predominantly those who served on the town council but not the magistracy, bought estates in the rural hinterland around the town with money derived from their trading activities. The wealthy and well-known merchant Archibald Lyon, for example, was involved in a number of property transactions between 1580 and 1593, as were other members of the elite such as James Fleming, John Graham, Adam Wallace and George Herbertson. The majority of these dealings seem to have involved former church lands, and were therefore similar to those which enabled Sir John Stewart of Minto and George Elphinstone senior to build up their estates.¹³⁰ On the whole, however, Glasgow's merchant lairds invested in property in this way far less frequently than contemporary Aberdonian merchants and much less often than the 'merchant princes' of Edinburgh who have been analysed by James Brown, and whose landholdings, investments and mercantile networks ranged widely across Scotland.¹³¹ In contrast to Edinburgh merchants at this time, land purchases made by Glasgow merchants were largely confined to the town's rural hinterland. John Di Folco has shown that of a total of 591 transactions appearing in the *Register of the Great Seal* between 1593 and 1660, which were made by burgesses from towns across Scotland, 269 were made by Edinburgh merchants, sixty-nine by those from Aberdeen, twenty-five by Perth merchants, twenty by those from Dundee and just fifteen by those from Glasgow, the same number as for Stirling.¹³² This suggests that the number of Glasgow burgesses who were rich enough to buy estates outside the town was fairly limited, at least during the first half of the seventeenth century. At the same time, the highest political offices in the burgh were dominated by merchant lairds, who were landowners first and foremost.

¹²⁸ NRS, Edinburgh Commissary Court Testaments, George Elphinstone of Blythwood, CC8/8/17/158. McGrath, 'Administration', i, 70.

¹²⁹ Renwick, *Glasgow Protocols*, x, 135.

¹³⁰ J. M. Thomson et al. (eds), *Registrum magni sigilli regum Scotorum* [hereafter *RGSS*], 1580-1593, 2 vols (Edinburgh 1888), i, 166-7, 207; ii, 588-9, 793. For Archibald Lyon, see Smout, 'Glasgow Merchant Community', 67-8.

¹³¹ J. Brown, 'Merchant Princes and Mercantile Investment in Early Seventeenth Century Scotland', in Lynch, *Early Modern Town*, 125-141; J. Brown, 'The Social, Political and Economic influences of the Edinburgh Merchant Elite, 1600-1638', (University of Edinburgh PhD thesis, 1985), especially chapter 7.

¹³² J. Di Folco, 'The Hopes of Craighall and Investment in Land in the Seventeenth Century', in T. Devine (ed.), *Lairds and Improvement in the Scotland of the Enlightenment* (Glasgow, 1978). Lynch, 'Scottish Towns', 23.

When it came to the credentials required to serve on the town council, as with the magistracy, kinship and marriage links were again most important. Across the entire period between 1585 and 1606, the size of the town council tended to vary slightly. In October 1600 for example, thirty-three names were recorded, including those of the magistrates, while in 1588, twenty-five names were recorded altogether.¹³³ Most often, the town council numbered twenty-five men.¹³⁴ As a result, the eight extant town council lists covering the period between 1588 and 1606 allow for the identification of 216 magistracy and town council positions during that time. As has been mentioned, TABLE 1.3 shows that these were dominated by the same nineteen men, who served either as both magistrates and town councillors or sat on the council on more than six occasions. Being the family member of someone who had previously served certainly seems to have helped when it came to securing a place on the council. When a councillor died, a relative of theirs often went on to serve, occasionally even taking their place. James Lyon followed Archibald Lyon, for example. Hector and James Stewart followed Robert Stewart and the Thomas Mure who appears in TABLE 1.3 as both a bailie and a councillor between 1588 and 1606 was the son of the Robert Mure who had served between 1573 and 1586.¹³⁵ Even where an elder relative was still alive and continued to hold office, a younger member of the family can be seen following them onto the council. Andrew Baillie followed Alexander Baillie in this way, John Rowatt followed Robert and three members of the Fleming family appeared on the council between 1588 and 1606.¹³⁶

Marriage was similarly important in securing a place on the town council. For instance, Matthew Trumble is shown in TABLE 1.3 as having served twice as a bailie and five times as a town councillor between 1588 and 1606. He was also created Glasgow's first Dean of Guild by the Letter of Guildry of 1605. His influential position within the burgh has been attributed to his 'advantageous marriage' to Florence Cunningham.¹³⁷ She was almost certainly the daughter of William Cunningham, the prominent bailie mentioned above. Evidence for this is contained in a notarial protocol of 1584, which records William acting as witness to a property transaction which transferred land to the newly-wed Florence and Matthew from the latter's late father, also named William. William Cunningham attended the public performance of the contract, alongside his own son (Florence's brother),

¹³³ GCA, C1/1/3, fo. 1; C1/1/5, fos. 103-4.

¹³⁴ The council and magistrates together numbered 25 men in 1588, 25 in 1589, 28 in 1594, 25 in 1595, 27 in 1596, 27 in 1599, 33 in 1600 and 26 in 1605: C1/1/3, fo. 1, 100; C1/1/4, fo. 1, 73, 129; C1/1/5, 48-59, 103-4, 157, C1/1/6, 22, 114.

¹³⁵ McGrath, 'Administration', i, 72.

¹³⁶ See TABLE 1.3.

¹³⁷ Jackson, *Dean of Guild Court*, 21.

Umphra.¹³⁸ By the time of her marriage to Trumble, Florence may also have been the widow of a Renfrewshire laird, Sir Alan Porterfield, and therefore a significant landholder in her own right.¹³⁹ Extracts from the notarial protocols suggest that she possessed several landholdings within the burgh.¹⁴⁰

It is tempting also to seek an explanation for the long and successful local government career of Robert Rowat in his marriage to Christine Livingstone.¹⁴¹ His name appears frequently as a bailie and town councillor in Glasgow and as both a merchant and a craftsman throughout the entire period between 1573 and 1625. As a result, his true identity has proven problematic for historians.¹⁴² It is likely that there was more than one man with that name who was prominent within the administration during the long reign of James VI. On the basis of two property transactions recorded within the burgh in 1586, it seems that the Robert Rowat who was married to Christine Livingstone was the father of an Alexander Rowat, who would later be appointed as the minister of Glasgow's barony parish in 1596.¹⁴³ Further evidence of Robert Rowat's family connections is contained in a later burgh court entry for 29 June 1621, which records an inquest of heirship relating to the Rowat family. It states that it was 'raisit furth of the Lord of Glasgow's [the archbishop's] chancellorie at the instance of Mr Andrew Rowat, lawful son to Mr Alexander Rowat, minister at Cadder, whereby he craves to be swearit nearest and lawful heir to unquill Robert Rowat, his brother.'¹⁴⁴ The inquest confirmed that Andrew was the rightful heir. He seems to have been the son of the minister Alexander Rowat and grandson of the bailie Robert Rowat. The Rowat family therefore remained influential in the Glasgow area for at least fifty years and sired two generations of Protestant ministers during that time.

Robert Rowat's wife, Christine Livingstone, was possibly related to the family of Sir William Livingstone of Kilsyth or was even one of his daughters. Sir William Livingstone had three daughters, named Christine, Agnes and Elizabeth, and women with all of these names appear in the notarial protocol books as married to Glasgow merchants (Christine Livingstone's marriage to Robert Rowat being one of these).¹⁴⁵ In another example of such a marriage, an Elizabeth Livingstone was married to John Graham, one of the more influential bailies who served on Glasgow's magistracy during the early 1580s.¹⁴⁶ A brother

¹³⁸ Renwick, *Glasgow Protocols*, ix, no. 2704.

¹³⁹ Renwick, *Glasgow Protocols*, vii, no. 1937, 2267.

¹⁴⁰ For example, Renwick, *Glasgow Protocols*, vii, nos. 1937, 2267; viii, 2480.

¹⁴¹ Renwick, *Glasgow Protocols*, vii, nos. 2031, 2075, 2157-8.

¹⁴² Andrew Jackson mentions Rowat's administrative career, which seems to have begun with a successful tenure as treasurer in 1576-7. Jackson posits that he was possibly a tailor: Jackson, *Dean of Guild Court*, 21.

¹⁴³ Renwick, *Glasgow Protocols*, ix, nos. 2950, 2952.

¹⁴⁴ GCA, Glasgow Burgh Court Act Book, 1621-4, B1/1/1, fo. 12r.

¹⁴⁵ For example, Renwick, *Glasgow Protocols*, vi, no. 1754, vii, nos. 2006, 2014, 2031, 2075, 2157-8.

¹⁴⁶ Renwick, *Glasgow Protocols*, vii, no. 2014 and see TABLE 1.2 in Appendix.

of his, Gavin Graham, who was leeted unsuccessfully for a bailieship in 1581, was married to Janet Stewart. McGrath has suggested that she was related to the 'illegitimate' branch of the Minto Stewart family mentioned above.¹⁴⁷ These examples further illustrate that marriage into an influential lairdly family was one of the key ways in which merchants secured political influence in Glasgow prior to 1606. These 'vertical' ties of kinship and marriage reached into the burgh's ruling elite from within lairdly families and were of paramount importance when it came to holding local government positions as a magistrate or town councillor. T. C. Smout has demonstrated that this fluidity between the urban mercantile and rural lairdly classes, and the upward mobility of the former group in terms of marriage and aspiring to an estate, was a notable feature of Glasgow society by the later seventeenth century. He suggested that for merchants, marriage into a landed family was a well-established means of social and political advancement by that time.¹⁴⁸ The evidence presented above suggests that this was also characteristic of the lives and careers of the most powerful merchants in Glasgow at the turn of the seventeenth century.

Conclusion

This chapter has attempted to draw parallels between developments at James VI's court and changes to Glasgow's oligarchic ruling elite between 1585 and 1606. Following the annexation of 1587, James was able to use the archiepiscopal lands and attendant privileges as patronage and did so in order to reward his favoured courtiers. This in turn had an impact on the elite. There was continuity within this group during the period, with men such as Robert Rowat, James Stewart of Flock and Hector Stewart holding office almost continuously, and as the testaments of Sir Matthew Stewart of Minto and William Cunningham demonstrate, this was also a group that had strong social and familial connections. Nonetheless, some change is noticeable within the elite at various points between 1585 and 1606. There was change when Walter Stewart consolidated the oligarchy around a kin-based Stewart-Colquhoun nexus after 1587, when Sir George Elphinstone of Blythswood introduced a new faction into the burgh after 1600, and when John Spottiswood sought to repair the oligarchy and establish a balance on the magistracy and town council between the two factions who fought against each other in the town in 1606. This final point will be explored in more detail in chapter 4. Throughout the period, kinship and marriage

¹⁴⁷ McGrath, 'Administration', i, 72, ii, 91.

¹⁴⁸ Smout, 'Glasgow Merchant Community', 66-8. Also see Buylaert, 'Lordship, Urbanisation and Social Change', 34.

ties remained important when it came to securing local government office at the highest levels, whether on the magistracy or town council. The following chapter will investigate how this elite interacted with the Kirk in Glasgow between 1583 and 1603, and how they became involved in the ongoing work of Reformation.

The Burgh and its Kirk, 1583-1603

Introduction

By the time that the crown appointed Sir George Elphinstone to the provostship of Glasgow in 1600, the post-Reformation Kirk had long been well-established in the town. This chapter will investigate the manner in which this took place after 1583, the year that the High Kirk session records become extant, first by outlining how ministers were appointed in the burgh during the 1580s and 1590s, and then by analysing how the ecclesiastical and lay powers there worked together in order to instil godly discipline in the townspeople and reform the local community. The records for Glasgow's High Kirk session begin in November 1583, and are then continuous until July 1593.¹ However, a kirk session appears to have been in place in the town since at least the 1560s. Daniel MacLeod has highlighted an entry in the High Kirk session book, in which the elders claimed that it had been active in the town 'without any practice or interruption since the time of the Reformation of Religion.'² If true, this would mean that Glasgow was comparable to towns such as St Andrews, Ayr and Dundee, all of which were home to kirk sessions prior to 1560. The Glasgow presbytery was also one of the first to be established in Scotland, by the well-known General Assembly resolution of April 1581.³ It comprised the rural parishes of Govan, Rutherglen, Cadder, Lenzie, Campsie and Moniaburt (which later became Kilsyth), as well as the High Kirk parish of Glasgow itself.⁴ Its records become extant from 1592 and are then continuous until the mid-seventeenth century.⁵

In 1583, the church leader Andrew Melville had not long been absent from Glasgow. As principal of Glasgow University between 1574 and 1580 before transferring to St Andrews, he had thoroughly reformed the college, establishing a broad humanist curriculum there and placing the institution on a firmer financial footing via the *Nova Erectio* of July 1577.⁶ During his time in the town, he had gathered around him a group of supportive ministers,

¹ GCA, CH2/550/1 and CH2/550/2. The second volume appears to be a copy of the first, although there are some differences, such as the mention of the kirk session first appearing at 'the time of the Reformation of Religion', noted by MacLeod.

² MacLeod, 'Servants', 15-16, in reference to CH2/550/2, 53.

³ BUK, ii, 481-2; Calderwood, *History*, iii, 521-2; Kirk, *Second Book of Discipline*, 107-9; Graham, *Uses of Reform*, 134, 163.

⁴ GCA, CH2/171/32, 37.

⁵ GCA, Glasgow Presbytery Records, 1592-1654, CH2/171/1-5, Transcripts, 1592-1627, CH2/171/31-36.

⁶ Reid, *Humanism and Calvinism*, 78-84.

and they dominate the first list of elders of the Glasgow High Kirk session in November 1583.⁷ Indeed, Both James Kirk and Michael Lynch have deemed the presence of staff from Glasgow University on the session at that time unusual.⁸ In November 1583 these elders included Thomas Smeaton, whom Melville had appointed as his successor as the principal of the university and who was a former dean of the Faculty of Arts there. They also included Andrew Polwarth, the dean of that faculty, Andrew Hay, the minister for Renfrew and another former dean, and regents John Bell (the future minister of Glasgow's Tron Kirk) and Blaise Lawrie. Also included were Patrick Sharp, who had formerly been a regent at Glasgow University and would go on to become its principal, and Patrick Melville, one of Andrew Melville's nephews and also a former regent. Altogether, there were twelve graduates on the kirk session in November 1583.⁹ By that time, many of these men had already clashed with the government between 1581 and 1583 over the attempts made by Esmé Stewart, the first Duke of Lennox, to install Robert Montgomery as Archbishop of Glasgow by force.¹⁰ The list of elders for November 1583 suggests that the Glasgow session at that time was dominated by a group of scholars who were adherents of Melville and ideologically committed to a Presbyterian settlement for the church. They were a zealous and active group of reformers, and Smeaton and Hay had even succeeded in getting themselves appointed to Glasgow's town council for the administrative year of 1582-3, thereby taking on a role in the running of the town.¹¹ At the beginning of the period covered by this chapter therefore, the Kirk in Glasgow remained heavily influenced by Melville. Over the next twenty years, it would be affected by changes in ecclesiastical politics and church-state relations, as was the case in other parts of Scotland, but strove continuously to reform the local community.

The plantation of a ministry in Glasgow during the 1580s and 1590s

In 1583 there was only one parish in Glasgow, the High Kirk, which was served by one minister. More ministers would be provided during the 1580s and 1590s, and this will be discussed below, but the civic authorities would not see fit to separate Glasgow into two

⁷ CH2/550/1, 3.

⁸ M. Lynch, 'Preaching to the Converted? Perspectives on the Scottish Reformation' in A. MacDonald, M. Lynch and I. Cowan (eds), *The Renaissance in Scotland: Studies in Literature, Religion, History and Culture offered to John Durkan* (Brill, 1994), 341; Kirk, *Second Book of Discipline*, 109.

⁹ CH2/550/1, 3.

¹⁰ Reid, *Humanism and Calvinism*, 97-100.

¹¹ McGrath, 'Administration', ii, 117.

parishes until July 1599.¹² How far the post-Reformation Kirk was able to provide parishes with ministers was central to its success. They were essential in upholding the three signs of a ‘truly reformed’ church as prescribed by the 1560 *Confession of Faith*. These were the word preached, the sacraments rightly administered and the effective exercise of church discipline.¹³ As John McCallum has noted, a minister was ‘by definition required for the first two to take place, and in practice the exercise of discipline was unlikely to take place in his absence.’¹⁴ McCallum has made a positive case for ministerial provision in Fife, in terms of the number of parishes filled, the quality of the ministers’ education and the length of their careers, and argued that the 1580s and early 1590s was the key period in which parochial provision improved dramatically.¹⁵ By 1595 most of the parishes in Fife had their own minister.¹⁶ Glasgow also fits with this pattern. Prior to February 1588, the town had only one serving minister, but then became home to three in relatively quick succession during the late 1580s and early 1590s. This meant that the burgh compared favourably in terms of ministerial provision to those that historians regard as being particularly well provided-for in this period, such as St Andrews and Perth.¹⁷ Glasgow’s ministers also compare favourably in terms of the quality of their education and the length of their careers.

After Archbishop James Beaton fled Scotland in 1560, Glasgow’s cathedral only gradually became the property of the Kirk, and it subsequently became the main church of the parish there and known as the High Kirk. Beaton was eventually forfeited in September 1570, and in January 1572 Glasgow’s cathedral chapter was reconstituted under the Protestant Kirk at the Convention of Leith, with the stipulation that all serving clergy should be of the Reformed faith.¹⁸ The High Kirk parish also contained a second church, the Blackfriars’ Kirk, which was the property of the university and therefore also of the Kirk from 1560.¹⁹ Between 1560 and February 1588, only a single minister served this parish. The town’s first post-Reformation minister was John Willock, the first superintendent for Glasgow and the west of Scotland, but he fled to England at the time of the first Earl of Moray’s abortive ‘Chaseabout Raid’ in 1565.²⁰ Willock was replaced by David Wemyss,

¹² Marwick, *Extracts*, i, 195-6.

¹³ G. Henderson (ed.), *The Scots Confession, 1560* (Edinburgh, 1960), 44.

¹⁴ J. McCallum, ‘The Reformation of the Ministry in Fife, 1560-1640, *History*, 94 (3), 310-327, at 310; McCallum, *Reforming the Scottish Parish*, 27.

¹⁵ McCallum, *Reforming the Scottish Parish*, 36, 125-132, 134-145, 151; id., ‘The Reformation of the Ministry’, 310.

¹⁶ McCallum, ‘The Reformation of the Ministry’, 313.

¹⁷ M. Todd (ed.), *The Perth Kirk Session books, 1577-1590* (SHS: Woodbridge, 2012), 22, Dawson, ‘The face of ane perfytt Reformed Kyrk’, 434-5; McCallum, *Reforming the Scottish Parish*, 43-4.

¹⁸ *BUK*, i, 207-236; *RPC*, first ser., i, 638.

¹⁹ J. Cameron (ed.), *The First Book of Discipline* (Edinburgh, 1972), 137-55; Reid, *Humanism and Calvinism*, 25.

²⁰ R. Wodrow, *Biographical Collections*, 2 vols (Maitland Club: Glasgow, 1858), II.ii, 3.

who was first mentioned as Glasgow's minister in June 1567, when the General Assembly ordered him to travel to Lanark with the minister of Hamilton, John Davidson, 'and convene the bailies and councillors of the said town, and require them to assist John Leverance, minister, and to punish manifest offences [and] maintain Christian religion.'²¹ Prior to that, Wemyss was mentioned in the Assembly records for June 1562 as minister at Ratho, a parish a few miles west of Edinburgh, so his transfer to Glasgow must have taken place during those five years.²² Like Willock, he had been a Catholic clergyman before the Reformation, and then converted to Protestantism.²³ Accusations were brought against Wemyss before the Glasgow presbytery in October 1600, towards the end of his career, that he was 'found to be declined in doctrine, negligent in preparation, and in his teaching he is given occasion of laughter, and often times to be overcome with drink', and he also became involved in a long-running dispute over his rights to the parsonage of Glasgow during the first few years of the seventeenth century.²⁴ The early twentieth-century Glasgow historian George Eyre-Todd nevertheless concluded that he was a 'kindly, capable, and sufficiently shrewd character, without the narrowness and bitter bigotry which marked too many of the early ministers of the Reformed Kirk.' Wemyss was also appointed as one of the mediators in the negotiations which culminated in the town's Letter of Guildry in February 1605, and for Eyre-Todd this was evidence of the respect in which the minister was held within the local community. He eventually retired from the ministry and demitted his benefice in October 1604.²⁵

On 29 February 1588, Wemyss was joined in the High Kirk parish by a second minister, John Cowper.²⁶ He was personally recruited from St Giles' parish in Edinburgh by Walter Stewart of Blantyre, who was a major patron of the Kirk in Glasgow during his time as 'lord feuer' between 1587 and 1596. On 1 June 1586, Stewart had begun leasing the teinds of the parsonage of Glasgow from the lay parson, Archibald Douglas, for a yearly payment of 300 merks to Douglas plus an additional one-off payment of 800 merks, which was to be used to pay the stipends for Wemyss and a second minister.²⁷ On 12 October 1587, the High Kirk session announced that it had received the money, which was to be made available for distribution between the first and second ministers. The entry reads:

²¹ BUK, i, 97; Wodrow, *Biographical Collections*, II.ii, 2-3.

²² BUK, i, 13.

²³ Wodrow, *Biographical Collections*, II.ii, 5. D. Shaw, 'Willock, John (d. 1585)', ODNB (Oxford, 2004) [<http://www.oxforddnb.com/view/article/29596>, accessed 26 Aug 2017].

²⁴ GCA, CH2/171/33, 288; CH2/171/34, 49.

²⁵ CH1/171/3, 278-9.

²⁶ CH2/550/1, 174.

²⁷ CH2/550/1, 174; Eyre-Todd, *History of Glasgow*, ii, 73. Archibald Douglas appears to have been awarded the parsonage of Glasgow by his kinsman, James Douglas, the fourth Earl of Morton and regent of Scotland, and held it between November 1572 and May 1581.

The sum of 800 merks money to be distributed upon the first and second ministers of Glasgow by the advice of the provost, bailies and bretheren of the presbytery of Glasgow. And also of a submission anent all other cravings the said Mr David [Wemyss] can crave or lay to the charge of the said Walter [Stewart] for any times preceding the date hereof and for relief of anything that may be laid to the said Mr David for times bygone or to come as titler of the benefice of the parsonage of Glasgow to be finally decided by the arbitration of Sir Matthew Stewart of Minto knight, Mr Andrew Hay parson of Renfrew and Mr Patrick Sharpe, principal of the college of Glasgow.²⁸

This entry provides evidence of the role played in Cowper's appointment by Walter Stewart and his half-brother, Sir Matthew Stewart of Minto, both of whom seem to have been staunch supporters of the Kirk, and also by the provost and bailies of the burgh. During January 1588, Walter Stewart also personally put pressure on an understandably reluctant Edinburgh town council to allow Cowper to transfer to Glasgow.²⁹ Stewart was therefore directly responsible for Cowper's appointment.

John Cowper was the brother of William Cowper, who was pastor to the king, an energetic minister of Perth between 1595 and 1612 and thereafter bishop of Galloway until his death in 1619.³⁰ John was also a hard-working reformer in Glasgow and his career followed a similar path to that of his brother, until his own death in October 1603.³¹ An assessment of Cowper's work at Glasgow reveals him to be, like his brother, a pioneering example of the hard-working, predominantly St Andrews-educated, second generation of post-Reformation Protestant ministers who were so vital to the consolidation of the Reformation across Scotland.³² John Cowper was therefore one of a new generation of ministers in Glasgow, who came after those such as Willock and Wemyss, who had converted at the Reformation. The evidence presented in the remainder of this chapter suggests that his transfer to Glasgow provided the Kirk there with new impetus. John Cowper had graduated from St Mary's College, St Andrews in 1578, alongside the future first principal of Edinburgh University, Robert Rollock, and he became minister at St Giles' in November 1586. He appears to have been a combative character, and this revealed itself as soon as he started work in Edinburgh, when he refused orders from the king to pray for

²⁸ CH2/550/1, 159.

²⁹ CH2/550/1, 174; J. Marwick (ed.), *Extracts from the Records of the Burgh of Edinburgh, 1573-1589* [Edinburgh Extracts] (SBRs: Edinburgh, 1892), 511-2.

³⁰ For William Cowper's career as a 'Puritan bishop,' see M. Todd, 'Bishops in the kirk: William Cowper of Galloway and the puritan episcopacy of Scotland', *Scottish Journal of Theology* 57 (3) (2004), 300-312.

³¹ Due to John Cowper's death in 1603, it is impossible to describe him as either 'Presbyterian' or 'Episcopalian'. He may have become a prelate like his brother, or he may not. See *Ibid.*, for similarities between the two.

³² J. McCallum, 'The Reformation in Fife, 1560-1640' (University of St Andrews PhD thesis, 2008), 19-20; William Cowper graduated MA from St Andrews in 1583, see D. Mullan, 'Cowper, William (1568-1619)', *ODNB* (2004).

Queen Mary, who was at that time imprisoned and awaiting execution in England.³³ Taking up the ministry of Glasgow may effectively have been a demotion for Cowper, at least in terms of prestige, from his position at St Giles', so Stewart must have been particularly persuasive in his efforts to recruit him.

In March 1594-5 a third ministerial charge, and a third church, were established in Glasgow, in order to serve those inhabitants who lived in the southern part of the town, along the Trongate and Gallowgate streets and between Greyfriars Wynd and the River Clyde. That month, John Bell was appointed as its minister at the instigation of the magistrates and town council. Bell had graduated from Glasgow University, probably in 1585, and had also served as a regent there and had first expressed a desire to enter the ministry in December 1591.³⁴ He was also the son of a successful merchant, James Bell, who was one of the political elite examined in chapter 1.³⁵ In 1592, the magistracy and town council purchased and renovated the dilapidated former collegiate church of St Mary and St Anne on the Trongate and on 8 June 1594 they obtained an act of Parliament, which reallocated funds from university bursaries that had become subject to 'abuse in times bygone that the richest men's sons of the said town have been sustained,' and transferred them to 'the sustentation of the ministry within the city of Glasgow.'³⁶ This provided the funds for Bell's stipend.³⁷ At the end of 1595, the town briefly had a fourth minister. In July of that year, the three ministers and the university principal Patrick Sharp presented Alexander Rowat to the town council to be admitted.³⁸ He had also graduated from the University of Glasgow, in 1587, and was the son of the long-standing bailie and town councillor Robert Rowat (and therefore the scion of another of Glasgow's political elite).³⁹ However, the following year the Glasgow presbytery transferred him to the newly-established barony parish, the formation of which will be discussed in more detail below.⁴⁰ These developments meant that by 1596, three ministers were working in what remained at that time Glasgow's only parish, the High Kirk,

³³ D. Watt, E. Donald and A. Murray, (eds.) *Fasti Ecclesiae Scoticae* (Scottish Records Society, 2003) [*Fasti*], i, 53; A. Dunlop (ed.), *Acta Facultatis Artium Universitatis Sanctiandree 1413-1588*, 2 vols (SHS: Edinburgh, 1964), ii, 450; D. Shaw, 'Cowper, John (d. 1603)', ODNB, 2004. [<http://www.oxforddnb.com/view/article/70051>, accessed 7 Dec 2014]. See MacLeod, 'Servants', 161, 194-7, 197 n. 87 for more evidence of Cowper's combative nature.

³⁴ For Bell's graduation from Glasgow University, seemingly in 1585, see *Munimentia*, iii, 5; for his position as regent, *Munimentia*, i, 139, 141-3, 149; CH2/550/1, 327, for his initial request to serve as a minister, and where he is described as 'John Bell in college.' A commission including the town's bailies and Patrick Sharp, the principal of the university, deliberated over the request at that time.

³⁵ Anderson and Gourlay, *Provosts*, 11.

³⁶ *RPS*, 1594/4/50, 'Act in favour of the ministry of Glasgow'.

³⁷ CH2/550/1, 327; Eyre-Todd, *History of Glasgow*, ii, 76.

³⁸ Marwick, *Extracts*, i, 169;

³⁹ Renwick, *Glasgow Protocols*, x, 51-2, nos. 3159-3160, for evidence that the minister Alexander Rowat was the son of the bailie Robert Rowat. For Alexander Rowat's graduation from the University of Glasgow in 1587, see *Munimentia*, iii, 5.

⁴⁰ Marwick, *Extracts*, ii, 159-175; Eyre-Todd, *History of Glasgow*, ii, 77.

with a fourth minister responsible for the separate barony parish, which served the often wealthy inhabitants of the landward part of the barony of Glasgow. This included many influential ‘merchant lairds’ who served on the town’s magistracy, such as Robert Chirnside of Over Possil and James Forrett of Barrowfield.⁴¹ That congregation nevertheless also met in the crypt of the High Kirk. After the town was divided into two separate parishes in July 1599, the arrangement of having two parishes and three ministerial charges within the burgh, and a separate barony parish, remained the system of ministerial provision in Glasgow throughout the remainder of James VI’s reign.⁴² Perth, by comparison, which was a town of similar size, was home to only a single minister until 1595 and two ministers and two parishes thereafter.⁴³ All of the ministers appointed in Glasgow during the 1580s and 1590s were university-educated. John Cowper, a St Andrews’ graduate, was the younger, more energetic minister of two who served in the High Kirk parish between 1587 and 1603, while Bell and Rowat were graduates of Glasgow University and the sons of members of the town’s traditional ruling elite. A transition is therefore discernible in the level of the ministers’ education during the period, from those who had converted at the Reformation, to those who were recent university graduates.

The composition of the Glasgow High Kirk session, 1583-1593

The remainder of this chapter will explore the relationship between the Kirk and the civic and other lay authorities who held positions of power in and around Glasgow between 1583 and 1603, and evaluate their success in working together to introduce programmes of discipline and social reform. The Genevan consistorial model upon which the Scottish kirk session was based conceived of laypeople and ministers working closely together in order to forge godly communities.⁴⁴ Margo Todd has argued that this relationship proved to be a largely successful one in Scotland, where the governors of localities typically seized upon the new opportunities that kirk sessions offered them to exercise authority and impose law and order, and this certainly seems to have been the case in Glasgow between 1583 and

⁴¹ CH2/171/32, 79-80.

⁴² Wodrow, *Biographical Collections*, II.ii, 8, where he states that: ‘I do not perceive a fourth minister is fixed till after the 1638.’ See Marwick, *Extracts*, i, 195-6 for the division of the town into two parishes.

⁴³ *Fasti*, iv, 227, 230, 233; The population of Perth was reduced by around a quarter following an outbreak of plague in the town in 1584, see Todd, *Perth Kirk Session Books*, 54-5.

⁴⁴ See for example, W. Naphy, ‘Constructing the “Model” Consistory: Geneva’s Church Court and its Lay Elders, 1543-1558’ in C. Parker and G. Starr-Lebeau (eds), *Judging Faith, Punishing Sin: Inquisitions and Consistories in the Early Modern World* (Cambridge, 2017) and R. Kingdon, ‘The Calvinist Reformation in Geneva’, in R. Hsia (ed.), *The Cambridge History of Christianity* (Cambridge, 2007), 96-8. Kirk, *Second Book of Discipline*, 64-5.

1603.⁴⁵ Furthermore, historians who have studied Scotland's Reformation in its local context tend to agree that a major concern for kirk sessions was social reform and civic work.⁴⁶ *The First and Second Book of Discipline* and General Assembly edicts established the Kirk's responsibility for poor relief and parish education during the 1560s, and Graham and Todd in particular have emphasised the part that the civil powers played in helping the Kirk to fulfil this social role.⁴⁷ In practice, this also saw the Kirk take responsibility for a range of other issues including the arbitration of disputes, domestic violence, protecting the institution of marriage, the reduction of bastardy and the care of children.

However, there is some disagreement amongst historians in how they see the lay-ecclesiastical relationship when it came to instilling godly discipline within local communities. McCallum, for example, has emphasised that the variation seen in disciplinary programmes from parish to parish is best explained by the different moral preoccupations of ministers and session elders and their ultimate focus on the eradication of sin from the local community. He has described the relationship between the religious and secular authorities in Fife as 'an informal arrangement based on need,' especially once kirk sessions had become well-established. He has argued that sessions there were able to operate independently from burgh courts, noting that most of the cases in Fife session registers make no mention of the civic authorities at all, while church business seldom appears in the burgh court records and 'fines were imposed, and collected, without any mention of the bailies or the burgh council.'⁴⁸ For McCallum, the overlap in personnel between the burgh and church courts lent weight to a pre-existing system of kirk session discipline. In contrast, Todd and Graham have argued that a straightforward cooperation between the Kirk and burgh magistrates was central to the authority of the session.⁴⁹ Todd has stated that this relationship gave the elders 'the physical means to reinforce their will, ' while Graham has argued that the session needed support from the magistrates 'to lend sting to its sanctions.'⁵⁰ Therefore, there remains some difference of opinion amongst historians as to the relationship that existed between secular burgh officials and the session.

⁴⁵ Todd, *Culture of Protestantism*, 408-9.

⁴⁶ See McCallum, *Reforming the Scottish Parish*, 228; Todd, *Culture of Protestantism*, 22-3, 226; Todd, *Perth Kirk Session Books*, 45, 55-60; Graham, *Uses of Reform*, 345-6.

⁴⁷ BUK, i, 146, 216; Cameron, *First Book of Discipline*, 112-3, 129-35, 156-7; J. Kirk (ed.), *The Second Book of Discipline*, (Edinburgh, 1980), 200; Todd, *Culture of Protestantism*, 22-3, 226 and chapters 5 and 6; Graham, *Uses of Reform*, 345-6.

⁴⁸ McCallum, *Reforming the Scottish Parish*, 176-8, 179-80, 229-30.

⁴⁹ Todd, *Culture of Protestantism*, 11; M. Graham, 'The Civil Sword and the Scottish Kirk in the Late Sixteenth Century', in W. Fred Graham, (ed.), *Later Calvinism: An International Perspective*, (Kirkville, 1994), 248; Graham, *Uses of Reform*, 49-64, 72.

⁵⁰ Todd, *Culture of Protestantism*, 11; M. Graham, 'The Civil Sword and the Scottish Kirk in the Late Sixteenth Century', in W. Fred Graham, (ed.), *Later Calvinism: An International Perspective*, (Kirkville, 1994), 248; Graham, *Uses of Reform*, 49-64, 72.

The Glasgow High Kirk session as it existed in November 1583, when it was dominated by a large group of Andrew Melville's university-educated supporters, was adversely affected by the parliamentary legislation of May 1584 known as the 'Black Acts.' These formed part of a wide-scale crackdown on the Presbyterian faction in the Kirk, led by Captain James Stewart, the Earl of Arran, and Patrick Adamson, the Archbishop of St Andrews. The acts were an attempt to establish governmental control over Scottish ecclesiastical affairs and were orchestrated in response to the unsuccessful attempt made by a group of nobles linked to the Ruthven regime to re-capture the king in April 1584. One of the acts banned 'councils, conventions or assemblies, to create, consult and determine in any matter of estate, civil or ecclesiastical' that did not have a license from the king.⁵¹ The Glasgow High Kirk session obeyed this ruling and did not meet again between July 1584 and March 1585. This is indicated by the only significant gap in the High Kirk session record. No minutes have been kept between these dates and only marriages were recorded between 31 March and 21 April 1585. On that date, the king granted a license permitting the session to meet once again and this was inserted into the session book on 22 April. From that point, the register continues uninterrupted, apart from another short gap between August and November of the same year.⁵²

In addition to preventing the Glasgow session from meeting, the 'Black Acts' and ensuing 'Subscription Crisis' – which was caused by the refusal of many ministers to subscribe to the acts – led to the dispersal of many of its personnel and their disappearance from the town. After the Ruthven lords failed in their bid to seize Stirling castle in April 1584, Glasgow University staff members Andrew Hay and Andrew Polwarth were amongst the ministers summoned before the Privy Council on suspicion of being involved in the attempted *coup*. Only Hay attended and was placed into ward north of the Tay.⁵³ As Alan MacDonald has shown, the other ministers who were summoned on 4 May all fled to England.⁵⁴ Hay and Polwarth did not reappear as elders on the Glasgow session until July and October 1586 respectively. The 'Subscription Crisis' of 1584-6 therefore depleted the number of university graduates on Glasgow's kirk session. In addition, the group had by then already lost one of its key members due to Thomas Smeaton's sudden death on 13 December 1583 from a fever. By April 1585, the session contained only six university graduates, the majority of whom were the ministers of nearby parishes. Six graduates were named as elders during each of

⁵¹ CH2/550/1, 33-7; *RPS*, 1584/5/10, 'An act discharging all jurisdictions and judgements not approved by parliament, and all assemblies and conventions without our sovereign lord's special licence and commandment.'

⁵² CH2/550/1, 33-7.

⁵³ *RPC*, first ser., iii, 662, 666.

⁵⁴ Calderwood, *History*, iv, 38; A. MacDonald, 'The Subscription Crisis and church-state relations, 1584-1586', *RSCHS*, 25 (1995), 222-255.

the next three years, four in 1590 and 1591 and five in October 1592, which is the final election list in the surviving session book.⁵⁵ Thirteen of the twenty-four elite magistrates and town councillors who dominated Glasgow's civic administration between 1574 and 1586, who were identified by James McGrath and mentioned in chapter 1, are also named on the list of elders for November 1583, one more than the number of graduates. Eight members of this elite group appear as elders in 1585, nine in 1586, twelve in 1587, eight in 1588, 1589, 1590 and 1591 and nine in 1592.⁵⁶ On average therefore, members of the town's ruling elite came to outnumber graduates and ministers on the session between 1584 and 1593, and slightly over one-third of them carried out its work as elders. The remainder of the session membership each year was made up of other, less influential members of the council. Craftsmen can also be found serving on the kirk session and the level of their representation reflected the same two-to-one ratio of merchants to craftsmen that could generally be found on the town council at that time.⁵⁷ Michael Lynch has described Glasgow's High Kirk session of November 1583 as a 'cosy club' of graduates who were 'not the kind of body likely to be capable of evangelising society,' but by 1585 this group had largely been dispersed as a result of the 'Black Acts' and replaced by many of Glasgow's civic leaders.⁵⁸

The available lists of lay elders found in the High Kirk session register underscores this point that the Kirk was supported by many of the members of Glasgow's political elite. In particular, the names of the provost and all the bailies who served during the decade are recorded as elders. The names of those members of the political elite who appeared most frequently as lay elders between 1583 and 1593 have been compiled in TABLE 2.1 [69]. As was established in chapter 1, Sir Matthew Stewart of Minto was provost of the burgh every year between 1586 and 1600, and he seems to have been a staunch supporter of the work of the kirk session, serving as an elder in Glasgow every year between his appointment as provost in 1586 and the end of the session register in 1593. As has also been noted, his half-brother, the treasurer of Scotland and 'lord feuer' of Glasgow, Walter Stewart, was also a supporter of the Kirk. With these two senior members of the Stewart family pledging their support, it is perhaps unsurprising to find that members of the 'illegitimate' branch of that family, which included Hector, James, Robert and John Stewart, also sat frequently on the session. Other longstanding bailies of the 1580s and 1590s, such as William Cunningham, Robert Rowat, Adam Wallace, Andrew Baillie, John Anderson and Robert Chirnside of Over

⁵⁵ CH2/550/1, 40, 103, 159, 200, 237, 274, 316, 362; Spottiswood, *History*, ii, 314; MacDonald, 'Subscription Crisis', 224-5; Reid, *Humanism and Calvinism*, 98-9, 101.

⁵⁶ CH2/550/1, 40, 103, 159, 200, 237, 274, 316, 362.

⁵⁷ McGrath, 'Administration', i, 130-1 for the balance of merchants and craftsmen found on the town council between 1574 and 1586. McGrath has argued that the crafts were represented 'spasmodically' on the council at that time, McGrath, 'The Medieval and Early Modern Burgh', 32.

⁵⁸ Lynch, 'Preaching to the Converted?', 341.

Possil, also served repeatedly as elders, as did influential town councillors such as James Lyon, Thomas Pettigrew, Robert Adam, David Hall and Ninian Anderson. As Robert, fifth Lord Boyd, was one of the Lords of the Congregation in 1559-60 and a resolute Protestant throughout his life, it is perhaps unsurprising to find him also serving as an elder in the late 1580s, shortly before his death in 1590.⁵⁹

During the decade between 1583 and 1593, Glasgow's system of civic administration was still based upon the archbishop's burgh court. The way in which this was modernised during Sir George Elphinstone's provostship will be examined in chapter 3. This earlier period was also one in which the post-Reformation Kirk established itself in the town and in which the session put down strong roots. This chronology corresponds to the establishment of sessions in other regions of Scotland. In Glasgow at this time, the clergy were supported in their work by the most powerful political figures in the town.

TABLE 2.1: Lay elders serving on the Glasgow High Kirk session, 1583-1593

Name	Years served on the High Kirk session, 1583-1593
Adam Wallace, Andrew Baillie, Robert Rowat, John Anderson, Thomas Mure, Thomas Pettigrew, James Craig	Nine
Hector Stewart, David Hall	Eight
John Stewart, William Wallace, Matthew Watson	Seven
Sir Matthew Stewart of Minto, Robert Stewart, William Cunningham	Six
James Stewart, James Crawford, William Spreill	Five
Alexander Baillie, William Nesbit, James Braidwood, John Robertson, Robert Adam	Four
Robert Lord Boyd, Robert Chirnside, James Lyon, Ninian Anderson	Three

Source: Glasgow High Kirk Session minutes, 1583-1593, GCA, CH2/550/1, fos. 2, 40, 103, 159, 200, 237, 274, 316, 362.

'Ecclesiastical discipline uprightlie ministered'?

As John McCallum has noted, the stipulation made in the Scottish *Confession of Faith* of 1560 that 'ecclesiastical discipline uprightlie ministered' was to be the third sign of the true

⁵⁹ G. R. Hewitt, 'Boyd, Robert, fifth Lord Boyd (c.1517–1590)', *ODNB* (Oxford, 2004), accessed 1 Nov 2016.

Christian church was an unusual one for reformed congregations in Europe.⁶⁰ It was nevertheless central to the theology of the Scottish Kirk because it was seen to protect the other two signs of the true church, the preaching of the word and administration of the Sacraments.⁶¹ Scottish Reformation historians have prioritised the study of discipline, which reflects the historiography of the European Reformations more widely.⁶² McCallum's work has marked a shift in emphasis in Scotland. Where earlier work had emphasised sexual incontinence as the main target of kirk sessions, which suggested that they shared a common focus across the kingdom, variety has more recently come to be seen as the hallmark of their disciplinary agendas. McCallum contended that kirk sessions across Scotland targeted a wide range of transgressions, which were dependent upon particular local social conditions. He also stressed that ecclesiastical discipline cannot adequately be explained in terms of 'social control', and that the targeting of sin played a central role.⁶³ The evidence that exists for Glasgow suggests that an effective and hard-working session, able to prosecute a wide variety of cases, was well-established in the town by the 1590s and proactively sought to work 'hand-in-glove' with the burgh authorities to implement a disciplinary agenda responsive to local conditions.

In November 1583, the elders put in place a system to monitor the behaviour of townspeople in Glasgow and ensure that they could be brought before the session when necessary. This was based upon methods already used by the town council to combat the threat of plague in 1574. In October of that year, 'searchers' had been appointed for each of the nine main districts in the town, to ensure that regulations introduced for containing the plague were enforced.⁶⁴ These measures were extensive and included making sure that people from badly-affected areas such as Fife did not enter the town; that any travellers submitted written testimonials to the town council; beggars stayed in the town for only twenty-four hours and any deaths within a household were also reported immediately to the council.⁶⁵ On 14 November 1583, the session again ordered that the town should be divided into nine sections, which corresponded almost exactly to those outlined in 1574, and new personnel were assigned to each district as part of a 'general inquest ... to the intent that

⁶⁰ Henderson, *The Scots Confession*, 44; McCallum, *Reforming the Scottish Parish*, 37.

⁶¹ McCallum, *Reforming the Scottish Parish*, 37.

⁶² See for example R. Po-Chia Hsia, *Social discipline in the Reformation: Central Europe 1550-1750* (London, 1989) and more recently C. Parker and G. Starr-Lebeau (eds), *Judging Faith, Punishing Sin: Inquisitions and Consistories in the Early Modern World* (Cambridge, 2017).

⁶³ McCallum, *Reforming the Scottish Parish*, 192, 199, 229-30.

⁶⁴ These districts were listed as Stockwell, Briggate, the Westport, Trongate and Gallowgate, areas 'above' and 'below' the Blackfriars' church, Drygate and Rottenrow. Marwick, *Extracts*, i, 29-30.

⁶⁵ Marwick, *Extracts*, i, 28-30.

faults not known may be the better disclosed.’⁶⁶ Additional ways in which the session could scrutinise behaviour were also inscribed in the first pages of the kirk session minute book. Elders and deacons were required to report to the moderator of the session ‘the names of all and sundry persons they upon conscience know to be offenders deserving punishment within this town’ and the bailies were called upon to patrol the town on Sundays to note those absent from sermons.⁶⁷

These methods of surveillance were underpinned by a solid working relationship between the High Kirk session and Glasgow’s magistrates and town council. The session frequently called upon the town’s civic officers to bring disobedient people before the session and if necessary, imprison them in the tolbooth. However, this relationship took time to develop. An early series of entries speaks to the limits of the session’s coercive powers during the early 1580s, for example. During a four-month period between February 1583-4 and June 1584, the elders repeatedly tried to persuade a disobedient woman named Jeanne Cunningham to appear before them. Only the threat of excommunication convinced her to finally attend on 25 June.⁶⁸ In May 1584, the session began to employ its own kirk officers in order to monitor disobedient townspeople, and paid them a salary of twenty shillings every quarter of the year.⁶⁹ This perhaps indicates that the session had failed to secure the reliable assistance of the magistrates by that time, and therefore needed to employ its own officers. By May 1585, the elders still appeared unsure how to handle disobedient parishioners, and introduced a plan whereby metal tickets were given to the kirk officers to help them identify each absentee from the sermon who was to be brought before the session.⁷⁰ On 20 May, the kirk session made a direct request to the magistrates to order the town’s officers to apprehend six offenders who had proven to be consistently disobedient to the citations of the Kirk, and imprison them in the tolbooth while cautioners could be found to ensure their cooperation in future.⁷¹ Identical requests were made on 24 June and 15 July.⁷² This quickly became institutionalised as the standard method of detaining disobedient parishioners and requests such as these came to be entered weekly in the minutes, often as the last order of business each week.⁷³ As elsewhere in Scotland, the Glasgow session adopted a ‘three-strikes’ system by which the minister would ‘proceed’ against disobedient parishioners from the pulpit on three consecutive Sundays, admonishing them and ordering them to appear before the

⁶⁶ CH2/550/1, 4-5. The districts of the town for the inquest were: Stockwell, Briggate, ‘within the port’, Trongate, Gallowgate, ‘above the cross’, ‘above the Blackfriars’, Drygate and Rottenrow.

⁶⁷ CH2/550/1, 5.

⁶⁸ CH2/550/1, 16, 17, 19, 21, 33.

⁶⁹ CH2/550/1, 20, 28,

⁷⁰ CH2/550/1, 44.

⁷¹ CH2/550/1, 46.

⁷² CH2/550/1, 52, 54-5.

⁷³ See for example CH2/550/1, 265, 268-271.

session. If they did not, the magistrates were then called upon to imprison them in the tolbooth. This was almost identical to the system employed in Perth, where from July 1581 parishioners were gaoled if they remained disobedient after the minister's third warning.⁷⁴ Although this arrangement does seem to have taken some time to develop in Glasgow, it was in place by 1586.

By 1589, these tactics for monitoring behaviour and ensuring submission to the injunctions of the Kirk were bringing offenders before the session at a prolific rate. TABLE 2.2 [73] shows that some sixty-six disciplinary cases were prosecuted by the session during 1589, across the broad categories of fornication (including relapses and pre-marital sex), slander (including flyting and disturbances of the peace), domestic family matters and marriage disputes, adultery and Sabbath breach (including both cases of working on the Sabbath and absence from church). In 1590 this rose to eighty-six cases, in 1591, 109 and in 1592, 125.⁷⁵ By comparison, the St Andrews kirk session saw an average of approximately forty cases each year during the same four-year period, while eighteen disciplinary cases passed before the Perth elders in 1588, forty in 1589 and thirty-one in 1590.⁷⁶ Both Perth and St Andrews are traditionally regarded as 'well-reformed' towns, but the number of cases overseen in Glasgow far exceeded those recorded by the sessions there.⁷⁷ The method of counting cases used here is the same as that employed by McCallum in his analysis of discipline in Fife after 1600, in that each disciplinary action seen through to its final punishment is treated as a separate case. Therefore, if a group of people were summoned for a single act of Sabbath breach, or two people for an act of fornication, each of these are treated here as one case. This is in contrast with Michael Graham's method of counting every person as a separate case, because the intention here is to assess the activity of the session, rather than popular behaviour.⁷⁸

⁷⁴ Todd, *Perth Kirk Session Books*, 190-191, n. 71.

⁷⁵ CH2/550/1, 220-252, 252-295, 295-337, 338-383.

⁷⁶ Todd, *Perth Kirk Session Books*, 387-460; McCallum, *Reforming the Scottish Parish*, 49.

⁷⁷ For the observation that St Andrews and Perth were 'well-reformed', see Todd, *Perth Kirk Session Books*, 22; Dawson, 'The face of ane perfyt Reformed Kyrk', 434-5; McCallum, *Reforming the Scottish Parish*, 43-4.

⁷⁸ McCallum, *Reforming the Scottish Parish*, 190.

TABLE 2.2: Breakdown of kirk session disciplinary offences in Glasgow using broad categories

Offence	1589	1590	1591	1592
Fornication	34	54	47	58
Slander/ Verbal offence	8	11	27	41
Family/ Marriage dispute	6	6	5	9
Adultery	9	7	8	6
Sabbath breach	9	8	22	11
Total	66	86	109	125

Source: Glasgow High Kirk Session book, GCA, CH2/550/1, fos. 220-252, 252-295, 295-337, 338-383. These are the page ranges that encompass each year recorded in the table.

TABLE 2.2 shows an almost fifty per cent increase in cases heard by the session in Glasgow between 1589 and 1592. This is perhaps best explained by an expansion to the High Kirk parish which took place in October 1590, which saw it incorporate the landward districts of Woodside, Stobcross, Garbrand, Keppoch, Causton, Dalmarnock, Shettleston, Dabath and Barrowfield. Representatives for each of these areas appear on the session election lists for the first time that month and they continued to be included every year until the end of the minute book.⁷⁹ The ongoing population increase should also be taken into account. As was mentioned in the introduction to this thesis, during the 1580s and 1590s, the town was in the midst of a population rise and a small but significant economic upturn, and this may have contributed to the rise in disciplinary cases seen around that time.⁸⁰ The timing of this shift also suggests that the arrival of the second minister, John Cowper, in 1588 had a major impact on church discipline in Glasgow.

⁷⁹ CH2/550/1, 274, 316, 362.

⁸⁰ 'Introduction', 24-5; McGrath, 'Medieval and Early Modern Burgh', 44; Lynch, *Early Modern Town*, 5; Smout, 'The Development and Enterprise of Glasgow', 194; Also see Eyre-Todd, *History of Glasgow*, ii, 144, for Glasgow's vibrant market at around this time.

As a result of these developments, by 1592 Glasgow could lay claim to having one of the best-established and busiest kirk sessions in Lowland Scotland. Graham has argued that the types of offences pursued by kirk sessions evolved over time, suggesting that they began by targeting mainly sexual offences, before broadening their scope to include a wider range of transgressions once they had become better-established. John McCallum applied this model to his research on Fife. For well-established sessions, such as the St Andrews kirk session between 1582 and 1600, and the Anstruther Wester session after the arrival of ministers James Melville and John Durie in 1586, fornication accounted for slightly over sixty per cent of cases.⁸¹ In Glasgow between 1589 and 1592, fornication accounted for almost exactly half the number of cases, suggesting the disciplinary agenda of a well-established session according to Graham's criteria.

Different types of cases were pursued in Glasgow when compared to Fife burghs such as St Andrews and Anstruther Wester. Cases involving verbal insults and slander were more of an issue in Glasgow, for instance. TABLE 2.2 details the different types of disciplinary cases brought before the session between 1583 and 1592 and shows that slander, flyting and other types of verbal dispute were major preoccupations, which made up twelve per cent of cases seen in 1589, thirteen per cent in 1590, twenty-five per cent in 1591 and thirty-three per cent in 1592. A sudden rise in slander cases seems to have occurred during 1590 and 1591. This can perhaps be attributed to the expansion of the High Kirk parish in October 1590 and the town's growing population. A sudden influx of people into the town during any particular year may have increased social tension. Living quarters in Glasgow were already cramped and concentrated around the crossroads formed by the Trongate, Gallowgate and Walkergate streets and the main thoroughfare, the High Street, which ran north to the cathedral and south to the River Clyde. Population increases would have been keenly felt. McCallum has illustrated that in the Fife burgh of Burntisland, verbal offences made up a major proportion of the disciplinary cases prosecuted by the session there precisely because of the compact nature of the urban settlement.⁸² Cramped conditions in Glasgow were maybe also responsible for four cases of babies accidentally being smothered in their parents' beds in 1592, although deliberate killing for reasons of poverty or unwanted pregnancy cannot be ruled out.⁸³

A kirk session statute of 18 March 1590 made a concerted effort to crack down on verbal offences. It noted that 'the tongues of men and women within this citie [are] loosed to slander ane another' and set down fines of thirteen shillings and four pence for first offenders who

⁸¹ Graham, *Uses of Reform*, 211-221, 257; McCallum, *Reforming the Scottish Parish*, 54-6, 197, 221.

⁸² McCallum, *Reforming the Scottish Parish*, 194.

⁸³ CH2/550/1, 338, 341, 371, 375.

were freemen and six shillings and eight pence for servants. Following a second offence, slanderers could be fined either twenty shillings or ten shillings, ‘after thrice to be punished in their bodies.’⁸⁴ The role played by the session in conflict resolution also extended to the arbitration of more serious disputes. Two weeks before the 1590 act targeting slander was introduced, a commission comprising the ministers, bailies and other senior members of the town council was set up to resolve quarrels ahead of that year’s communion.⁸⁵ Throughout 1590 and 1591, a commission made up of some of the more experienced elders also met to regulate a serious dispute ‘between Archibald Hegate and Matthew Herriot on the one hand and James Lyon and John Roos [Ross] on the other ... to take the matter between them to concord and aggreance.’⁸⁶ This entry may refer to a long-running feud that had developed between Hegate and Ross after the crown appointed Ross as town clerk of Glasgow in 1587 at the expense of Hegate, who was removed.⁸⁷ Dispute arbitration and the punishment of slander were therefore important aspects of the work of the High Kirk session in Glasgow during the 1580s and 1590s.

Sabbath breach seems to have been punished less harshly in Glasgow than in some other towns. A parliamentary act of November 1579 had stipulated fines of ten shillings for working on the Sabbath and twenty shillings for absence from church.⁸⁸ In Glasgow in 1589, nine people were found guilty of working on the Sabbath or being absent from sermon; eight of them were let off under the threat of punishment if they committed the same offence in the future, while one paid a fine of twenty shillings.⁸⁹ The relative leniency evident in Glasgow in relation to Sabbath breach was possibly due to the types of occupations practiced in the town, which meant that many people could find a reason to work on a Sunday. Crackdowns could occasionally be introduced, however. Most of the twenty-two cases of Sabbath breach recorded for 1591 occurred during a busy three-month period between January and March 1591-2, for example.⁹⁰ This suggests that issues such as this could become the subject of focused attention by the session, over a short period of time.

However, in general, the Glasgow session took a firm line when it came to punishing offenders, while adhering to many of the disciplinary practices used in other urban parishes. Graham has drawn attention to the extreme punishments prescribed by parliamentary acts in the 1560s. These included a 1563 act which recommended the death penalty for adultery and

⁸⁴ CH2/550/1, 294.

⁸⁵ CH2/550/1, 257, 284-5

⁸⁶ CH2/550/1, 293, 301, 314.

⁸⁷ See ‘Act of Admission by the Lords of Council of Mr John Ros as notary public’, in Renwick, *Glasgow Protocols*, x, x-xii.

⁸⁸ *RPS*, 1579/10/23, ‘Discharging of markets and labouring on Sundays or playing and drinking in time of sermon’.

⁸⁹ CH2/550/1, 225, 228, 232, 232.

⁹⁰ CH2/550/1, 285-337; TABLE 2.2, 73.

a 1567 act extending this to incest and witchcraft and mandating a £40 fine for first-time fornicators, with increased financial penalties for second and third offences. The adultery and fornication acts were ratified at the Edinburgh Parliament of November 1581, with the adultery statute being clarified to recommend death for ‘notorious and manifest adultery,’ which meant cases where the relationship had begotten children, the parties were repeat offenders, or where they refused to offer repentance.⁹¹ The fornication act has been written out in full on the second page of the Glasgow High Kirk session book, indicating perhaps that it was used for reference. For first offenders it called for eight days’ imprisonment if they were unable to pay the £40 fine, plus two days’ humiliation at the market cross. For the second offence the fine was increased to one hundred merks, or the prison sentence doubled, with the heads of both the man and woman involved to be shaved before they were taken to the market. After a third offence of fornication, the guilty parties were to be fined £100 and if they failed to pay, their imprisonment was tripled in length, ‘and in the end to be taken to the deepest and foulest water of the town and there be thrice dowkit and thereafter to be banished of the said town and parish for ever.’⁹² Graham’s research on parishes including St Andrews and Anstruther Wester in Fife and Monifieth in Angus has shown that the strict punishments advocated by Parliament were rarely enforced at the parochial level during the sixteenth century.⁹³ A similar approach was taken in Glasgow, where wrongdoers were threatened with imprisonment and public humiliation unless they could pay a fine and find a cautioner to guarantee their obedience.

The harsh rulings of the parliamentary statutes effectively provided a high bar from which local kirk sessions could then draw back in order to operate their own bespoke punitive agendas in response to local conditions. These could be adapted uniquely to meet the needs of each parish, all the while maintaining the threat posed by the harsh parliamentary acts. Both Todd and McCallum have emphasised the flexibility of the systems of discipline they have encountered in their research. McCallum for example suggested that the imposition of fines and acts of public repentance alongside admonitions from the pulpit and the more severe sentences of banishment, imprisonment and excommunication constituted ‘an effective and flexible system of discipline.’⁹⁴ Todd and McCallum have also argued that within this framework, punishments of public humiliation were never a ‘soft’ option – they

⁹¹ *RPS*, A1567/12/13, ‘Concerning the filthy vice of fornication and punishment of the same’; 1581/10/20, ‘The ratification of the liberty of the true kirk of God and religion, with confirmation of the laws and acts made to that effect of before’; *RPS*, 1581/10/26, ‘The explanation of the act touching the notorious and manifest committers of adultery’; Graham, ‘The Civil Sword’, 237-9, 243, 247-8.

⁹² CH2/550/1, 2.

⁹³ Graham, ‘The Civil Sword’, 245-6.

⁹⁴ McCallum, *Reforming the Scottish Parish*, 225; Todd, *Culture of Protestantism*, 22-3; Todd, *Perth Kirk Session Books*, 36-7.

possessed great symbolic resonance and emotional impact both for the perpetrator and the local community.⁹⁵ This view is in contrast to that put forward by Graham, for whom a lack of cooperation between the civil and ecclesiastical powers often forced the church to rely ‘merely’ upon ‘symbolic punishments,’ which made it difficult for the Kirk to ‘enforce its will on the wayward and stubborn.’⁹⁶ The system of punishment put into practice in Glasgow was similarly flexible and effective, and consisted of two distinct phases. It began by threatening imprisonment and then demanded both fines and public humiliation. Public repentance for a single act of fornication involved standing or sitting on the pillar [penitents’ stool] in front of the parish congregation for two successive Sundays. For a relapse in fornication, a penitent usually performed repentance for six Sundays, wearing ‘linen clothes’ [undergarments]. During 1589-90, fines were typically thirty shillings for a male first-time fornicator and twenty shillings for a woman, rising to £3 for a man and forty shillings for a woman by 1592. The same year, three people convicted of adultery paid fines of twenty merks, £5 and £10 for their relief from imprisonment and humiliation at the market cross, and for their repentance they stood or sat on the penitents’ stool for six Sundays wearing sackcloth, while barefooted, barelegged and bareheaded.⁹⁷ This was on a par with fines in St Andrews and Perth. In St Andrews in 1590, single fornicators were charged between twenty shillings and forty-six shillings and eight pence to avoid imprisonment. As early as 1577, a forty-shilling payment was required to avoid gaol in cases of pre-marital fornication in Perth and this was later ratified in a 1585 statute.⁹⁸ Although Glasgow’s High Kirk session, like those elsewhere in Scotland, did not adhere strictly to the harsh punishments prescribed in the parliamentary acts of the 1560s, it did enforce an effective and sophisticated system for disciplining offenders.

In common with other parishes in Scotland, convicted slanderers in Glasgow often faced a severe form of humiliation involving physical punishment. They could be placed in the jugs [neck irons], tied to the cuck-stool [ducking-stool] or put in the branks, a metal device which was placed over the head with a sharp piece of metal protruding into the mouth.⁹⁹ Usually this was done in public, on a market day between ten o’clock in the morning and noon, and offenders regularly wore paper hats with their offence written on it as a public

⁹⁵ Todd, *Culture of Protestantism*, 127-82; McCallum, *Reforming the Scottish Parish*, 221, 223-4.

⁹⁶ Graham, ‘The Civil Sword’, 237, 248.

⁹⁷ CH2/550/1, 259.

⁹⁸ For example, CH2/550/1, 227, 230, 233, 236, 238, 240, 242, 281, 290, 372-3, 375-7; *RStAKS*, ii, 667, 690; Todd, *Perth Kirk Session Books*, 71.

⁹⁹ For example, CH2/550/1, 259-60, 263-5, 307, 327, 331; See McCallum, *Reforming the Scottish Parish*, 211 for definitions of these corporal punishments.

notification of their offence.¹⁰⁰ This form of discipline was often used to punish women.¹⁰¹ In July 1586, the session ordered a cart to be made so that ‘harlots’ could be transported through the town. In October 1589, a pulley was built so that adulterers and those convicted of relapses in fornication could be dunked into the river, which was a punishment that had been used in Edinburgh since 1562.¹⁰² A similar range of punishments was employed in Perth and St Andrews, where carting and ducking were used to make an example of relapsed fornicators during 1585.¹⁰³ First-time fornicators in Perth generally faced three Sundays on the pillar, while those who had relapsed faced six, and this was also the case in Glasgow.¹⁰⁴ Likewise, in St Andrews, the pillar had become the standard punishment for sexual offences by at least 1580, with adulterers typically wearing sackcloth during their appearances there.¹⁰⁵ In a well-known case in St Andrews in 1593, an adulterer was carted through the town, ‘the hail scholaris and utheris, ane great multitude of people, upon Mononday ane merkat day, being his convoy, casting rotten eggs, filth and glar [slime or mud] at him.’¹⁰⁶ The corporal punishments used in Glasgow were therefore similar to those practiced in other parishes in Lowland Scotland.

Glasgow’s ministers also seem to have carried out quite a high number of excommunications during the late 1580s and early 1590s, compared to other regions. Four people were excommunicated during 1589 for example, one for a single case of adultery and a second for a relapse, and two for a relapse in incest. In 1590, four more people were excommunicated, one for a single instance of adultery, one for a relapse, and two men for sexual assault.¹⁰⁷ This is in contrast both to Todd’s findings for Perth, which revealed only six excommunications between 1577 and 1590, and McCallum’s research on Fife, which found only a ‘handful’ of such punishments there between 1600 and 1640.¹⁰⁸ In St Andrews, a number of people were excommunicated during the 1560s, but none are recorded in the session register between 1582 and 1598 and in May 1590 the elders there stated that they were ‘not willing to be sudden to fulminate excommunication against any person, if they could be brought otherwise to repentance and humiliation.’¹⁰⁹ This was not the case in Glasgow, where excommunication was a key part of the Kirk’s disciplinary system and the

¹⁰⁰ For example, CH2/550/1, 228-9, 240.

¹⁰¹ See J. Harrison, ‘Women and the Branks in Stirling, c.1600 to c.1730’, *Scottish Economic and Social History*, 18 (2) (1998), 114-131; McCallum, *Reforming the Scottish Parish*, 207-11.

¹⁰² CH2/550/1, 86, 225; Graham, ‘The Civil Sword’, 241.

¹⁰³ Todd, *Perth Kirk Session Books*, 320, 325.

¹⁰⁴ For example, *Ibid.*, 113.

¹⁰⁵ For example, *RStAKS*, i, 434, 456-8; McCallum, *Reforming the Scottish Parish*, 43.

¹⁰⁶ Todd, *Perth Kirk Session Books*, 37-8, 310, 320, 325; *RStAKS*, ii, liv-lvi, 767.

¹⁰⁷ CH2/550/1, 222-3, 246, 255, 265, 276.

¹⁰⁸ McCallum, *Reforming the Scottish Parish*, 221; Todd, *Perth Kirk Session Books*, 38.

¹⁰⁹ *RStAKS*, ii, 488-877, especially 671, 808, 877, quotation at 671; McCallum, *Reforming the Scottish Parish*, 222; Graham, *Uses of Reform*, 85.

ministers seem to have been happy to use it as a direct punishment. In almost all the cases in Glasgow, excommunicated people were eventually allowed to return to the Kirk, once they had made the requisite public repentance, as was the case in other parishes.¹¹⁰ But the town's ministers did not hold back from using the most serious spiritual and social sanction available to them. Again, this may have been due to the zeal of the High Kirk minister, John Cowper, and his predilection for issuing excommunications.

Although Glasgow's magistrates cooperated closely with the Kirk in many aspects of its work, they could be reluctant when it came to enforcing these excommunications. In 1589, the Glasgow session appealed directly to the king to order the magistrates to help them in this regard. On 12 June 1589, the elders secured a letter from James calling for the magistrates to take order with excommunicants. The king's letter is inserted into the session register on that date and it reads:

Our will is herefore and we charge ... the provost and bailies of the said city and barony of Glasgow to expel ... Archibald Hegate and all others against whom the said sentence of excommunication is ... or at any times shall be prompted for whatsoever cause.¹¹¹

Negotiations between the session and the magistrates had been ongoing since at least 1587, and the king's letter brought these to a happy conclusion for the Kirk. In April of that year the session ordered that a recent exile, Adam Elphinstone, a glassinwright [glazier], was not to be seen loitering at the town gate.¹¹² Then in November, the session requested that:

The magistrates take some order with Effie Dickson and Margaret Barde, excommunicate persons for their adulteries, which persons peaceably frequent all public places of this town and desires not to be in the favour of the Kirk, that there may be some difference between the inobedient and abominabill persons and the obedient and godlie, urtherwise libertie will be made to all kind of vice in this town.¹¹³

Throughout the remainder of the year, the session put pressure on the civic authorities to uphold the ministers' excommunications. In September 1588, it named a commission comprising the two ministers and some elders, which was to meet with the council in an attempt to influence the election of the bailies.¹¹⁴ This suggests that the session was unhappy with some of the magistrates who had been appointed until then. In January 1588-9, the ministers were still dissatisfied with the actions of the magistrates. First, John Cowper and

¹¹⁰ For example, CH2/550/1, 360.

¹¹¹ CH2/550/1, 226.

¹¹² CH2/550/1, 143.

¹¹³ CH2/550/1, 162.

¹¹⁴ CH2/550/1, 199.

David Wemyss went to the town council to present the names of excommunicated people seen frequently in public, and then the session directly requested that the magistrates ‘pass to the persons excommunicate in this town and signify to them that they keep themselves close within their house.’¹¹⁵ The letter from the king was a key moment in the evolving relationship between the ecclesiastical and civil powers in Glasgow. The ministers and elders must have been newly confident that they could expect greater cooperation from the magistrates following this clear expression of the king’s support for their work.

James’ letter of 1589 also points to another aspect of the Kirk’s disciplinary programme with which the magistrates were reluctant to comply, which was the punishment of Catholic recusants. Focusing on Catholic recusancy highlights a further way in which kirk sessions’ concerns differed across Lowland Scotland, showing that the focus of the session in Glasgow was different to other towns. MacLeod has shown that Catholics continued to live in Glasgow, at least until the second decade of the seventeenth century, while McCallum has suggested that the situation in Fife was different, with little recusancy after 1560.¹¹⁶ The bailies in Glasgow were reluctant to punish Catholics because they preferred instead to adopt a policy of *de facto* religious tolerance as a means of preserving peace in the burgh, in common with other urban magistrates across Europe.¹¹⁷ In their behaviour toward Catholics, Glasgow’s civic authorities tended to respond to the dictates of the crown, rather than those of the Kirk. James VI’s own attitude towards Catholics was inconsistent and this allowed prominent recusants such as the notary and town clerk, Archibald Hegate, to evade prosecution in Glasgow by altering their behaviour towards the church. Hegate sometimes adopted a policy of Nicodemism [dissembling], for instance, while at other times he was openly antagonistic.¹¹⁸ It took interventions such as that by the king in June 1589 to force the magistrates’ hand. As a result, Hegate was able to remain in the burgh, often dissembling before the church authorities, until he eventually departed for the continent in 1612.¹¹⁹ It was not until that year that Archbishop John Spottiswood began to target Catholics in the town more systematically, with the backing of parliamentary authority. This will be discussed in more detail in chapter 4.

Pre-Reformation festive practices also continued in Glasgow during this period. Margo Todd has contended that ministers and kirk session elders ‘treat[ed] forbidden revelry leniently ... and refrained from banning all profane pastimes,’ precisely because they

¹¹⁵ CH2/550/1, 213.

¹¹⁶ MacLeod, ‘Servants to St. Mungo’, 229; McCallum, *Reforming the Scottish Parish*, 72, 89, 94, 203.

¹¹⁷ Goatman, ‘Archibald Hegate’, 164-176.

¹¹⁸ *Ibid.*

¹¹⁹ *Ibid.*, 173-6.

appreciated their continued importance to local communities.¹²⁰ They opted to phase these pastimes out slowly, despite resolutions made by the General Assembly during the 1570s forbidding them. This meant that traditional, pre-Reformation festivities survived in many areas of Scotland into the third and fourth decades of the seventeenth century.¹²¹ Glasgow was no different. In December 1586, a St Thomas' Eve celebration saw several craftsmen pass through the town with pipers 'to the trouble of sundry honest men in this town sleeping in their beds, and raising of the old dregs of superstition used among the papists.'¹²² The resulting trial was a test of strength between the session and the offending burgesses, who were eventually served with stiff sentences because they failed to show the proper humility on the pillar. They in turn retaliated by placing the bones of a dead horse at the minister David Wemyss' gate, after which several of the revellers were made to repent in sackcloth and one was excommunicated.¹²³ Even taking into account the level of their disobedience these were harsh penalties when compared to the small fines typically collected by the kirk session in Perth from the performers of the annual St Obert's Eve play.¹²⁴ The Glasgow kirk session also appears to have found it difficult to stamp out feasting at weddings between 1583 and 1593. Four cautioners were fined in August 1586 for allowing bridals to take place at weddings for which they were responsible, for example, while four more were fined ten shillings for the same offence in June 1588, one was fined twenty shillings in May that year and two were fined in May 1592.¹²⁵

Despite these difficulties in punishing certain types of offences, the Kirk in Glasgow nevertheless continued to depend upon local landowners and especially Glasgow's longstanding provost, Sir Matthew Stewart of Minto, to use their authority to bring disobedient offenders before them. In October 1594, the presbytery ordered Glasgow's ministers to meet with Minto and asked him to ensure that his officer in Partick ward take some of his men to Mekill Govan to apprehend Jean Dalrymple, who had relapsed in adultery and subsequently been excommunicated.¹²⁶ Many other cases also show the ministers of the presbytery relying upon the authority of landed men to guarantee ecclesiastical discipline. In June 1599, for example, the presbytery called upon the laird of Lekprevick to admonish the burgesses of Rutherglen for milling the grass of the kirkyard there,¹²⁷ while in May 1601, the presbytery ordered Patrick Sharp, the principal of Glasgow University and minister of

¹²⁰ M. Todd, 'Profane Pastimes and the Reformed Community: The Persistence of Popular Festivities in Early Modern Scotland' *Journal of British Studies*, 39 (2) (April, 2000), 123-156, at 154.

¹²¹ *Ibid.*, 124, 154.

¹²² CH2/550/1, 115.

¹²³ CH2/550/1, 115-128. This episode is recounted by MacLeod in 'Servants to St Mungo' at 100-102.

¹²⁴ Todd, 'Profane pastimes', 136, 151-6.

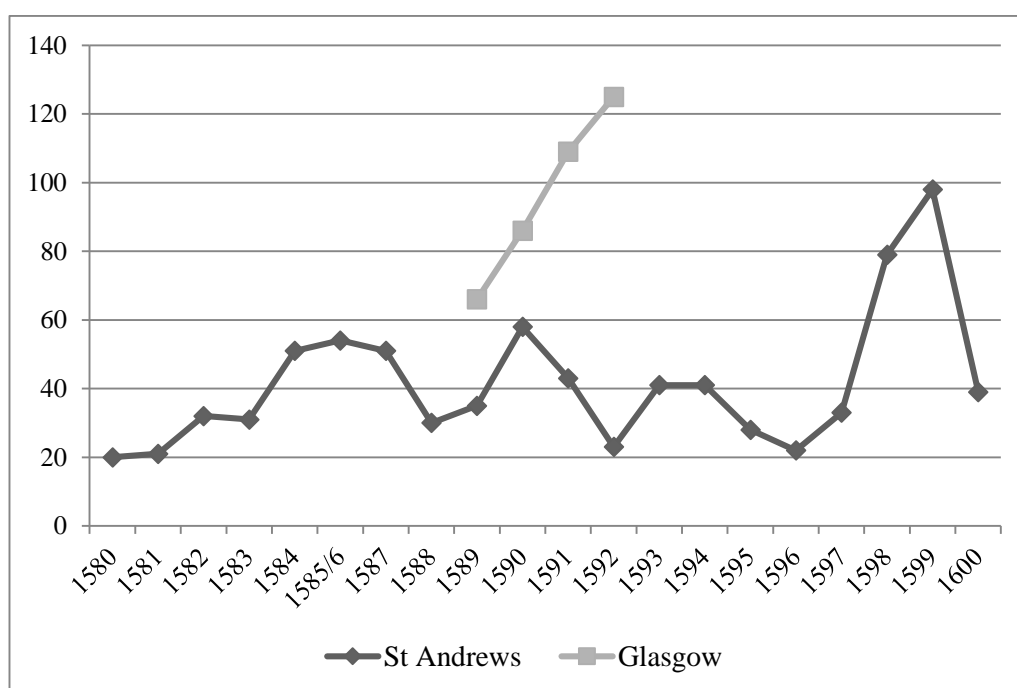
¹²⁵ CH2/550/1, 4, 6, 8, 10, 96, 188-9, 344-5, 371-2; Wodrow, *Biographical Collections*, II.ii, 37.

¹²⁶ CH2/171/31, 171-2.

¹²⁷ CH2/171/33, 49.

Govan, to speak to the Earl of Montrose and Sir William Livingstone of Kilsyth because their tenants in the parish of Moniaburt had not attended the recent communion.¹²⁸ In August 1599, the presbytery requested that Glasgow's magistrates apprehend Alexander Neil, who had been disobedient to the citations of the Kirk, and place him in the town's tolbooth until such time as he could find caution.¹²⁹ During 1600, the presbytery even requested the assistance of the second Duke of Lennox in locating David Neil and Janet Fergus, a couple who had been disobedient to the citations of the Kirk.¹³⁰ Although the Kirk was forced to compromise in several areas of its disciplinary activities prior to 1603, it continued to value a close working relationship with powerful local laymen.

CHART 2.1: Total number of disciplinary cases, St Andrews Kirk Session and Glasgow High Kirk Session, 1580-1600



Source: Glasgow High Kirk Session book, GCA, CH2/550/1, 220-252, 252-295, 295-337, 338-383. Data for St Andrews taken from J. McCallum, *Reforming the Scottish Parish*, 49.

Other types of lay-ecclesiastical cooperation in and around Glasgow, 1583-1603

The Kirk also sought the cooperation of influential lay figures in carrying out its work in areas other than discipline, including the collection and distribution of poor relief,

¹²⁸ CH2/171/34, 3.

¹²⁹ CH2/171/33, 84.

¹³⁰ CH2/171/33, 130-1.

maintenance of the High Kirk and other church buildings, the appointment of ministers and oversight of their conduct. Poor relief was one area in which the Glasgow session and civic administration cooperated particularly well. McCallum has recently argued that an effective system of poor relief was established in Scottish towns after the Reformation, which was based upon close cooperation between clergy and laity.¹³¹ Glasgow does appear to provide a further example of this. Charitable collections in the town generally took two forms: weekly collections carried out by deacons at the church doors after Sunday and week-day sermons, which were recorded in the minutes at the subsequent session meeting, and also major poor relief initiatives which required a significant level of organisation and the cooperation of the burgh magistrates. Collections at the church door in Glasgow rose steadily throughout the 1580s and 1590s. Average weekly takings were £1 and six shillings in 1583, rising to £2 and fourteen shillings by 1592 and £5 by 1597.¹³² The session was also able to organise major collections with the help of the bailies and town council. One such was announced in March 1585, when the session declared:

In respect of the dearth and the great number of inhabitants in this town who is poor, it is thought good that some of the number of the bailies and council of this town [meet] in their council house how that the poor may be relieved and this to be followed with expedition.¹³³

Such major collections were organised on at least a yearly basis throughout the 1580s. On 4 May 1586 for example, the session ordered that all the poor within the town were to be marked, so that the Kirk could know who was eligible to receive alms. How this should be done was not specified but in England at this time, the ‘deserving poor’ were often distinguished by a square of blue cloth being attached to their clothing, upon which was pinned the arms or insignia of their city.¹³⁴ So similar marks may also have been pinned to beggars’ clothing in Glasgow, with some sort of identification that they lived in the town. On 2 June, it was announced that those who had received these marks should appear on the following Sunday to collect their hand-outs. The same day, the session ordered that Andrew Hay, the minister of Renfrew, and David Wemyss ‘convene in the council house of Glasgow the next Saturday and there the bailies, council and they advise for the weale of the poor

¹³¹ J. McCallum, “‘Fatheris and provisioners of the pui’: kirk sessions and poor relief in post-reformation Scotland”, in McCallum, *Scotland's Long Reformation*, 74, 80-84; J. McCallum, ‘Charity doesn’t begin at home: Ecclesiastical Poor Relief beyond the Parish, 1560-1650’, *Journal of Scottish Historical Studies*, 32 (2) (2012), 107-126, at 114.

¹³² Wodrow, *Biographical Collections*, II.i, 46; Lynch, ‘Preaching to the Converted?’, 341.

¹³³ CH2/550/1, 68.

¹³⁴ S. Hindle, ‘Dependency, Shame and Belonging: Badging the Deserving Poor, c.1550–1750’, *Cultural and Social History*, 1 (1), 6-35, at 7.

householders.’¹³⁵ In May of the following year, the session identified those in the town who were officially entitled to alms, and ordered that the town should then be divided into seven districts, with ‘honest men’ allocated to count the numbers of poor in each section, so that the money could be distributed fairly.¹³⁶ While an effort was clearly being made to distinguish between ‘deserving’ and ‘undeserving’ poor, the evidence does seem to point to close cooperation between the session, magistrates and town council in the provision of poor relief in Glasgow. The session, again in concert with the town council, also often removed beggars who had come into the town from outside, and provided financial support for the leper house, which was situated in the Gorbals, on the south side of the bridge.¹³⁷

The session also took it upon itself to organise collections for poor who lived beyond the burgh, in common with many other parishes across Scotland.¹³⁸ In May 1588, the session suggested to the town council that a collection be made for French Huguenots who had fled to England and in August 1590 they proposed a similar collection for the church in Geneva.¹³⁹ In June 1596, the Glasgow presbytery ordered all of its ministers to ‘bring in his contribution of alms from the gentlemen within his parish to the afflicted Grecian, for his charity towards the Christians.’¹⁴⁰ Closer to home, on 11 December 1589, the bailies helped the ministers to collect money for farmers in Blantyre whose crops had been damaged by hail.¹⁴¹

The Glasgow elders also worked closely with the town council in order to keep the cathedral in good repair. One such building project was begun during the winter of 1587-8. On 7 December 1587, the provost, bailies and town council, together with the craft deacons, were called upon to meet in the university’s Blackfriars’ Kirk, to give their advice on the building work. On 4 January, the experienced bailie Robert Rowat and three other lay elders met with wrights in the town to determine the cost of repairing the steeple. On 25 January, the session ordered that a commission be sent from Glasgow to the General Assembly, to seek its help in gaining a license from King James permitting repairs, which seems to have been necessary in order to begin the work. On 29 February 1588, the same day that John Cowper was accepted as the town’s second minister, a group including Robert Rowat, David Wemyss, Patrick Sharp and David Hall, (the last of these men was a prominent merchant who sat on the kirk session consistently and also served as its treasurer), were called upon to assess the cost of repairing the cathedral’s windows and roof. Proceedings were then held

¹³⁵ CH2/550/1, 77-78, 80.

¹³⁶ CH2/550/1, 146.

¹³⁷ For example, CH2/550/1, 303, 330; Wodrow, *Biographical Collections*, II.i, 40-43.

¹³⁸ McCallum, ‘Charity doesn’t begin at home’, 112-5, 124-6.

¹³⁹ Wodrow, *Biographical Collections*, II.i, 42-45.

¹⁴⁰ CH2/171/32, 55.

¹⁴¹ CH2/550/1, 303.

up, apparently due to the difficulty of obtaining the license from the king. A second request for a license was made on 2 June 1589, when the ministers and members of the session complained about the time taken to begin repairs. By that date, the town council had already committed 600 merks to the project, while 900 merks were also provided from the parsonage lands. On 10 July, the kirk session and town council both announced that they had found the necessary money. A council statute issued on 26 July cleared work to begin, committed the council's share of the funds and recorded an additional 400-merk loan from Walter Stewart of Blantyre.¹⁴² Delays like the one which took place during 1588-9 should perhaps be expected in the organisation of a major building project, but the civic authorities clearly cooperated readily and contributed funds quickly when asked to by the session.

The Kirk also liaised with lay power brokers within the burgh and its rural hinterland in order to provide the parishes within the presbytery with new ministers. Both the *First* and *Second Books of Discipline* lamented the fact that lay landowners continued to enjoy rights of ecclesiastical patronage after 1560, which included a say in the appointment of ministers, and called for congregations to be allowed to nominate their own ministers according to a 'purer' Genevan model.¹⁴³ But laymen continued to hold these rights and so the Kirk was forced to negotiate with them in order to fill vacant parishes and provide the ministers with stipends.¹⁴⁴ In and around Glasgow, it fell primarily upon the town's three ministers, David Wemyss, John Cowper and John Bell, and the university principal Patrick Sharp, to do this. Increasing the number of ministers within the growing town was a particularly urgent problem. Sir Matthew Stewart of Minto, in his dual role as the town's provost and depute bailie of the barony of Glasgow, as well as an elder on the kirk session, made a key contribution to setting up the barony parish between 1594 and 1596. In October 1594, the presbytery ordered that Wemyss meet with Minto and ask him to appear before them, 'there to give his advice for providing of a minister to the parish of Glasgow, and to desire him also to cause warn some special honest men to be present the said day to give their advice in the said matter.'¹⁴⁵ These notable men of the barony were also instrumental in the establishment of the new parish. On 2 November 1596, Minto appeared before the presbytery with Robert Chirnside of Over Possil, Gabriel Corbert of Hardgryve, James Forrett of Barrowfield, William Younger of Bridgend, William Anderson of Stobcross, John Craig of Nether Renton

¹⁴² CH2/550/1, 166, 169, 171, 174, 225, 267, 277, 293; Marwick, *Extracts*, i, 140-2.

¹⁴³ Cameron, *First Book of Discipline*, 96; Kirk, *Second Book of Discipline*, 179. Theodore Beza argued that ministers should have the consent only of the elders and Christian magistrates, *Ibid.*, n. 49.

¹⁴⁴ L. Whitley, *A Great Grievance: ecclesiastical lay patronage in Scotland until 1750* (Eugene, 2013), 9-18. James Kirk has argued that by the 1580s, presbyteries were becoming more effective in putting forward their candidates for vacant ministerial charges. J. Kirk, 'Royal and lay patronage in the Jacobean kirk, 1572-1600, in N. MacDougall (ed.), *Church, Politics and Society: Scotland, 1408-1929* (Edinburgh, 1983), 143-5.

¹⁴⁵ CH2/171/31, 180.

and three other men, in their role as ‘parishioners of Glasgow without burgh’ and they all declared themselves happy that the barony should have a congregation and minister of its own. The same day the presbytery appointed Alexander Rowat to the charge and because the barony parishioners had not yet heard him preach, ordered him to do so in the High Kirk on 14 and 21 November.¹⁴⁶

Other examples of ministers liaising with lay powers in order to place clergy in local parishes can be found throughout the presbytery records between 1592 and 1603. In July 1594, for instance, Patrick Sharp and Blaise Lawrie conferred with Minto about John Buchan, the master of the song school, becoming an additional minister in Glasgow.¹⁴⁷ In December of the same year, ‘some of the brethren’ were ordered to speak with James Crawford of Fermes about providing Alexander Rowat with a stipend. He was at that time minister at Rutherglen and Fermes seems to have been reluctant to pay him.¹⁴⁸ In April 1599 and again in December, Cowper, Wemyss and William Livingstone, the minister at Monyaburt, were ordered to meet with John Fleming, the first Earl of Wigton, about appointing a minister at Lenzie, while also in December, the ministers spoke with the laird of Lekprevik about providing the new minister of Rutherglen with a stipend.¹⁴⁹ Similarly, in February 1601, ministers John Bell and Andrew Boyd, the minister for Eaglesham, were ordered to meet with the laird of Castlemilk about providing the parish of Cumnock with a minister.¹⁵⁰ While these extracts may indicate that the Glasgow presbytery had some trouble in supplying its outlying parishes with ministers, there is no doubting the effort that was made by the Kirk and the emphasis that was placed on working closely with local lay landowners in order to do so.

Notable laypeople also played a key role in overseeing the conduct of minister by participating in visitations. In July 1597, the presbytery called for an inquest ‘of certain persons within every parish ... of whom it is demanded what they ken of the doctrine, manners ... discipline of their ministers.’¹⁵¹ By this time, only Andrew Boyd and David Wemyss in Glasgow were found to be in any way unsatisfactory. In fact, the former was criticised for being too soft on his parishioners. John Dunlop of Polmorn Mill complained that Boyd should proceed ‘severallie against offenders in their parish gif that his lenitie will not bring to obedience to do their duty.’¹⁵² Wemyss meanwhile was found to be ‘over tedious

¹⁴⁶ CH2/171/32, 79-80.

¹⁴⁷ CH2/171/31, 84, 86, 138, 180.

¹⁴⁸ CH2/171/31, 194.

¹⁴⁹ CH2/171/33, 22, 133, 178.

¹⁵⁰ CH2/171/33, 282.

¹⁵¹ CH2/171/32, 152.

¹⁵² CH2/171/32, 153.

in his doctrine', a not infrequent criticism of him,¹⁵³ while in Glasgow generally it was found that 'the visitation of the sick was not so often used as need requires.'¹⁵⁴ Later that month, the annual visitations by the ministers seemed to reveal that some improvement had been made in most local parishes during the preceding year. In Cadder, Eaglesham and Rutherglen only material improvements to church buildings and their yards were advocated, while the only parish in which better parishioner attendance was called for was Cathcart.¹⁵⁵ In all of these cases, the presbytery worked closely with laypeople in carrying out their visitations.

Jane Dawson has made the influential argument that in the decades after 1560, the town of St Andrews found it difficult to extend its reforming achievement outward into the surrounding region.¹⁵⁶ Despite the best efforts of the ministers, a similar dynamic seems to have existed within the bounds of the Glasgow presbytery. On 16 March 1596, the presbytery complained that:

The presbytery of Glasgow consistand presentlie only of six kirks to wit Glasgow, Govan, Rutherglen, Cadder, Leinzie [Lenzie] and Campsie who keeps exercise and discipline with them (as to Moniaburt neither exercise nor discipline is kept by the minister within the said presbytery). And of the said six kirks there is the minister of Campsie ane old man having only in yearlie stipend £86 and the minister of Leinzie having only stipend £48 with the vicarage worth twenty merks in the year. And the said ministers of Campsie and Leinzie through poverty keeps not the days of presbytery.¹⁵⁷

A visitation of the parishes in July 1595 found that in Moniaburt 'neither the minister or elders [were] there for visitation's cause, albeit the said minister declairit that he had warned the said elders to be present for visitation.'¹⁵⁸ At Lenzie, the minister was called upon to 'convocat his elders for discipline's cause.' He seems to have had some trouble in doing this however, because the presbytery added that: 'In case they will not convene being desirrit by the said minister that he summond them to comper before the presbytery, there to answer as officers.'¹⁵⁹ At the same time, the parishioners in Rutherglen complained that they were still in need of a minister. The same visitation of Glasgow's High Kirk parish revealed that the ongoing Reformation in the rural hinterland around the town may not have been as comprehensive as within the burgh. The visitors asked what order should be taken with 'offenders in Glasgow fugitive from the discipline of the kirk there to other kirks within the

¹⁵³ For criticisms of Wemyss by the presbytery see CH2/171/31, 246; CH2/171/33, 288.

¹⁵⁴ CH2/171/32, 153-4.

¹⁵⁵ CH2/171/32, 159.

¹⁵⁶ Dawson, 'The face of ane perfyt Reformed Kyrk', 434; McCallum, *Reforming the Scottish Parish*, 43.

¹⁵⁷ CH2/171/32, 37.

¹⁵⁸ CH2/171/31, 297.

¹⁵⁹ CH2/171/31, 298.

synodall.’¹⁶⁰ This extract suggests that these ‘fugitives’ did still want to be part of a reformed congregation, just not one that practiced discipline as stringently as the High Kirk parish of Glasgow.

Although the Kirk faced these apparent difficulties in extending Glasgow’s Reformation outward into the surrounding region, the town’s importance as a reformed centre within the locality is demonstrated by the frequent occasions upon which its burgesses acted as cautioners for disobedient people from other parishes.¹⁶¹ In fact, the only people explicitly mentioned by the presbytery as fulfilling this function were Glasgow residents. These examples also highlight the extent to which the Kirk worked pro-actively with members of the laity from across the social spectrum, not only the town’s magistrates or the landowning classes. Glasgow burgesses acted as cautioners whether the disobedient people came from parishes inside or outside the burgh. This arrangement was generally recorded in the following manner:

Because that John Blair, maltman burgess of Glasgow, is renunciand his own jurisdiction and submittand him to the jurisdiction of the commissariat of Cadder and Monkland is becum cautioner and surety for Janet Bisset, trilapse in fornication with John Guddien that he [sic] shall obey the injunctions of the Kirk...¹⁶²

This type of arrangement is mentioned frequently throughout the presbytery record between 1592 and 1603.¹⁶³ The ministers of the presbytery also called directly upon disobedient people to find caution in this way themselves. As has been shown elsewhere in this chapter, they also appealed to local lay landowners to apprehend and punish them. One representative example encompassing both of these facets of church discipline occurred in May 1602, when the presbytery requested:

The right honourable Thomas Crawford of Jordanhill, bailie of the barony and regality of Glasgow, to cause any of his officers in any of the wards under his command to pass and apprehend Patrick Lumsdale, ane coal hewer, ane slanderous and disobedient person to the citations and voice of the Kirk and to put him in fastness within the castle of Glasgow, therein to remain ay and while that the said Patrick find ane sufficient burgess man of Glasgow cautioner and surety for him under the pain of £10 money that the said Patrick shall compear

¹⁶⁰ *Ibid.*

¹⁶¹ Dawson, ‘The face of ane perfyt Reformed Kyrk’, 434, for quotation.

¹⁶² CH2/171/31, 104.

¹⁶³ See for example, CH2/171/31, 106-7, 110-3, 121, 128-9, 132-3, 135-6, 145, 147, 148, 158, 166, 168-9, 186-7, 190, 194-5, 244, 252, 259, 291-3; CH2/171/32, 26, 30, 50, 59, 66, 130, 140, 142, 149, 249-50, 265-6; CH2/171/33, 287; CH2/171/34, 28, 257.

before the said presbytery the next Wednesday after his apprehension in answer to the justice of the Kirk.¹⁶⁴

In this case, the power dynamic was particularly unequal and the coal hewer, Lumsdale, was imprisoned for his offence. The episode is emblematic of the way in which the Kirk worked closely with powerful local laymen in the cause of reform between 1593 and 1603, as it had done during the preceding decade. On the whole, the town of Glasgow prior to the reinstatement of the archbishop in 1603 does therefore seem to provide an example of a well-established Genevan model of urban Reformation in action, which conceived of ecclesiastical and lay powers working closely together to reform their local community.

Conclusion

Between 1583 and 1603, the Kirk in Glasgow, as in other Scottish towns, was able to establish an effective disciplinary system based on the kirk session, which punished Catholic recusancy, the celebration of pre-Reformation feasts, sexual offences, Sabbath breach and slander, and arbitrated in disputes, all the while carrying out a wide-ranging programme of social reform that encompassed the collection of poor relief, protection of the institution of marriage and the integrity of the family and the reparation of church buildings. The nature of this programme did of course depend upon, and was responsive to, local social conditions, as was the case elsewhere. Slander cases were common in Glasgow, for example, and Sabbath breach seems to have been leniently punished. The work of reform was not always a smooth process and the Kirk did sometimes meet with resistance or intransigence from Glasgow's magistrates or local lairds. Not all lairds were such enthusiastic 'godly magistrates' as Sir Matthew Stewart of Minto and Walter Stewart of Blantyre.¹⁶⁵ As elsewhere in Scotland, the Kirk also had difficulty in persuading Glasgow's civic authorities to pursue Catholics and was forced to compromise when it came to repressing pre-Reformation festivity. In all of these activities they relied heavily upon the cooperation of influential laypeople, including the burgh's civic administration, and worked hard to cultivate a good working relationship with them. The High Kirk session book of 1583-1593 shows that Glasgow's session was as well established as any in Lowland Scotland by the early 1590s and that the town itself was fairly well provided-for with ministers, despite the

¹⁶⁴ CH2/171/34, 97. It is unclear why Crawford of Jordanhill should be bailie of the barony at this time, as opposed to Sir Matthew Stewart of Minto, unless Lennox had delegated the bailiership to Jordanhill and Minto was the depute bailie.

¹⁶⁵ For the idea of the 'godly magistrate', see K. Brown, 'In search of the Godly magistrate in Reformation Scotland', *The Journal of Ecclesiastical History*, 40 (4) (1989), 1553-1581.

frequent calls from the presbytery for more to be appointed. It also seems to be the case that, like St Andrews, the Glasgow presbytery found it difficult to extend the burgh's Reformation outward into the surrounding rural hinterland. Nevertheless, on the whole, the evidence contained in the church records which account for the period between 1583 and 1603 suggests that Glasgow should be seen as an important centre for the national Kirk in Lowland Scotland, which shared in the phase of expansion that it underwent during the 1580s and early 1590s. This chapter has also corroborated the findings of John McCallum and other historians of post-Reformation discipline, who have found that disciplinary practices were responsive to local social conditions. In Glasgow, these seem to have been carried out, for the most part, successfully. Whether this continued to be the case after the return of the archbishop in 1603 will be considered in chapter 4. The following chapter will explore some of the reforms to Glasgow's civic administration that were introduced during Sir George Elphinstone's time as provost, between 1600 and 1606, beginning with the Letter of Guildry of 1605.

3

Civic Reform: The Letter of Guildry and the Merchant Guild, 1605-1625

Introduction

On 9 February 1605, Glasgow's town council ratified the Letter of Guildry. The Letter was a document of fifty-four clauses, or articles, which established a guild that would admit both merchants and craftsmen, a Dean of Guild's court, for overseeing mercantile activity, and a Deacon Convenor's council, for regulating the crafts. It set out the jurisdictions for each of these bodies, who should be elected to them and the rights and privileges of the new guild brethren. The Letter did not say anything about who should be appointed to the magistracy or town council. This was laid out in a letter from the king received in October 1606 and together these documents provided the basis for the way in which civic officials were nominated in Glasgow until 1711, when the town council laid out comprehensive new plans for doing so.¹ The Letter of Guildry has had praise heaped upon it as a pivotal moment in Glasgow's early modern development, but this has tended to take a narrow focus, concentrating upon its supposed success in bringing to an end longstanding conflict between the town's merchants and craftsmen. Ironically, in this endeavour, the Letter was largely a failure in the short term, as serious fighting would break out in the burgh, in which the craftsmen were heavily involved, during the summer of 1606. The Letter of Guildry is better understood in a wider national and international context, as a measure introduced to establish social order in the face of economic turbulence, as well as to address grievances on the part of the craftsmen. It was also just one amongst a number of reforms ushered in during Sir George Elphinstone's provostship between September 1600 and October 1606. The Letter was thus the centrepiece of a coordinated programme of civic reform in Glasgow, which was recommended by central government, Parliament and the Convention of Royal Burghs, but which seems to have required Elphinstone's presence in order to be implemented. This chapter explains the background to the Letter in terms of conflict in Glasgow between merchants and craftsmen that had been ongoing for a number of decades and unsuccessful efforts at reform of the burgh's constitution which were attempted during the 1590s. It then goes on to lay out the new measures that the Letter introduced before providing an

¹ GCA, C1/1/6, fo. 114; Ewing, *View of the Merchants' House*, 81-4, 86; Marwick, *Extracts*, i, 255-6, iv, 462-66.

assessment of its impact upon the pre-existing political elite in the burgh. The longer term evolution of the new institutions that were established by the Letter will be discussed in chapter 5.

Merchants and craftsmen in Glasgow and the establishment of the Letter of Guildry

As has been noted, James McGrath showed that during the 1570s and 1580s, Glasgow's civic administration was dominated by an oligarchic merchant elite. Throughout the sixteenth century, this group resorted to a number of policies in order to retain their political supremacy over the town's craftsmen. One of these was the granting of seals of cause to individual occupational groupings of craftsmen, each headed by a deacon, which allowed the town council to control the crafts through these men.² Thirteen such incorporations were created in Glasgow between the early sixteenth century and 1605. These were the skinners and furriers in 1516; the tailors (1527); websters [weavers] (1528); hammermen [metalworkers] (1536); masons (1551); baxters [bakers] (1556); cordiners [shoemakers] (1559); coopers (1569); fleshers (1580); bonnetmakers (1597); barbers and surgeons (1599); wrights (1600) and maltmen and mealmen (1605).³ A second tactic that the merchant oligarchy used to retain its dominance over the crafts was to only allow them representation on the town council on an *ad hoc* basis. As chapter 1 noted, the town council was chosen by the magistrates of the burgh court and they generally restricted craft representation to the deacons of selected crafts.⁴ They did this to 'bring the deacons within the orbit of the oligarchy,' in an attempt to stifle potential sources of dissent amongst the craftsmen.⁵

Conflict between merchants and craftsmen flared up at various points in Glasgow during the 1570s and 1580s but grew considerably more serious during the 1590s, when a series of bad harvests led the town council to introduce price controls. This had an adverse effect on the baxters, maltmen and mealmen in particular, and led the deacons to demand that changes be made to the burgh's constitution so that the craftsmen could have a greater say in local government.⁶ As was suggested in chapter 1, during his tenure as 'lord feuer' of Glasgow, Walter Stewart seems to have introduced some temporary measures aimed at achieving this. Between 1593 and 1596, he appointed an additional fourth bailie, who was a craftsman, which raised them to the level of the magistracy for the first time, and it is possible to identify

² McGrath, *Administration*, i, 80.

³ McGrath, 'The Medieval and Early Modern burgh', 26.

⁴ *Ibid.*, 32.

⁵ McGrath, 'Administration', i, 86. See also Brown, 'Towards political participation', 19 for the same tactic being employed by the 'richer merchants' of Edinburgh.

⁶ McGrath, 'Medieval and Early Modern Burgh', 32; McGrath, *Administration*, i, 80-90.

at least eight craftsmen who served on the town council of 1596-7, which was more than usual.⁷ During the mid-1590s, the Convention of Royal Burghs also put pressure on Glasgow to establish a guild that would allow entry to the craftsmen. This will be discussed in more detail below. A craft riot took place in Glasgow during June 1595, which may have been designed to influence these ongoing negotiations.⁸ Following the riot, Glasgow's burgh court appointed cautioners for eleven of the craft deacons and ordered that they give up the names of 'insolent and trubleris of the quyetnes of the towne' under pain of £500, a large fine which indicates that the riot must have been serious.⁹

In explaining the reasons for the Letter of Guildry's creation, modern historians have echoed a narrow focus on merchant-trade conflict that was put forward by several writers during the eighteenth and nineteenth centuries. They themselves appear to have taken their lead from the content of a 1672 parliamentary act which belatedly ratified the Letter. The act cited 'the great and many debates, differences and contests which were between those of the merchant rank and those of the crafts within the burgh of Glasgow ... until the year 1605, at which time, by the mediation, interpolation and endeavors of several persons of quality and wise men and burgesses of the said burgh, the said differences came to be settled and composed.'¹⁰ The act confirmed the success of the Letter of Guildry:

whereby the said merchants and crafts have lived peaceablie and in good order, and the said merchants and crafts have met and made ordourlie contributions for the maintenance of their poor.¹¹

This view – that the Letter of Guildry was responsible for ushering in a period of peace amongst the merchants and craftsmen of Glasgow – was also adopted by John Gibson, who copied the 1672 parliamentary act into his *History of Glasgow* in 1777 without further comment, as a way of explaining the Letter's creation.¹² Similarly, in 1804, James Denholm wrote

The first constitution of the Merchants' House arose from a dispute between the merchants' and trades' rank, which having subsisted for some time, was at last settled in a submission by the parties to Sir George Elphinstone, then Provost,

⁷ GCA, C1/1/4, fos. 1, 73, 129; Marwick, *Extracts*, i, 157, 171.

⁸ McGrath, 'Administration', i, 87.

⁹ Marwick, *Extracts*, i, 165-6.

¹⁰ RPS, 1672/6/140, 'Ratification to the town of Glasgow of their guildry'; Gibson, *History of Glasgow*, 153-4.

¹¹ Gibson, *History of Glasgow*, 153-4.

¹² *Ibid.*

and two of the ministers of the city, who, in 1605 pronounced an award, which is called the Letter of Guildry.¹³

This simple view of the Letter's origins has been adopted by historians ever since. In 1931, George Eyre-Todd stated that:

On the whole, the Letter of Guildry must be regarded as a wise measure, well in advance of the spirit of the time, notwithstanding the close monopolies it attempted to set up in favour of certain trades. In any case, backed up by an order of the town council that there should be no further disputes as to precedence between merchants and craftsmen at weapon-schawings and other assemblies, it proved effective for its purpose [of ending conflict between merchants and craftsmen].¹⁴

Even the most recent historian of Glasgow's merchant guild, Andrew Jackson, has argued:

The Letter is not in any sense a burgh sett or constitution, as sometimes described (it has nothing to say, for example, about the functions of the town council, or its method of election), but it succeeded in settling an important area of dispute among the citizens.¹⁵

Here, Jackson pointed out that the Letter did not provide the craftsmen with equal representation on the town council, but he also claimed that it nonetheless settled the disputes between merchants and craftsmen. McGrath has also followed this view, contending that the Letter was eventually established in 1605 because 'the merchants finally capitulated in the face of mounting tension within the burgh, pressure from the Convention of Royal Burghs and the possibility of crown intervention.'¹⁶

This chapter shows that the aims of the Letter of Guildry were far wider than this and that it should also be seen in the context of a broad programme of other reforms introduced in Glasgow during the period of Elphinstone's provostship. During the winter of 1604-5, two sets of commissioners were appointed in the town for negotiating the terms of the Letter. The merchants and craftsmen met separately and appointed a group of commissioners to represent them in the discussions, comprising twelve merchants and thirteen craftsmen, with each of the latter representing one of the town's thirteen incorporated crafts.¹⁷ The merchant commissioners were chosen by the 'whole body' of the merchant rank, while the craftsmen were selected by all the deacons of the craft incorporations.¹⁸ The commissioners were all

¹³ Denholm, *History of the City of Glasgow*, 259.

¹⁴ Eyre-Todd, *History of Glasgow*, ii, 126-7.

¹⁵ Jackson, *Dean of Guild Court*, 11.

¹⁶ McGrath, 'Medieval and Early Modern Burgh,' 32.

¹⁷ 'Letter of Guildry and relative documents', Marwick, *Charters*, i, dcv-dcvii. It is likely that the thirteen craft representatives were the deacons themselves.

¹⁸ Ewing, *View of the Merchants' House*, 82.

members of the political elite of the burgh outlined in chapter 1 and included the bailies of the burgh court. They are listed in TABLE 3.1 in the appendix. The negotiations began on 8 November 1604 and two days later the commissions requested a copy of Edinburgh's decret-arbitral of 1583, which was used as the template for the Letter. A neutral body of six arbiters was also initially appointed and charged with making a final decision about the form the Letter should take, if the two commissions were not able to come to an agreement. At first, this group of arbiters comprised two of Glasgow's ministers and two merchants and two craftsmen from Edinburgh, but the idea of including the Edinburgh burgesses was eventually dropped and instead all three of Glasgow's ministers and the provost, Sir George Elphinstone of Blythwood, were chosen. A settlement was reached on 6 February 1605 and three days later the Letter of Guildry was issued by the commissioners and arbiters in the name of all the merchants and craftsmen of the town and ratified by the town council.¹⁹

The Letter contained an introduction written by the two groups of negotiators, which set out its aims. The language used in the introduction confirms the suggestion that its makers intended to create concord between merchants and craftsmen while preserving, or reinforcing, the economic and social order in the town. The two commissions stated that they had been called upon to 'consult anent sum controversies fallin out betwixt them and the [other party is then named, either merchants or craftsmen] of the said burgh.' They went on to declare that the Letter was a response to the 'great hurt, interes, damage, loss and skaiyth which their hail commonweal thir many years bygone has sustained by strangers and unfreemen using and usurping the privilege and ancient liberties of this burgh' and 'mutual controversies and civil discords arising amongst the said freemen and burgesses anent their privileges, places, ranks and prerogatives.'²⁰ These twin aims would prove to be incompatible, leading to the political crisis of 1606, which will be discussed in more detail in the next chapter.

The Letter introduced a number of new civic institutions into the burgh. These were the guild itself, which established a new tier of elite burgesses in the town with new privileges; the Dean of Guild court, which was to be comprised of four merchants and four craftsmen, headed by the Dean, who was always to be a merchant; and the Deacon Convenor's council, which preserved the integrity of the existing thirteen incorporated crafts by providing them with a council at which all of their respective deacons could meet to discuss issues important to them. It was nevertheless headed by a new civic officer, the Deacon Convenor, who acted as the new point of contact between the craftsmen and the civic administration, instead of

¹⁹ *Ibid.*, 81-4; Jackson, *Dean of Guild Court*, 15.

²⁰ 'Letter of Guildry and relative documents', Marwick, *Charters*, i, dcv-dcvii.

the deacons as had previously been the case. Visitors were also appointed to oversee the work of the maltmen and mealmen.²¹ The Dean's court had power to judge 'in all actions between merchant and merchant and mariner and other guild brother, in all matters of merchandise and other such causes', and was also responsible for adjudicating in boundary disputes between neighbours in the burgh and for overseeing common works and protecting the privileges of the guild brethren. The Deacon Convenor's council provided a 'representative chamber of the leading men of each craft', which could settle disputes between the craftsmen and provide them with charitable services, primarily by managing the crafts' hospital.²²

The Letter of Guildry was also just one of a raft of reforms introduced in the burgh between 1603 and 1605. At least seven others can be identified. Firstly, in October 1603, the town council began appointing the magistrates of the burgh court for the first time.²³ Second, at some point prior to this, the council had also begun meeting separately from the burgh court. The first separate meeting of the town council appears in June 1605,²⁴ but this is immediately preceded by a gap in the court and council records of three years and nine months and the fact that the council was already appointing the provost and bailies by that time suggests that it was probably also meeting separately already. Third, during 1605, Sir George Elphinstone organised the delegation of unlaws [legal fines] from the private purses of the magistrates to the common good.²⁵ Fourth, in October 1605, an attempt was made to ensure that the bailies could only serve for one year before being replaced, but this does not seem to have been implemented over the long term.²⁶ A fifth reform was that Sir George Elphinstone also added to the provost's responsibilities. Whereas Sir Matthew Stewart of Minto had almost never been present at meetings of the town council, between June 1605 and June 1606 Elphinstone attended eighteen out of twenty-nine council meetings, or sixty-two per cent.²⁷ This suggests that he made an effort to carve out a new and more important role for the provost and the town council within the civic administration. Much of the

²¹ 'Letter of Guildry and relative documents'.

²² 'Letter of Guildry and relative documents'; H. Lumsden (ed.), *The Records of the Trades House of Glasgow, A.D. 1605-1678* (Glasgow, 1910), xviii. The crafts' hospital was situated in the north of the town near the High Kirk and had originally been founded by Roland Blackadder, the sub-dean of Glasgow cathedral, in 1524.

²³ See chapter 4.

²⁴ C1/1/6, fo. 4v.

²⁵ GCA, C1/1/6, fo. 4v; Marwick, *Extracts*, i, 234.

²⁶ Marwick, *Extracts*, i, 235. See the TABLES in chapter 5 in the appendix for evidence that the bailies served for numerous consecutive terms into the 1620s.

²⁷ For Elphinstone's attendance at town council meetings, see GCA, C1/1/6, fos. 4v (first record of the council meeting independently of the burgh court) – fo. 77v. These pages account for the year between June 1605 and June 1606. During that year, the council met twenty-nine times and Sir George Elphinstone of Blythwood was present at eighteen meetings. During the same period, the burgh court met on seventy-six occasions, with Elphinstone present only six times.

council's focus during that year was on securing Glasgow's status as a royal burgh. This will be discussed in more detail in the next chapter.²⁸ However, neither Elphinstone nor Minto attended meetings of the burgh court frequently.²⁹

Sixth, in October 1604, Elphinstone re-appointed the Catholic notary Archibald Hegate to the position of town clerk.³⁰ Hegate was an experienced clerk and notary, and one of Elphinstone's supporters, and he would have been an asset to the rejuvenated burgh administration.³¹ Seventh, in February 1605, Elphinstone also oversaw an 'eik [addition] to the seal of cause' of the skinner's craft, which was granted by the magistrates and town council. This re-iterated that only freemen skinnners who were burgesses were allowed to carry out that kind of work.³² As no contemporary records exist for any of the other crafts (the records for the hammermen are extant from 1616 but inconsistent), this may have constituted just one part of a more widespread regulation of the crafts at that time than is revealed by the records.³³ Taken together, these innovations constituted a complete overhaul of Glasgow's constitution within, at the most, a three-year period between 1603 and 1606. The Letter of Guildry was therefore introduced alongside a range of other measures and Elphinstone's tenure as the chief magistrate should be seen as an important period in Glasgow's municipal development. The civic reforms introduced during that time remained the basis of the town's constitution for a little over a century.³⁴

As the introduction to the Letter suggests, it is also possible to argue that the merchant guild was founded for economic reasons, in line with what was typically the primary motive for guild creation across Europe during the early modern period, and not simply in an attempt to resolve the problems that existed between the town's merchants and craftsmen. Parliament and the Convention of Royal Burghs placed pressure on Glasgow to establish a guild during the 1590s, indicating that Scotland's political and mercantile elite wanted the burghs in general to create and regulate guilds in order to maintain stability in the economy and within urban society. Had Glasgow's commissioners to the Convention acquiesced to these demands, this would have brought the town's administration into line with that of many other burghs, but they resisted these calls. At a general meeting in Stirling in June 1595, the Convention called for a letter to be sent to the provost, bailies and town council of Glasgow

²⁸ Marwick, *Extracts*, i, 228, 230-31, 234, 243-44.

²⁹ See GCA, C1/1/6, fos. 4v -77v for Elphinstone's attendance on the burgh court and GCA, C1/1/5, fos. 9v-64r for Minto's appearances.

³⁰ Jackson, *Dean of Guild Court*, 21; Goatman, 'Archibald Hegate', 164, 175.

³¹ Goatman, 'Archibald Hegate', 175.

³² H. Lumsden, *History of the Skinners, furriers and glovers of Glasgow: A study of a Scottish craft guild in its various relations* (Glasgow, 1937), 214.

³³ H. Lumsden and P. H. Aitken (eds), *History of the Hammermen of Glasgow: a study typical of Scottish craft life and organisation* (Paisley, 1912).

³⁴ This refers to the new rules for appointing civic officers introduced in 1711. Marwick, *Extracts*, iv, 462-66

‘in name of the hail burrows, showand that the burrows are not a little offended that they conform not themselves to the comlie order of other free burrows in having ane Dean of Guild and electing of ane guild brethren.’³⁵ At the same time, the Convention also called for the burgh to send two commissioners for the crafts and two for the merchants to explain their reasons for not forming a guild.³⁶ Glasgow’s response to this did not satisfy the Convention however, and at the annual general meeting at Aberdeen on 1 July of the following year, it found that Glasgow ‘has not obeyit nor observit the said act in any point’ and again called for the four commissioners to be sent to Edinburgh:

to confer, reason, and intriet upon the said matter and to hear and see ane order of guildry to be established within their burgh, or else to allege ane reasonable cause in the contrair, under the pain of £100 to be paid by the said burgh or partie failand in sending their commissioners to the said burgh.³⁷

Twenty days later, Thomas Pettigrew, representing Glasgow’s merchants, and James Braidwood, for the crafts, attended a particular Convention in Edinburgh, where they explained the town’s position. Their statement reveals their belief that only the burgh’s feudal superior possessed the authority to order them to establish a guild and indicates that they perceived limits to the Convention’s authority. A commission including Pettigrew and Braidwood, created under Glasgow’s common seal and signed by the provost, bailies and common clerk of the burgh,³⁸ declared that:

The said matter it is thought to be ane great noveltie and appearand to bring dissention amangis them, and that they think none may impose that to them but their superior and by their consent, quairwith they as yet are not resolvit, ane weightie matter that heretofore has not been interprysit and therefore to desire the samin to cease and stay while they all in ane voice be suiters and resolvit advisedly thereanent.³⁹

This is a clear statement that Glasgow’s representatives felt not only that any order to establish a guild must come from the town’s feudal superior, but that the burgess community should be permitted time to deliberate over the issue. They did not recognise the Convention’s authority to coerce them into action.

The Convention appears to have involved itself in Glasgow’s affairs for economic reasons, and its motives can perhaps be explained by the frequent use of the word ‘order’ in

³⁵ *RCRBS*, i, 469-70.

³⁶ *Ibid.*

³⁷ *Ibid.*, 479.

³⁸ At this time Walter Stewart of Blantyre appointed the magistrates. Sir Matthew Stewart of Minto was provost. The bailies were Robert Chirnside, William Cunningham, James Stewart and Robert Rowat. The town clerk was probably Mr John Ross, who had replaced Archibald Hegate in 1588. GCA, C1/1/4, fo. 1v-r; Marwick, *Glasgow Protocols*, x, ‘Preface’, ix.

³⁹ *RCRBS*, i, 495-6.

its minutes, such as when ‘an order of guildry’ or ‘order of free burrows’ is mentioned.⁴⁰ This provides further evidence that the Convention was concerned with instability in the economy during the 1590s. At that time, the Convention appears to have been particularly concerned that illicit trade was on the rise in a number of burghs.⁴¹ At a 1594 meeting in Stirling for example, it was noted that some craftsmen in Dunfermline had usurped the privileges of the merchant guild there by:

Handling and selling of merchandise and staple wares, which only pertains to the said guild brother and their successors, and also using their own handicrafts and occupation, beside intending thereby to deface the order of the said guildrie and bring in ane meir confusion within the said burgh by making of cadgers, carters of fuilzie and all sort of people equall in freedom and society with them.⁴²

A major concern for the Convention at this time was ensuring that people such as ‘cadgers’ [beggars] and ‘carters of fuilzie’ [carters of dung and excrement] did not usurp the privileges of merchant burgesses by engaging in illicit trade.

In June 1595, the Convention admitted that it had been ‘very slack and negligent’ in enforcing a parliamentary act of June 1592, which had called for unfree traders to be penalised through the escheat of their property, one half of which would then go to the crown and the other to the burgh in which they had been living and trading illegally. It called upon the burghs themselves to address this issue with greater diligence.⁴³ At the next Convention meeting, at Aberdeen in July 1596, illicit trade was again found to be a problem and the burghs were called upon to produce written evidence that they had addressed the issue, in time for the next general meeting of the Convention.⁴⁴ Similarly, at a meeting in Glasgow in 1598, it was found that the lucrative wool trade was being practised illegally in a number of burghs, especially Edinburgh.⁴⁵ While it is possible that the Convention was aware of the tensions that existed between Glasgow’s merchants and craftsmen, and wanted the burgh authorities to address them, it also appears that it was keen for all of the burghs which already had guilds to regulate them properly, so as to protect the privileges of the elite merchants and ensure that ‘orderly’ and legal trade was carried out. There is evidence of the Convention’s various campaigns against ‘unfree traders’ throughout the full period covered by its printed records, which are extant on a continuous basis from the 1550s.⁴⁶ However,

⁴⁰ *Ibid.*, 469-70, 479.

⁴¹ Martin Rorke has shown that Scotland’s mercantile economy experienced a short period of growth between 1593 and 1597, which may have contributed to a rise in illicit trade: M. Rorke, ‘Scottish overseas trade, 1275/86-1597’, 2 vols (University of Edinburgh PhD thesis, 2001), i, 313.

⁴² *RCRBS.*, 449.

⁴³ *RPS*, 1592/4/96, ‘Regarding the liberties of free burghs’; *Ibid.*, 436, 454.

⁴⁴ *RCRBS*, i, 476.

⁴⁵ *RCRBS*, ii, 26-7.

⁴⁶ MacDonald and Verschuur, *Records of the Convention of Royal Burghs*, 13-14.

illegal trade does seem to have been a particular problem during the 1590s and while this may have been ‘a battle that was never going to be won,’⁴⁷ one tactic that the Convention employed in fighting it was to call for burghs to maintain well-regulated guilds. The establishment of a guild in Glasgow was therefore a measure first recommended by the Convention, as a response to economic turbulence, and was designed to preserve rather than threaten the town’s existing social hierarchy.

The Convention of Royal Burghs’ desire for economic ‘order’ was shared with merchants in other kingdoms across Europe. While the existence of the Convention probably made the self-organisation of Scotland’s merchants unique, with the possible exception of the German *hanse*, its concerns were the same as those of traders elsewhere.⁴⁸ The leading historian of late-medieval and early modern European guilds, Sheilagh Ogilvie, has argued that they were a vital component of European economies between the eleventh and the nineteenth centuries and that in Scotland, their central role in the economy only began to weaken during the late seventeenth century.⁴⁹ They were also fundamentally conservative in nature. The main reason that Ogilvie has given for guilds’ long survival throughout most of Europe is that they served to reinforce the social hierarchy and benefit the powerful, allowing political elites to collaborate easily with the wealthy merchant class to the advantage of both.⁵⁰ Furthermore, she has pointed out that across Europe during the medieval and early modern periods, guilds were understood to provide an effective means of re-establishing commercial security for elites in response to turbulence in the economy.⁵¹ All of these concerns were reflected in the actions of the Convention of Royal Burghs during the 1590s, particularly in its dealings with Glasgow.

However, it appears that the Convention eventually decided that the battle was not worth fighting in Glasgow. At a general meeting held in Glasgow on 3 July 1598, the town’s representatives were still resistant to the demands of the Convention, stating that ‘they cannot agree thereupon among themselves, and therefore decernis the said matter to desert while it be walkint [revived] and sought of new by consent of the whole burgh.’⁵² The Convention seems to have respected these wishes as there is no further mention of the issue of Glasgow’s prospective guild in its records, or those of the town, from that point on.⁵³

⁴⁷ *Ibid.*, quotation at 14.

⁴⁸ MacDonald and Verschuur, *Records of the Convention of Royal Burghs*, ‘Introduction’, 1; S. Ogilvie, *Institutions and European Trade: merchant guilds, 1000-1800* (Cambridge, 2011), 5, 95-6.

⁴⁹ Ogilvie, *Institutions*, 1, reference to Scotland at 38.

⁵⁰ *Ibid.*, 190, 417-8.

⁵¹ *Ibid.*, 161, 192, 433.

⁵² *RCRBS*, ii, 27-8. The town’s official representative was James Forret, but ‘certane persons [also] compeirand in name of the merchants and craftsmen of the said burgh,’ quotation at 27.

⁵³ Jackson, *Dean of Guild Court*, 10.

As Jackson has noted, the pressure placed upon Glasgow by the Convention of Royal Burghs during the 1590s to establish a guild reflected the wishes of Parliament. The Convention's activities were likely a direct response to a parliamentary act of July 1593, which had praised and ratified the actions of Edinburgh's Dean of Guild and his court. Parliament approved of the way in which they speedily arbitrated:

In all matters and actions concerning merchandise between merchant and merchant and between merchant and mariner ... according to the lovable form of judgement used in all the good towns of France and Flanders ... and specially in Paris, Rouen, Bordeaux, Rochelle, and the particular form thereof to be set down again in this present Parliament.⁵⁴

This was an example of Edinburgh's elite merchants adhering to the best trading practices in Europe on their own initiative, and Parliament subsequently recognising their achievements. Jackson has suggested that while Parliament in this instance was not trying to compel other burghs to follow Edinburgh's example, it was pointing to the capital as having set a desirable precedent.⁵⁵ This provides further evidence that an attempt was being made to impose 'the example of Edinburgh' upon other burghs.⁵⁶ During the 1590s, Glasgow was a prime candidate in this regard because of the under-developed nature of its civic institutions.

Although the establishment of the Letter of Guildry should be seen in this wider national and international context, as a measure routinely employed in Scotland and on the continent to stabilise economic activity to the benefit of elites, the main short-term cause may nevertheless have been an escalation in the ongoing conflict between Glasgow's merchants and craftsmen. Precisely why the town's civic leaders felt that it was necessary to begin negotiating the terms of the Letter over the winter of 1604-5 is difficult to discern due to gaps in the records, but based on the other reforms introduced during Elphinstone's provostship, his presence may have been the necessary catalyst. A single minute of the town council for 16 February 1605, which was recorded one week after the council's ratification of the Letter, is preserved in Archibald Ewing's printed edition of the earliest guild records. It shows that at that date, the council was still concerned about future merchant-trade conflict and outlines the additional measures that were deemed necessary in order to prevent this. The entry stated that:

The quilk day the provost, bailies and council being careful that hereafter all manner of mutiny, controversies, question and debates, shall be removed furth

⁵⁴ RPS 1593/4/57, 'Act concerning the dean of guild's jurisdiction in burghs', cited in Jackson, *Dean of Guild Court*, 12.

⁵⁵ Jackson, *Dean of Guild Court*, 12.

⁵⁶ Lynch, 'Scottish Towns', 14.

of the common weill, especially between the Merchant rank and rank of Craftsmen, that the mutual bond set down among them lately ... may take happy effect without any particular respect either to merchant or craftsman.⁵⁷

The minute went on to demand that at weapons-showings and other lawful assemblies, there should be no distinction made between the two groups, and that they were to place themselves together ‘as one body of the common weill’ and that anyone ‘who makes question, mutiny, or tumult ... and repines at the will and discretion of the provost, shall be judged and reputed as a seditious person and further punished on sight.’⁵⁸ In addition, neither the Dean of Guild nor the Deacon Convenor of the crafts were to show preference to either rank, or assist either, when judging their actions, and those who caused disturbances with the help of supporters from outside the burgh were to have their freedom removed.⁵⁹

Any concord created by the Letter of Guildry and the actions of the town council did not last for long however as on 6 July of that year, at the town’s annual fair, John Watson, a flesher, was observed ‘intruding of himself in the foremost rank where Robert Miller was in the morning.’ Miller [a merchant] responded by ‘preising to have him out thereof, by the advise of the magistrates and for miscalling of him in calling him “butcher”,’ which was clearly seen as a derogatory term.⁶⁰ If this was an early setback for the new regime established by the Letter of Guildry, it had completely fallen apart by the time of Sir Matthew Stewart of Minto’s rebellion one year later.

The rights and responsibilities of the guild brethren

Jackson has shown that the fifty-four articles, or clauses, contained in the Letter of Guildry closely followed those of Edinburgh’s decreet-arbitral of April 1583. He has also gone so far as to describe Glasgow’s Dean of Guild court as an ‘offshoot’ of the one that already existed in Edinburgh.⁶¹ In 1583, Edinburgh’s magistrates had addressed long-running grievances expressed by craftsmen in the capital that they should both receive the same trading privileges as the merchants and gain political representation on the magistracy and town council. McGrath has noted that the ratification of Edinburgh’s decreet-arbitral in April 1583 led to craft riots in Glasgow three months later, because the craftsmen there had been

⁵⁷ Ewing, *View of the Merchant’s House*, 84. This is the town council entry referred to by George Eyre-Todd and mentioned at the beginning of this chapter.

⁵⁸ *Ibid.*, 85

⁵⁹ *Ibid.*

⁶⁰ Marwick, *Extracts*, i, 228-9.

⁶¹ Jackson, *Dean of Guild Court*, 14-18, quotation at 14; Lynch, ‘Scottish Towns’, 14 for quotation.

hoping for similar reforms.⁶² However, Jackson has also pointed to some differences between the Letter of Guildry and the Edinburgh decret-arbitral, noting that the latter addressed all of the issues raised by craftsmen in the capital, solving ‘both a social crisis by admitting craftsmen to the guild, and a political one, through guaranteeing the craftsmen a limited representation on the town council.’⁶³ In contrast, the Letter of Guildry addressed only the first of these concerns, an oversight which contributed directly to the political crisis of July 1606. Instead, Glasgow’s commissioners for negotiating the Letter attempted to satisfy the craftsmen’s grievances merely by elevating them to the rank of guild brethren, and therefore highest economic privileges that the town could provide, commensurate with the elite merchants. A reason for this approach may have been that the Letter was just one amongst a range of civic reforms, and it could have been that political representation for the craftsmen was to be addressed elsewhere. But this policy did store up problems for the future.

It is well-known that the foundation of the guild created a new tier of elite burgesses in Glasgow, but something about how this was expected to work in practice can be gleaned from the Letter of Guildry itself.⁶⁴ The pre-existing ruling elite of the burgh examined in chapter 1 gained automatic access to the guild, and their privileged position in the town was only strengthened by the new privileges that this afforded them. This included the most prominent craftsmen as well as the merchants, which has led to Glasgow’s guild being seen as less exclusive in terms of membership than those of other burghs.⁶⁵ As Lynch has noted however, the make-up of the guild merely echoed the pre-existing occupational groupings in the town. There were more craftsmen in Glasgow than in many other burghs and the guild reflected this.⁶⁶ In this way, Glasgow’s guild was very similar to a common type of early modern urban guild found across Europe, which was comprised of the most influential people in a particular town or city, as opposed to being limited to the practitioners of a specific occupation. Ogilvie has described this sort of guild, which potentially allowed every citizen of a town to become a member, as a ‘civic guild’ and the most ‘liberal’ kind that existed in medieval or early modern Europe. She has noted that Venice and Genoa were home to guilds of this type, the latter becoming well-known for the phrase *civis ianuensis, ergo Mercator* – ‘a Genoese citizen, therefore a merchant.’⁶⁷ Glasgow’s guild does seem to have been of this type, making it more ‘open’ perhaps in terms of membership than other urban guilds in Scotland but certainly not unique in Europe.

⁶² McGrath, ‘Administration’, i, 84.

⁶³ Jackson, *Dean of Guild Court*, 23.

⁶⁴ Jackson, Geyer-Kordesch and Macdonald have all made this point, Jackson, *Dean of Guild Court*, 11 and Geyer-Kordesch and MacDonald, *Physicians and Surgeons in Glasgow*, 4.

⁶⁵ Jackson, *Dean of Guild Court*, 11, 24; Smout, ‘Glasgow Merchant Community’, 66-9.

⁶⁶ Lynch, ‘Scottish Towns’, 15.

⁶⁷ Ogilvie, *Institutions*, 51-52.

Article fourteen of the Letter of Guildry made provision for all burgesses living in the burgh in February 1605 to enter the Guild. It stated that:

Every burgess dwelland and having their residence within this town and who has born and presentlie bears burden within the same, shall pass guildbrother for the payment of thirteen shillings four pence to the hospital of their calling, and shall use all kind of handling and trade during all the days of their lifetime at their pleasure.⁶⁸

This clause points to the open nature of Glasgow's guild. The only stipulation made was that 'all kynd of unfamous and debuischit men of evill lyf and conversatioun who are not worthy sic ane benefit' were prohibited from becoming members.⁶⁹ The sons of guild brethren were not permitted to enter the guild during the lifetimes of their fathers, but after their deaths they could, provided they were able to demonstrate that they were in possession of goods and gear totalling at least 500 merks in the case of merchants and 250 merks in the case of craftsmen, which were quite considerable sums.⁷⁰ Articles fifteen to twenty-one of the Letter outlined who else was eligible to enter the guild. Entry was limited to the sons of existing guild brethren, those who married guild brothers' daughters, children of burgesses whose parents had died during the previous ten years and apprentices of existing guild members (either merchants or craftsmen).⁷¹ Those who had become burgesses *gratis*, which usually meant they were noblemen, ministers or other eminent members of society, or that they possessed skills that were felt to be of especial benefit to the town, were permitted to enter the guild for a fee of £40.⁷² Judging from the Letter of Guildry itself, it does seem to be the case that access to the guild was liberal. Nevertheless, the remainder of this chapter will show that becoming a guild member did bring with it important economic and political privileges, and that entry was restricted in practice during the two decades between 1605 and 1625.

The articles in the Letter detailed each of the new privileges that Glasgow's burgesses and guild brethren would be entitled to following its ratification, and who should be allowed to receive them. They can be compared with categories devised by Ogilvie, which outline the archetypal rights and privileges granted to the members of guilds across Europe. This comparison shows that Glasgow's guild had more in common with European models of merchant guilds than traditional Scottish ones, both in terms of the types of privileges that it established and protected for its members, and because it did this in favour of the burgh's

⁶⁸ 'Letter of Guildry and Relative Documents', Article 14.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*, Article 15.

⁷¹ *Ibid.*, Articles 14, 15, 16, 17, 19, 20.

⁷² *Ibid.*, Article 21.

pre-existing social and political elite. While access to the guild may therefore been relatively open, the guild itself created a new elite and provided them with significant economic privileges.

Ogilvie has identified nine commercial privileges that European guilds generally protected for their members, which caused them to operate as what she termed ‘monopolists’ or ‘cartels’ that were ultimately economically inefficient.⁷³ These privileges were as follows: that they gave their members exclusive rights to certain types of local trade and types of economic transaction, and the most valuable commodities and trade routes; that they restricted entry to specific groups of people, thereby excluding others; that they fixed prices directly but also indirectly, by limiting the supply of goods for sale; and that they allowed their members to monopolise both trade in important staple wares and the often lucrative activities of intermediation and brokerage in transactions.⁷⁴ She has summarised these as constituting in essence three core rights: the exclusive privilege to practise particular types of trade, the right of the guild to decide who could become a member and the authority to then regulate those members’ commercial activities.⁷⁵ Guilds therefore entitled their members to significant powers, in relation to their social inferiors.

In one form or another, the Letter of Guildry protected at least five of the privileges from Ogilvie’s first category and all of those from the second. Articles twenty-three and twenty-four of the Letter outlined the goods that could be traded by Glasgow’s burgesses. They clearly show that the Letter of Guildry created two new ranks of burgesses – guild brethren and ‘simple’ burgesses – with the former being allocated far more extensive trading rights. As a result of the Letter, three social tiers were therefore recognised within the town overall: guild brethren, simple burgesses and unfree traders, who were entitled to very limited trading rights. The Letter did not seek to eradicate the rank of burghess altogether. Article thirty stipulated that all new burgesses needed to be able to prove that they were worth £100 money of ‘free gear’ if they were a merchant and £20 if they were a craftsman, and that they were to receive a testimonial to that effect from either the Dean of Guild or the Deacon Convenor.⁷⁶ The burgesses therefore occupied a privileged rank in the town, but one that was distinctly inferior to the guild brethren.

Article twenty-four made clear that luxury goods could only be traded by guild brethren. It stated that ‘simple’ burgesses, who did not become guild members, could not ‘tap’ [sell, usually in small quantities] any silk or ‘silk work’, spices or sugars, droggis [medicines] or

⁷³ Ogilvie, *Institutions*, 41.

⁷⁴ *Ibid.*, 45-75.

⁷⁵ *Ibid.*, 41.

⁷⁶ ‘Letter of Guildry and Relative Documents’, Article 30.

confections ‘wet or dry’, or ‘laine nor camrage’ [both types of cloth]; anything costing above twenty shillings per ell [a measure of length, usually for cloth]; any hats from France, Flanders, England or other ‘foreign parts’, or hats lined with velvet or taffeta. They were also not allowed to sell hemp, lint or iron; brass, copper or ‘as’ [sic] [possibly ash or potash]; wine in either pint or quart measures, salt, wax, waid [woad]; grain, indigo, salt beef, salmon or herring bought wholesale; nor preserve any kind of food with salt for re-sale. Nor could they buy plaiding or cloth wholesale to sell again within the burgh; buy tallow above quantities of two stone, with the exception of candle makers; buy any sheep skins to dry and sell again; hides to salt and sell again; nor any ‘wild’ skins. Todis [foxes’] skins could only be bought in quantities of less than five and those of otters in less than three. Finally, ‘simple’ burgesses were not allowed to sell any kind of woollen cloth costing more than thirty-three shillings, four pence per ell, linen cloth above thirteen shillings, four pence per ell or to buy any wool or linen yarn to re-sell within the burgh or transport out of the town. The websters were excepted from this final measure and ordinary burgesses were permitted to weave cloth within their own homes for resale, but these seem to have been the only freedoms that they were permitted in relation to the guild brethren’s newly-established privileges.⁷⁷

These articles in the Letter of Guildry also provide an inventory of the wide variety of commodities most commonly traded by Glasgow’s merchants during the first decade of the seventeenth century and detail the share of these that each new social group was entitled to.⁷⁸ To underscore the differences between the two ranks, article twenty-three of the Letter decreed that anyone who entered the guild would no longer be allowed to sell simple foodstuffs: ‘to tap any tar, ulie [oil], butter ... eggs, green herring, pears, apples, corn, candle, onions, caill [cabbage], stray [straw], bread [except for the baxters], milk and siklyk small things.’⁷⁹ Clearly, a distinction was being made between the more privileged guild brethren and the tier of ordinary burgesses who now found themselves lumped together in a social class beneath them. McGrath has also made the telling point that article twenty-eight of the Letter made provision for unfree men to trade in the town. They were allowed to sell their ‘handie work’ between the hours of eight o’clock in the morning and two in the afternoon each day, under pain of forty shillings. Tapsters of linen or wound cloth, meanwhile, were ‘sufferit fra morne to evin,’ meaning they were permitted to sell their cloth during that time, while sellers of ‘quheit’ [wheat] bread had to keep to the hours allotted to unfree men.⁸⁰ This

⁷⁷ *Ibid.*, Article 24.

⁷⁸ This is a similar list to other inventories of merchant wares found elsewhere in Scotland at this time, see S. Talbott, ‘Beyond ‘the Antiseptic Realm of Theoretical Economic Models’: New Perspectives on Franco-Scottish Commerce and the Auld Alliance in the Long Seventeenth Century’, *JSHS*, 31 (2) (Nov., 2011), 149-168, at 156-7.

⁷⁹ ‘Letter of Guildry and relative documents’, Article 23.

⁸⁰ *Ibid.*, Article 28; McGrath, ‘Medieval and Early Modern Burgh’, 40.

was surely an admission that unfree men (and women) could not be prevented from trading altogether, and so they had to be accommodated. This provides further evidence of the economic motivations that lay behind the Letter of Guildry.

A key criterion for Ogilvie, which she used to determine whether guilds should be categorised as monopolies, was whether they enforced these privileges in practice.⁸¹ Glasgow's new guild did this through the newly-created office of Dean of Guild and his council or court (these two terms were interchangeable). The first article of the Letter detailed that the Dean of Guild was always to be a merchant, 'and that a merchant sailor or merchant venturer.' Articles two to seven outlined the method by which he and his council should be chosen, when it should meet and who should sit in his absence.⁸² The Dean was chosen yearly by the burgh's provost, bailies, town council and deacons of the incorporated crafts, from a leet compiled by the previous year's Dean and twenty-four merchants. The merchants on the Dean's council (or court) were then chosen by the Dean and (presumably the same) twenty-four merchants, while the craftsmen were selected by the Deacon Convenor and the deacons of the crafts.⁸³ Only the most elite merchants and craftsmen therefore had a say in who should be their most senior representatives within the town.

Articles nine to thirteen of the Letter laid out the jurisdiction of the Dean's court. The first of these stated that 'the Dean of Guild shall have power to judge and decreit in all actions betwixt merchant and merchant and mariner and other guild brother, in all matter of merchandise or other such causes.'⁸⁴ Article ten specified that the court, together with the town's master of work 'shall bear the burden in discerning all questions of neighbourhood and lyming [boundaries] within this burgh.'⁸⁵ This remit was wide-ranging. It could involve ensuring that the physical boundaries between properties were respected; that land was divided up accurately between owners or heritors; that life-renters paid the duties owed to their proprietors, or oversight of cases where property had become damaged.⁸⁶ This constituted an important raft of responsibilities, which helped to preserve peace in the burgh by regulating disagreements relating to property, and would become the main activity of the court after about 1610 (see chapter 5). Article eleven of the Letter addressed unfree trading or forestalling of the burgh's market [selling wares outside the market]. This article also stated that the Dean of Guild and his council had the power to 'discharge, punish and unlaw all persons unfreemen usand the libertie of a freeman within the libertie of the burgh, as they

⁸¹ Ogilvie, *Institutions*, 75-89, 91.

⁸² 'Letter of Guildry and relative documents', Articles 1-7.

⁸³ *Ibid.*, Articles, 2 and 3.

⁸⁴ 'Letter of Guildry and relative documents', Article 9.

⁸⁵ *Ibid.*, Article 10.

⁸⁶ Jackson, *Dean of Guild Court*, 33.

shall think good.’ Perpetrators were either to be banished from the town or imprisoned. This punishment could be avoided by paying the fees necessary to become a burghess and ‘be made free within the town and the crafts.’⁸⁷ Article eleven thus provides further evidence of the economic preoccupations that lay behind the Letter. The twelfth article stated that one of the key duties of the new court would be to oversee weights and measures while the thirteenth granted it the power to tax members of the guild ‘for the welfare and maintenance of their estate and help of their distressed gild brether, their wives, children and servants.’⁸⁸ Articles thirty-one and thirty-two gave the court the power to set down unlaws.⁸⁹

At the same time, the Deacon Convenor’s council provided a forum in which the deacons of each of the thirteen incorporated crafts could meet, ‘with a certain number of colleagues supporting each Deacon.’⁹⁰ The council was intended as ‘a representative chamber of the leading men of each craft’⁹¹ and would have power to ‘judge betwixt thame ... in matters pertaining to the crafts and their calling, and shall make acts and statutes for good order amongst thame.’⁹² This came with the provisos that these statutes should not unduly affect the commonweal of the burgh, and that all of the council’s decisions required final approval by the magistrates and town council. The Deacon Convenor’s council was dominated by the thirteen craft deacons, most of whom were guild brethren. There seems to have been some resistance amongst the craftsmen when it came to joining the guild during its first year, however. In May 1605 and again in June, the council decreed that: ‘Seeing thai are many of the crafts maltmen, mealmen, mariners, fischers and garneris [gardeners] that are not yet guild brethren nor intends to be that by universal consent there be an act set down that they ... be never promottit to bruik any office amang thame.’ This prevented non-guild brethren from becoming either the Deacon Convenor, one of the visitors or a deacon of any of the crafts, or their deputes, or from sitting on the Deacon’s council or voting for any of the craft deacons.⁹³ The Deacon Convenor’s council therefore provided the crafts with significant organisational and lobbying capabilities, but it was dominated by guild brethren. The council’s activities over the longer term, between 1605 and 1625, will be discussed in chapter 5.

The Letter of Guildry thus established two new tiers of burghesses in Glasgow, guild brethren and ‘simple’ burghesses, and the new social order was upheld by the new institutions

⁸⁷ ‘Letter of Guildry and relative documents’, Article 11. Burgess fines could vary depending on an applicant’s circumstances and who was collecting the fees, see Anderson, ‘Preface’ in *Burgesses and Guild Brethren*, iv.

⁸⁸ ‘Letter of Guildry and relative documents’, Articles 12-13.

⁸⁹ *Ibid.*, Articles 31-32.

⁹⁰ Lumsden, *The Records of the Trades House of Glasgow*, xviii.

⁹¹ *Ibid.*

⁹² ‘Letter of Guildry and relative documents’, Article 40.

⁹³ *Ibid.*, 2-3.

of the Dean of Guild court and Deacon Convenor's council. The difference in status between the guild brethren and 'simple' burgesses was further clarified in July 1613, when Archbishop John Spottiswood demanded new oaths from all the burgesses and distinguished between the two ranks in terms of the level of political engagement that they were permitted.⁹⁴ The oaths show that by that time, the guild members' privileges extended beyond the economic sphere, giving them political influence and a greater say in local government than 'simple' burgesses. While both ranks were required to subscribe to the oaths, the members of the guild were permitted to provide counsel to the magistrates and town council. In seventeenth-century Scotland, oaths of fealty committed obedience on the part of the oath-giver, but were also part of a contractual relationship, in which both parties understood the obligations that they held in relation to each other.⁹⁵ Counsel went far further than oath-giving, providing those permitted to give it an active say in government.⁹⁶ Recent work on counsel in early modern Scotland and England has stressed that both kingdoms 'were polities saturated in counsel,' which played a role at all levels of society.⁹⁷ Eliza Hartrich has argued that in fifteenth-century England, counsel played a similar role at the level of the town or burgh that it did in central government and that both types of counsel formed part 'of a common fund of political ideas and mechanisms', which 'fed upon one another' within a holistic political culture.⁹⁸ In Glasgow, the guild brethren were active members of the town's local government and wider Scottish polity in this way, but 'simple' burgesses were not. The burgesses' oath stated:

I shall be leill and trew to our sovereign lord, ~~my lord archbishop of Glasgow,~~ to the provost and bailies of this burgh. I shall keep and observe the statutes of this burgh. I shall obey the officers thereof, fortify, maintain and defend them in the execution of their offices with my body and goods. I shall not cullour unfreemen's goods under cullor of my own. I shall not purchase lordships nor authorities contrar to the freedom of the burgh. In all taxations, watchings, and wardings to be layit upon this burgh, I shall willinglie bear my part as I am commanded by the magistrates thereof, and shall not purchase nor use exemptions to be free of the same, Renunceand the benefit thereof forever. I shall

⁹⁴ GCA, B4/1/1, fo. 107; Ewing, *View of the Merchants House*, 111-2.

⁹⁵ See R. Lyall, 'The medieval Scottish coronation service: some seventeenth-century evidence', *IR* 28 (1977) 3-21, at 19 for the contractual nature of the seventeenth-century coronation oath.

⁹⁶ For the role that counsel played at the level of central government, see: J. Rose, 'The Problem of Political Counsel in Medieval and Early Modern England and Scotland', in J. Rose (ed.), *The Politics of Counsel in England and Scotland, 1286-1707* (Proceedings of the British Academy: Oxford, 2016), 1-44.

⁹⁷ *Ibid.*, 1.

⁹⁸ Here Hartrich is referring to fifteenth-century England, but makes the point that much work remains to be done on the nature of counsel in an urban context. E. Hartrich, 'Locality, Polity and the Politics of Counsel: Royal and Urban Councils in England, 1420-1429', in Rose, *The Politics of Counsel in England and Scotland, 1286-1707*, 101-116, especially 109 and 116. Quotations at 116.

not attempt nor do nothing hurtful to the liberties or commonweal of this burgh
... Swa help me God, and be God himself.⁹⁹

This was followed immediately by the oath of the guild brethren:

I shall give the best counsall I can, and conceal the counsall shown to me. I shall not consent to dispoine the common good, but for ane common cause, and ane common profit. I shall make concord where discord is to the uttermost of my power. I shall give my leill and true judgement in all lineations and neighbourhood, but [without] price, prayer, or reward. Swa help me God and be God himself.¹⁰⁰

Here, burgess status became dependent upon loyalty to the civic administration and its interests, at the expense of gaining outside offices and titles, and upon mere obedience to the town's officers and to the archbishop. The guild brethren's additional responsibilities – to provide counsel and 'make concord' – was mentioned explicitly, alongside their lining jurisdiction. Interestingly, 'my lord archbishop of Glasgow' has been crossed out in the first extract in the manuscript record. It is impossible to judge when between July 1613 and the abolition of episcopacy in 1638 this might have been done, but it was apparently desirable that the other parts of the oath remained. These oaths further illustrate the hierarchy that existed between guild brethren and 'simple' burgesses in the town.

Guild membership, 1605-1625

Although the Letter prescribed open access to the guild in theory, the available records detailing who became a member in practice suggest that relatively few joined between 1605 and 1625. The overall rate was about twenty-four per year.¹⁰¹ When it was created in February 1605, the guild numbered 598 men. A list of the most prominent merchants and craftsmen in Glasgow during that year begins the first manuscript volume of the Dean of Guild court act book, which is extant for the period 1605-1622. In 1605, the first clerk of the new Dean of Guild court was Archibald Hegate, the Catholic notary mentioned in chapter 1 as a supporter of Archbishop James Beaton, who was reappointed to the office of town clerk by Sir George Elphinstone of Blythwood in October 1604. He commenced this list with the heading 'Gildbrether', which clearly shows that this was a list of the new guild brethren in

⁹⁹ GCA, B4/1/1, fo. 107; Ewing, *View of the Merchants House*, 111-2.

¹⁰⁰ *Ibid.*

¹⁰¹ See below.

1605, rather than a recording of all the burgesses in the town, as has sometimes been supposed.¹⁰²

That the 1605 list represented all of the burgesses in the town is unlikely because McGrath has estimated that out of an overall population of around 5,000 adults living in the burgh during the 1570s and 1580s, Glasgow's burgess community numbered approximately 1,250 people, a total which continued to grow after that date.¹⁰³ James Anderson's printed record of new burgesses and guild brethren shows that between 1574 and 1586, 524 burgesses were created. Between 1588 and February 1606, 554 new burgesses were created, and there are a number of gaps in the burgh court and council records which account for that period.¹⁰⁴ Taking these figures into consideration would place any estimate of Glasgow's burgess community in February 1605 at significantly more than the 598 men listed by Hegate. Furthermore, Glasgow's population has been estimated at 7,644 by 1600 and a burgess community of 598 within a population of that size would have been very small indeed.¹⁰⁵ There is some further difficulty in analysing this material because Hegate has given the date for the list as 14 February 1604.¹⁰⁶ The Letter of Guildry was not ratified by the town council until 9 February 1605 and it seems likely that the date of 14 February 1604 is therefore mistake by Hegate, instead meaning 1605. The names of 215 merchants and their 'assisteris' are then presented, along with those of 351 craftsmen.¹⁰⁷

It seems more likely that the February list belongs to 1605 and represents the founding membership of the guild and therefore only the richest and most influential burgesses in Glasgow at that time.¹⁰⁸ In addition, Hegate has gone on to write the names of the Dean of Guild, his eight-man council and clerk, and after that the names of the provost, bailies and seventeen-man town council, then those of the 215 merchants and 351 craftsmen who comprised the new guild.¹⁰⁹ The order in which these names are recorded suggests a number of points about Glasgow's urban administration in 1605. It is possible, for example, that while the serving magistrates and town councillors automatically became guild brethren that year, the Dean of Guild and his council held seniority over the members of the burgh court and town council within the guild itself. Jackson has clearly shown that the jurisdiction of

¹⁰² GCA, B4/1/1, Dean of Guild court act book, 1605-1622, fo. 1r; Lynch, 'Scottish Towns', 13.

¹⁰³ McGrath, 'Administration', i, 56.

¹⁰⁴ *Ibid.*, Anderson, *Burgesses and guild brethren*, 17-32.

¹⁰⁵ McGrath, 'Medieval and Early Modern Burgh', 44.

¹⁰⁶ B4/1/1, fo. 1r.

¹⁰⁷ B4/1/1, fos 1v-8r; Ewing, *Merchants' House*, 90-92.

¹⁰⁸ Ewing, *View of the Merchants' House*, 90-92. GCA, B4/1/1, fos. 1v-7r.

¹⁰⁹ Ewing, *View of the Merchants' House*, 89-92; Matthew Trumble was Glasgow's first Dean of Guild. His first council was comprised of Archibald Faulis, William Stirling, George Mure and James Bell for the merchants, Robert Rowat, John Mure, Peter Low and James Braidwood for the crafts. Archibald Hegate was the first Dean of Guild court clerk, indicating that religion was not a factor that determined membership of the guild at the time. Ewing, *Merchants' House*, 89.

the Dean's court was always intended to be separate to that of the burgh court, which suggests that this may have been the case.¹¹⁰

The pre-existing political elite analysed in chapter 1 entered the guild automatically in 1605, which provided them with the new privileges outlined above. With the exception of only three men, everyone listed in TABLE 1.3 in the appendix, which shows those who served prominently as either a magistrate or town councillor between 1588 and 1606, was named within the elite 598 in February 1605.¹¹¹ The exceptions appear to have been Thomas Glen, Alexander Baillie and Adam Wallace, who served as councillors during the earlier period but do not show up as guild members. All of the elite town councillors listed in TABLE 5.1 in the appendix, who served between 1607 and 1613, were also amongst the 598 who entered the guild directly in 1605.¹¹² Finally, the magistracy and town council in February 1605 are listed in TABLE 3.3. They were all members of Sir George Elphinstone's faction. It is notable that the name of his brother, James Elphinstone of Woodside, is also written down under the heading of 'provost', which seems to have been an irregular practice and indicates that he may have held some special office, possibly as Sir George's depute.¹¹³ At this time, the town council was also appointing the bailies of the burgh court under Sir George's leadership, which it did between 1603 and 1606.¹¹⁴

All of the craftsmen listed amongst the 351 who became guild members in 1605 were members of Glasgow's thirteen incorporated crafts, plus a small additional group of litsters [dyers], who were not yet incorporated. They were further divided into their respective categories of occupation. Twenty-nine of the new guild brethren were members of the incorporation of hammermen; seventeen were baxters; sixty-five were tailors; forty-nine cordiners [shoemakers]; thirty websters [weavers]; sixteen 'marinelles and fishers'; seven bonnet makers; five walkers and litsters; twenty-one skimmers; two 'medicinners'; twenty-three coopers; ten masons; twenty-one wrights and fifty-six maltmen and mealmen.¹¹⁵ This is the order in which the crafts are listed in the Dean of Guild court act book, and may reflect the order of seniority of each of the incorporated crafts, although the order does not correspond to their relative antiquity.

Relatively few new members were permitted entry to the guild over the next forty years. The printed register of the *Burgesses and Guild Brethren of Glasgow*, compiled by John Anderson, reveals that during the first twenty years of the guild's existence, between 1605

¹¹⁰ Jackson, *Dean of Guild Court*.

¹¹¹ GCA, B4/1/1, fos. 1r-4v.

¹¹² *Ibid.*; TABLE 5.1 in Appendix.

¹¹³ Ewing, *View of the Merchants' House*, 89.

¹¹⁴ See chapter 4.

¹¹⁵ GCA, B4/1/1, fos. 1r-4v; McGrath, 'Administration', ii, 229; McGrath, 'Medieval and Early Modern Burgh', 51.

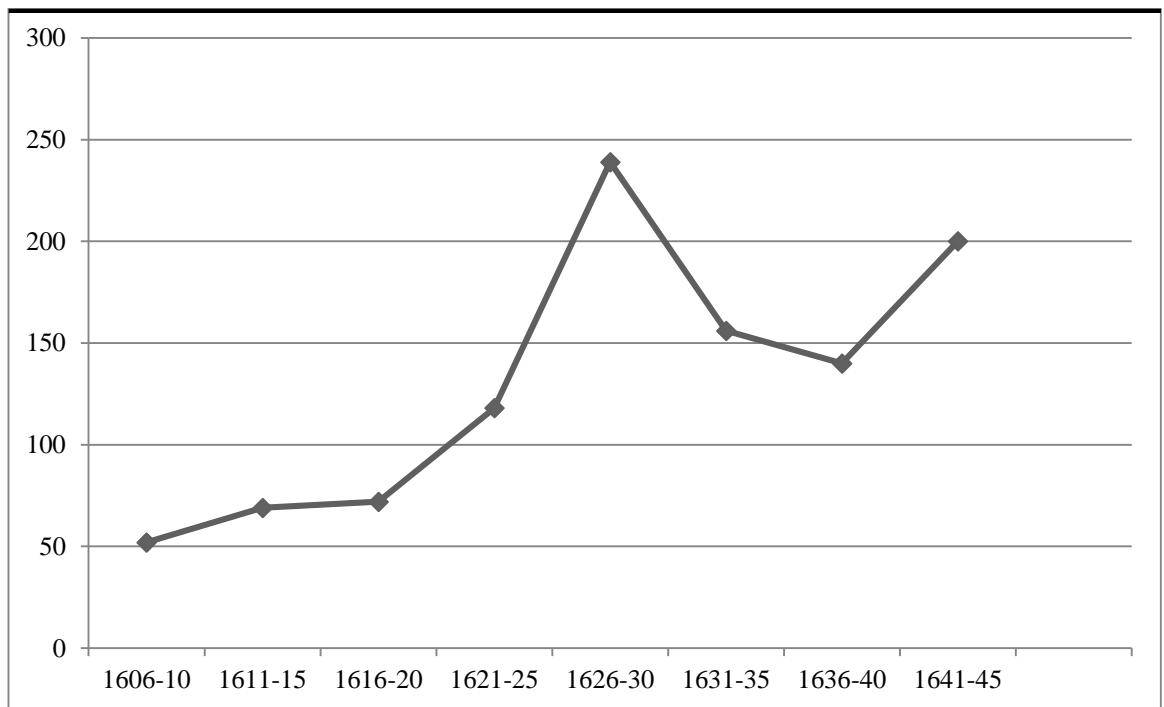
and 1625, just 311 new members joined the guild. Between 1625 and 1645, the number joining was 735, an increase of 236 per cent. Nonetheless, these figures indicate that a fairly small number of men joined the guild overall during its first forty years, with only 1,046 joining in total during that time. Some 200 of these only joined during the last five years of the period, between 1640 and 1645, so that during the first thirty-five years of the guild's existence, between 1605 and 1640, only 846 new members entered the guild, an average of around twenty-four per year.¹¹⁶ These numbers have been compiled in CHART 3.1 [114]. The overall pattern is of a gradual increase in numbers entering the guild initially, with a sudden spike in the late 1620s and the beginnings of another sharp rise during the early 1640s. These numbers could also be considered relatively low overall compared with the town's population, and accounting for deaths, the membership of Glasgow's merchant guild must not have numbered many more than 1,000 men by 1640.¹¹⁷ McGrath's conservative estimate placed the population of the town by then at approximately 12,000, while Whyte has suggested that this could have been 14,000 and Lynch as many as 15,200.¹¹⁸ Overall therefore, entry to the guild between 1605 and 1640 was restricted to a small elite within the town.

¹¹⁶ Anderson, *Burgesses and guild brethren*, 32-103.

¹¹⁷ *Ibid.*

¹¹⁸ McGrath, 'Medieval and Early Modern Burgh', 45; Lynch, 'Urbanization and Urban networks,' 26; Whyte, 'Urbanization in Early Modern Scotland', 24.

CHART 3.1: New guild brethren, 1606-1645



Source: J. Anderson (ed.) *Burgesses and Guild Brethren of Glasgow*, 32-117.

The Dean of Guild court carefully regulated how many men could enter the guild and appears to have made an effort to conserve an equal number of merchants and craftsmen throughout the forty-year period between 1605 and 1645, and a broad representation of craft occupations overall. However, throughout this period, the total number of merchants entering the guild vastly outnumbered the new guild members from any one particular craft. CHARTS 3.2 [116] and 3.3 [117] show that of the new entries to the guild between 1605 and 1645, whose occupations can be determined as being either that of a merchant or a member of the incorporated crafts, 343 of them were merchants and 353 were craftsmen (nine were hammermen, fifteen baxters, fifty-six tailors, sixty-one cordiners, twenty-eight websters, two mariners, four bonnetmakers, ten litsters, thirty-five skimmers, ten fleshers, eleven doctors, twenty-three coopers, eight masons, eight wrights and seventy-three maltmen).

All three of these CHARTS show an increase in the numbers entering the guild during the late 1620s, possibly reflecting a rise in the overall population of the burgh at that time. However, Lynch and Verschuur have both argued that sudden increases in guild membership were often due to a simple need to raise money quickly through the fees provided by new

admissions, suggesting that financial considerations may have been behind the rise in guild membership.¹¹⁹ CHART 3.3 also shows a significant increase in what might be regarded as the ‘service industries’ of tailoring and shoemaking at around the same time, but these were the only major additions to the guild from amongst the craftsmen prior to 1640. The maltmen were the exception to this rule. They were the best-represented occupation within the guild apart from the merchants, with some seventy-three men joining between 1606 and 1640, and this does present somewhat of a puzzle. The maltman craft was the cheapest incorporation to join, at a cost of just twenty merks, but as has been shown above, the guild itself was expensive to join. Cathryn Spence has also recently demonstrated that at this time, the craft of the maltmen, or brewing and ale making, was the least closely-regulated in Scotland.¹²⁰ In Glasgow by March 1634, this lack of regulation led Ninian Gilhagie, the Visitor of the Maltmen, and some of the craft’s other members, to complain to the town council that:

...throw the desire of divers noble men, many of their servants, speciallie of their footmen, are admitted burgesses gratis within this burgh; quhilkis persons, being so admitted, comes thereafter and makes their residence and duelling within the same, and because they can exercise no other calling enters with the maltmen in respect of the cheapness of their fines, being only twenty marks money.¹²¹

An influx of servitors of noblemen during the early 1630s therefore joined the ranks of the maltman craft because it was relatively cheap and easy to do so. Presumably they did this in order to gain access to burgess-ship, and subsequently to the privileged status of guild member. Something similar may have been happening in Glasgow across the entire period between the mid-1620s and 1640, with relatively wealthy men joining the maltman craft from outside the burgh in order to become burgesses, which then allowed them to enter the guild. This would account for the relatively high numbers of maltmen joining the guild during those years shown by CHART 3.3. Overall however, relatively small numbers of both merchants and craftsmen joined the guild between 1605 and 1640, although there was a significant majority of merchants compared to any one craft.

Smout has argued that because wealth was one of the criteria for entering the guild, this contributed to social mobility in the town.¹²² While this was possibly the case in theory or by the end of the seventeenth century, wealth does not seem to have been a major factor in guild membership during the first thirty-five years of its existence. An analysis of the various

¹¹⁹ Lynch, *Edinburgh and the Reformation*, 22; Verschuur, ‘Perth and the Reformation’, 239-40.

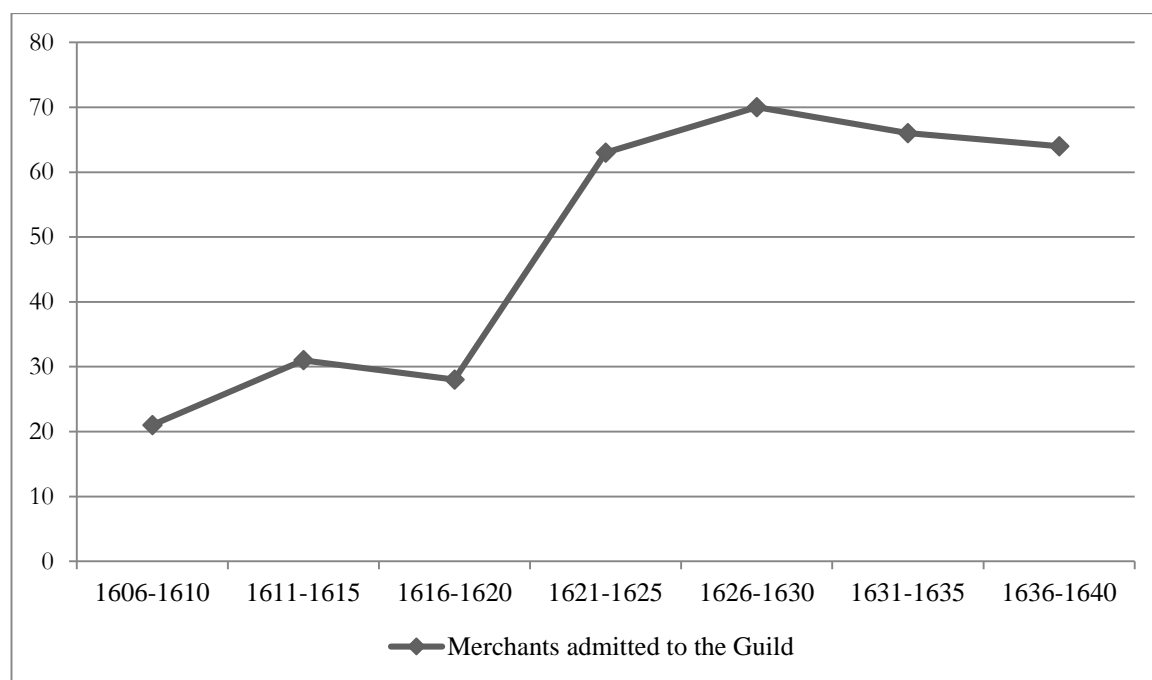
¹²⁰ C. Spence, *Women, Credit, and Debt in Early Modern Scotland* (Manchester, 2016), 102. Spence makes the point here in order to argue that women were therefore able to become brewers more easily than they could participate in other trades.

¹²¹ Marwick, *Extracts*, ii, 20.

¹²² Smout, ‘Glasgow Merchant Community’, 59, 69.

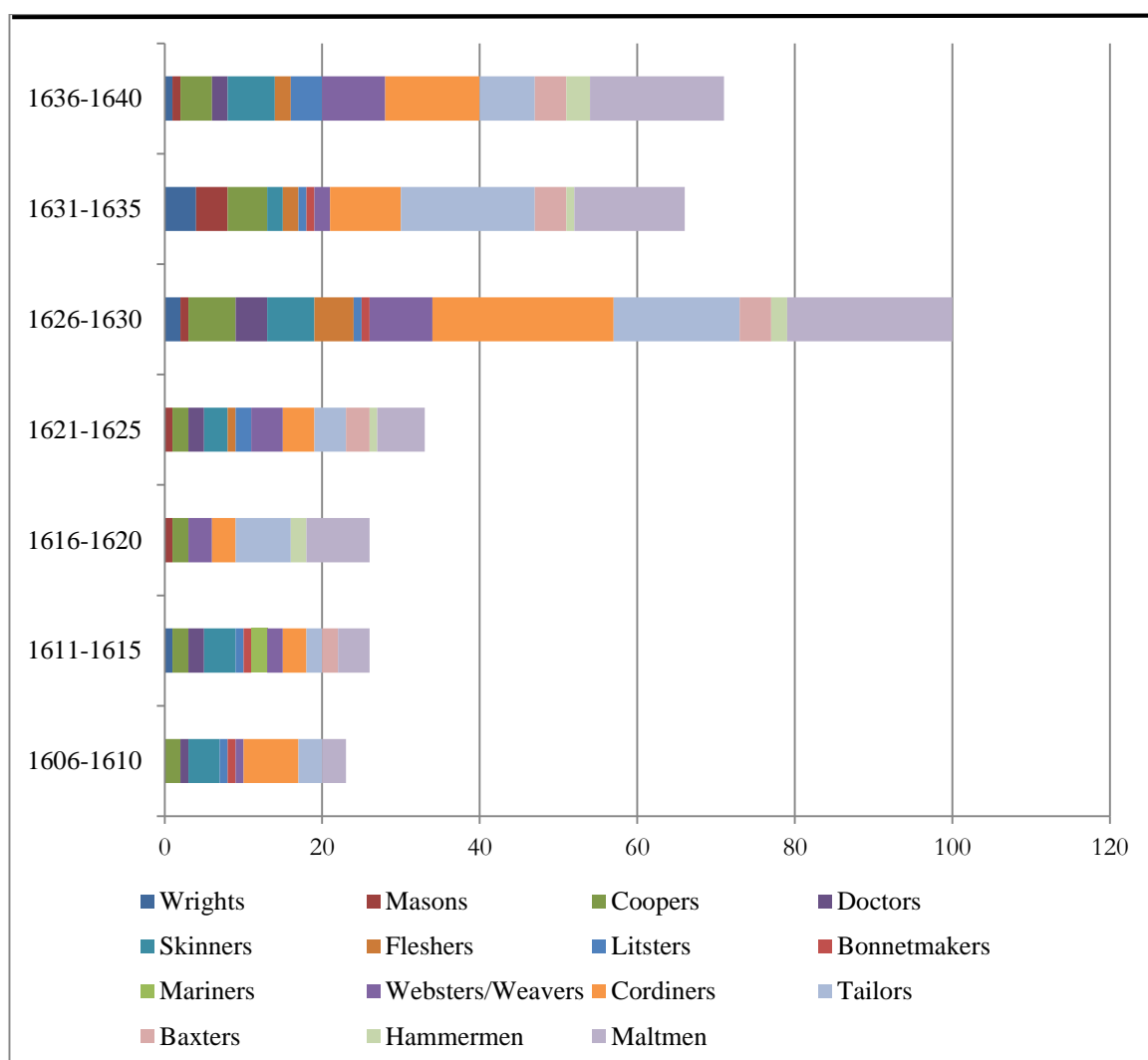
modes of entry for new members during this period has been conducted and is represented by CHART 3.4 [118]. This shows that between 1606 and 1635, a clear majority of new guild members entered either as the sons of existing guild brethren or as the husbands of their daughters, demonstrating that entry to the guild was restricted in practice.

CHART 3.2: Merchants entering the guild, 1606-1640



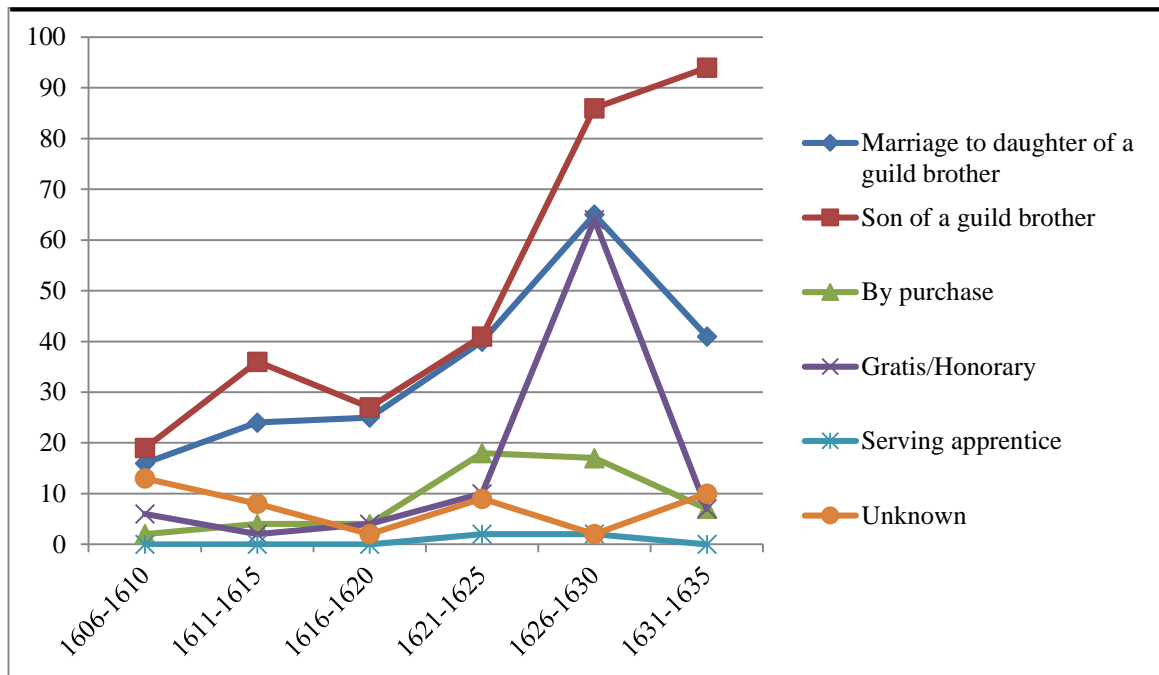
Source: J. Anderson (ed.) *Burgesses and Guild Brethren of Glasgow*, 32-103.

CHART 3.3: New guild brethren by occupation (craftsmen), 1606-1640



Source: J. Anderson (ed.) *Burgesses and Guild Brethren of Glasgow*, 32-103.

CHART 3.4: New guild brethren by mode of entry, 1606-1635



Source: J. Anderson (ed.), *Burgesses and guild brethren of Glasgow, 1573-1750* (Edinburgh, 1925).

Those who were called upon to appear before the new Dean of Guild court after 1605 sometimes contested its authority, particularly during its early years. On 10 April 1605 for example, ‘malicious and debouschit persons’ were identified who ‘sclanders and blasphemers the good established order of the Letter of Guildry, specially at their tables, and otherways, to the great disgrace of the Dean of Guild and his council.’ They were ordered to be ‘punished and unlawit’ by the Dean of Guild and his council at their discretion, according to the nature of the offence.¹²³ Later that month, the Dean of Guild and his council considered the ‘misbehaviour of sundrie persons’, who had appeared before them using ‘comlie language and willful terms, to the great slander of him and his council.’ As punishment they were to pay £5, if they had slandered the Dean or members of his council, or forty shillings for slandering other people in their presence.¹²⁴ On 8 April 1607, three cordiners declined the judgement of the Dean of Guild and requested that they be tried instead by the Deacon Convenor and all the deacons of the individual crafts. They were each fined £5 by the Dean of Guild court.¹²⁵ On 26 January 1611, William Laurie, a ‘werkman’, was accused of

¹²³ Ewing, *View of the Merchants’ House*, 93.

¹²⁴ *Ibid.*, 94.

¹²⁵ GCA, B4/1/1, fo., 18v.

‘blaspheming and contempting of James Bell, Dean of Guild, in that time the said Dean of Guild was in trying of ane lynning betwixt neighbours.’ Laurie confessed that he had indeed done this but declared that ‘the same happened in him throw occasion of over mekle drink.’¹²⁶

A more serious challenge to the constitutional settlement that was established in Glasgow by the Letter of Guildry and the other reforms introduced during the provostship of Sir George Elphinstone of Blythswood seems to have arisen in the town in 1617. This followed the king’s visit to Scotland between May and August of that year, during which he spent several days in Glasgow.¹²⁷ On 22 September, James VI wrote to the provost, bailies and town council to say that ‘twelve years ago ... the inequalitie of merchants and craftsmen upon the council of that burgh was removed by our special commandment and letters,’ but that now ‘we are informed that some turbulent heads go about to have those our directions altered and changed, which will no doubt lead to the disturbance of the happy concord hitherto maintained among you.’¹²⁸ Due to the gap in the town council and burgh court records between 1613 and 1623, it is difficult to know the extent of this disturbance. There is no other evidence of a direct challenge to the post-1606 constitutional settlement in Glasgow, but the incident does suggest that the threat of disorder remained a constant one for the burgh authorities.

Conclusion

This chapter has shown that the Letter of Guildry was just one measure amongst a broad programme of civic reforms introduced in Glasgow during Sir George Elphinstone’s time as provost. How far this was part of a coordinated royal strategy to modernise Glasgow is difficult to discern but, as an agent of the crown, Elphinstone did oversee the negotiations by which the Letter was established and had a direct hand in many of the other reforms introduced at around the same time. There were also more reasons for the Letter’s appearance in 1605 than have typically been appreciated by historians. Although it may have been primarily designed to bring an end to conflict between merchants and craftsmen, it was also an attempt to control unfree trading and reinforce social and economic order in the town by consolidating and stabilising the political power and social privilege of the pre-existing

¹²⁶ Marwick, *Extracts*, i, 317.

¹²⁷ For James’ visit to Scotland, see W. McNeill and P. McNeill, ‘The Scottish Progress of James VI, 1617’, *SHR*, 75 (1) (1996), 38-51.

¹²⁸ Marwick, *Extracts*, i, 339-40. The ‘letters’ referred to must include James VI’s letter to Glasgow’s magistrates and town council of October 1606, which decreed that the council be made up of twelve merchants and eleven craftsmen. It will be discussed in the next chapter.

merchant elite. The Letter created three new tiers of townspeople: guild brethren, 'simple' burgesses and the unfree. The first enjoyed extensive trading privileges and political influence, the second had reduced trading rights and no political access and the last group were permitted to trade at carefully-controlled times because they could not be prevented from doing so altogether. The pre-existing elite of the burgh entered directly into the top tier in 1605, but overall the Letter did constitute a fundamental re-fashioning of Glasgow's social order.

However, there were limits to the change introduced by the Letter. Relatively few new entrants joined the guild in the first two decades after 1605. This suggests that, at least during the reign of James VI, the guild brethren protected their new privileges jealously and were reluctant to admit new members. The Letter stipulated that entry to the guild was dependent on wealth, and it is possible that this acted as a catalyst for social mobility over the longer term, but there is little evidence that many new guild members entered because of the level of their wealth during the reign of James VI. Moreover, the Letter's negotiators decided to address the craftsmen's grievances by creating a guild and elevating a group of elite craftsmen to the same economic and social privileges enjoyed by the elite merchants, rather than by addressing their demands relating to town council representation directly. The analysis of the civic administration presented in chapter 5 will allow us to assess how far the Letter facilitated effective local government. Its success in establishing concord between the town's merchants and craftsmen should also be judged over the longer term. In this regard it was revealed to be a failure in the short term, as serious fighting broke out during the summer of 1606. This will be addressed in the next chapter.

The Return of the Archbishop: Politics and Religion in Glasgow, 1605-1625

Introduction

James VI appointed John Spottiswood as Archbishop of Glasgow in April 1603. Spottiswood had been heading south to London with the royal party that month when the king received news of James Beaton's death and named him as his replacement.¹ However, it seems to have taken him until January 1605 to settle in Glasgow, possibly because of his need to extricate himself from his duties as minister of mid-Calder and his on-going responsibilities in government service.² He therefore arrived in the town while the civic authorities were in the midst of negotiations ahead of the Letter of Guildry, and only a matter of days before its final ratification by the town council. A. S. Wayne Pearce examined Spottiswood's career in detail in his 1996 doctoral thesis. He presented a positive picture of his achievements as both 'archbishop and statesman' and argued that he was successful in swiftly asserting his authority in Glasgow and its environs after his appointment, both over the church courts of presbytery, synod and kirk session, and the burgh's magistrates and town council.³ This chapter does not seek to challenge that broad thesis but will instead attempt to analyse the way in which Spottiswood's appointment impacted the burgh, particularly in terms of the exercise of royal, noble and ecclesiastical power there and changes to religious life. Some nuance can be offered in regards to Pearce's position. Spottiswood was most successful in establishing his authority over the church courts, for example, and although as archbishop he retained the right to appoint the magistrates of the town's burgh court, he was forced to compromise somewhat with the modernising civic authorities. He was least successful when it came to challenging the heritable jurisdictions that had come into the hands of the Duke of Lennox following the 1587 annexation of ecclesiastical benefices. The archbishop's power was not absolute in any of these relationships and in each case he was forced to compromise to a greater or lesser degree.

In exploring these themes, this chapter argues that privileges connected to the archiepiscopal patrimony came to be divided between Spottiswood, Lennox and the town

¹ Spottiswoode, *History*, iii, 138, 40; NRS, Register of Presentations to Benefices Etc., 1595-1607, CH4/1/3, fos. 77v-78r. Kirk, *Patterns of Reform*, 437.

² *OLEAS*, i, 12. Pearce, 'John Spottiswoode', 119.

³ Pearce, 'John Spottiswoode', 117-151.

and that a significant degree of authority was devolved to the modernising civic administration as a result of Glasgow's royal burgh charter of 1611. The archbishop comprehensively established his authority over the Kirk between 1605 and 1612, but his arrival did lead to resistance from many of the ministers who served on the Glasgow presbytery, which was only exacerbated by the introduction of the Five Articles of Perth in 1618. The programme of church discipline and social reform that the Kirk had established prior to 1603 seems to have continued under the archbishop, although the source base providing information about the church's work between 1605 and 1625 is limited. This makes it difficult to engage with arguments put forward by Julian Goodare that kirk sessions should be seen as a branch of the state,⁴ but the final section of this chapter suggests both that Spottiswood established his authority over the session after his return and that it continued to play an important role within the burgh. This would suggest that the session was integrated into Glasgow's increasingly sophisticated system of local government after 1605 and that in the case of Glasgow, Goodare's arguments hold water.

Power and politics, 1606-1612: Crisis and Royal Burgh status

About eighteen months after his arrival in the burgh, Spottiswood was forced to deal with a political crisis which broke out in July 1606. He does not in fact seem to have involved himself in these events until November of that year. The short term cause of the crisis was an attack on the incumbent provost Sir George Elphinstone of Blythwood and his supporters by the previous holder of that office, Sir Matthew Stewart of Minto. Minto's rebellion was itself a response to attempts made by Elphinstone and his faction to secure royal burgh status for Glasgow, which contravened his heritable rights. This was another of the civic reforms introduced during Elphinstone's provostship, others of which were discussed in the previous chapter.

Because these attempts to secure royal burgh status ran roughshod over the Duke of Lennox's own rights in relation to the burgh, this has led historians to see him working behind the scenes during 1606, in order to retain them through his client, Minto.⁵ A direct attack by such a loyal supporter of the king as Lennox, on Elphinstone, the crown's appointee as provost, seems unlikely however, and it may have simply been that Minto was working

⁴ Goodare, *Government of Scotland*, 192-6. For the directly opposing argument, that 'actions ... undertaken by the courts of the church can be added into the scales on the side of an ever expanding state' is a 'tendentious argument ... not worth refuting,' see K. Brown, 'Review of Julian Goodare, *The Government of Scotland, 1560-1625*', *SHR*, 86 (1) (2007), 138.

⁵ This interpretation has been suggested by Laura Stewart in Stewart, 'Politics and Government', at 440.

under his own volition in order to protect his own interests. These ideas will be discussed in more detail below. Historians have also tended to see this political crisis in terms of Elphinstone representing the merchant elite of the burgh and leading them in their pursuit of municipal independence, and Minto's attack therefore as an example of unwelcome lairdly interference in their affairs, but the truth appears to have been more complicated.⁶ Chapter 1 in this thesis argued that Elphinstone was the royal appointee as provost and that he introduced a new political faction into the burgh,⁷ which suggests that the clash is better understood as a conflict between two lairds and their respective retinues. The incident therefore reflects in microcosm the debates that have taken place between Keith Brown and Julian Goodare over whether private noble power or 'public' royal authority held most influence within particular localities.⁸ In this instance, the limits of royal authority are clear. Although there was no outright victor in the fighting, Elphinstone fell from power and disappeared from the burgh as a result. This was largely because he was unable to build up a following sufficient to rival that of Minto, whose influence was based on his personal networks within the barony of Glasgow which had been cultivated over generations.⁹

In addition, the idea that 'independence' was a viable option for towns in this period is anachronistic. Catherine Patterson has shown that urban oligarchies often welcomed the patronage that could be provided by members of the nobility or prelates, and possessed the agency necessary to make these relationships work in their favour, and that the idea that urban officials desired municipal 'independence' originated with nineteenth-century Marxist historians.¹⁰ She has instead seen violent clashes in towns in early modern Europe as resulting from disputes over office and privilege, stating that: 'In the later sixteenth century and the first decades of the seventeenth, most of the questions that rocked corporations concerned precedence, honour, office, or even money and property.'¹¹ This is the proper context in which to see the clash of 1606 – as a dispute over office. Minto surely felt that the attempts by Elphinstone and the town council to secure royal burgh status for Glasgow, and with it the council's right to appoint the magistrates, usurped the privileges of 'precedence, honour [and] office' that he had enjoyed by holding the provostship of Glasgow on an almost

⁶ For example, see Stewart, 'Politics and Government' at 440; Pearce, 'John Spottiswoode' at 136; Marwick, 'Historical Preface' in *Charters*, i, at ccxxxii.

⁷ Anderson, *Burgesses and Guild brethren*, 29; Goatman, 'James VI, Noble Power', 91-2 and see chapters 1 and 3 above.

⁸ Brown, *Noble Power*; Brown, *Noble Society*; Goodare, *State and Society*; Goodare, *Government of Scotland*; K. Brown, 'Review of Julian Goodare, *The Government of Scotland, 1560-1625*', 138-9; J. Goodare, 'Review of Keith Brown, *Noble Power in Scotland from the Reformation to the Revolution*', 179-80.

⁹ Goatman, 'James VI, Noble Power', 83, 92-4.

¹⁰ Patterson, *Urban Patronage*, 7-8.

¹¹ C. Patterson, 'Conflict Resolution and Patronage in Provincial Towns, 1590-1640', *Journal of British Studies* 37 (1) (1998), 1-25, at 25.

continuous and hereditary basis between the early 1580s and 1600. By seeking and securing royal and parliamentary support for these constitutional changes, Elphinstone and the town council had wrestled Minto's rights away from him and ensured that this private, previously hereditary office would never be returned.

The town council had begun appointing Glasgow's magistrates at the Michaelmas burgh elections of 1603. The council, under Elphinstone's leadership, then worked for almost three years to secure royal and then parliamentary authority for doing so. On 12 July 1604, the second Duke of Lennox wrote a letter to the Privy Council which revealed that Glasgow's town council had begun appointing the magistrates in 1603. He petitioned the Council to uphold his right to appoint the provost and bailies of the burgh court. He argued that he was:

Lord of the Lordship and barony and regality of Glasgow, that whereof I am dewlie infeft and seiset heritably in all and hold the said Lordship barony and regality of Glasgow with forchappel and chancellorie and with election of the provost and bailies and other officers within the said city. And with all other privileges and liberties belonging thereto, as freele as any archbishop ever held or bruikit of before.¹²

He also revealed that:

Not the less, there is certain persons within the said city misknowand the said decreet already given anent the said election of the magistrates and other officers, together with my right and privilege of the said lordship, regality, forchappel and chancellorie of the same and election of the said magistrates and officers saidis, who has already done what in them lay to impede and make impediment to the said forchappel and chancellorie and libertie thereof and has elected and chosen the magistrates themselves this last year in ane very undewtiful form and manner.¹³

Lennox was writing in July 1604, and claimed that the town council in Glasgow had appointed the magistrates itself the previous year. This meant that they had been doing so since the Michaelmas elections of 1603, which was their first opportunity after the king and his court (including Lennox) had headed south to London in April of that year. The Duke asked the Privy council for letters ordering the town council to 'desist and cease from all further election of the magistrates, bailies or other officers', which could be read aloud at Glasgow's market cross and 'other places needful' because 'they [the population of the burgh, barony and regality] are a disperset multitude.'¹⁴

¹² NRS, Montrose papers, GD220/6/2019 (5), 'Petition to Lords of Council of Ludovick, Duke of Lennox, relating to his claim to right of election of provost, bailies and council of Glasgow' (1604).

¹³ *Ibid.*

¹⁴ *Ibid.*

Elphinstone and the town council were able to secure the king's support for their appointing of the magistrates during 1605. That year, Matthew Trumble, who was named as Glasgow's first Dean of Guild in the Letter of Guildry and was one of the burgh court bailies for the year 1604-5, travelled to London to put the town's case for appointing them before the king. He returned on 4 July with a letter from James giving his consent.¹⁵ The terms of this new status were later clarified by a second correspondence sent by the king to the burgh's magistrates in September 1605.¹⁶ That letter indicated that although the king had been able to persuade Lennox to relinquish his right to appoint the magistrates, the Duke would retain his office of bailliary and justiciary of the regality.¹⁷

Minto's attempt to seize back the provostship from Elphinstone was part of a flurry of often violent political activity in Glasgow in early July 1606, which was designed to influence proceedings at that month's Parliament at Perth. The Parliament sat from 1-9 July and on 7 July dealt with a draft act of Parliament, which Elphinstone and his faction had drawn up and which had been signed and approved by the king. This asked that the town council should have the right to appoint the burgh's magistrates, the provost and the bailies.¹⁸ The act called for the change in status because Glasgow's population was growing and trade increasing, but also because 'be their commissioners in Parliaments, general conventions, and conventions of burrows, they haif had special place and voice as ane free city of the kingdom' and 'has borne taxations, subsidys and other burdens answerable in proportion with many of the best towns of the realm.' Despite having the king's support, the draft act failed in Parliament at the 'committee stage', when it was scrutinised by the Lords of the Articles.¹⁹ The copy of the draft act stated that it was to be remitted to the next session of Parliament, which would not be held until the following year and at which no mention was made of Glasgow trying again to pass this legislation.²⁰ The existence of this rejected draft act is interesting, as it seems at present to be the only preserved text of a failed act of Parliament dating from the reign of James VI.²¹

At the same time, Minto was competing with Elphinstone to influence the parliamentary proceedings. On 5 July, at seven o'clock in the morning, he assembled sixty-eight of his men in Glasgow and then persuaded the craftsmen to support him in challenging the magistrates

¹⁵ Marwick, *Extracts*, i, 228.

¹⁶ Marwick, *Charters*, ii, 269; *RPC*, first ser., vii, 141-2.

¹⁷ *Ibid.*

¹⁸ 'Draft of an Act of Parliament, superscribed by King James VI., for granting free liberty to the City of Glasgow to elect its Magistrates. 7 July 1606', Marwick, *Charters*, ii, 271.

¹⁹ For the Lords of the Articles' assessment of draft acts of Parliament during the reign of James VI, see A. MacDonald, 'Uncovering the legislative process in the parliaments of James VI', *Historical Research*, 84 (4:226) (2011), 601-617. Glasgow's failed attempt to get this legislation passed in 1606 is mentioned at 604.

²⁰ Marwick, *Charters*, ii, 271; *RPS*, 1607/3/1-46.

²¹ I am grateful to Dr Alan MacDonald for this observation.

and town council.²² He had managed to purchase from the Court of Session an exemption for himself and his supporters, which freed them from the ‘judgement, jurisdiction and office’ of Glasgow’s civic authorities, and he read this aloud at the market cross in order ‘to irritate and incense the common multitude against the said complainers [the magistrates and town council], and to make an outward show to them that they had the credit and power to overthrow them at their pleasure.’²³ This was the interpretation of events put forward by the magistrates and council when they brought their case against Minto and his faction before the Privy Council in August. The rebels also petitioned the Lords of the Articles in Parliament to postpone the planned ratification of the parliamentary act allowing the town council to appoint the magistrates.²⁴ There is no evidence that the act was ever passed, which suggests that they were successful.²⁵

The civic authorities in Glasgow responded to Minto’s actions by scheduling a meeting in the town on 23 July, to seek a resolution to the discord and ‘to let them [the rebels] see and understand their own error and how far they had been abused to their own prejudice and discredit,’ which was to be attended by the town’s ministers, staff from the university, the craft deacons and the ‘commons.’²⁶ This proved to be the catalyst for the crisis to move into a second phase when Minto’s son, Sir Walter Stewart, attacked Sir George Elphinstone and his men as they returned from practicing archery. Sir Walter then mustered over 300 of his supporters and chased the group along the main road between the market cross and the High Kirk (now Glasgow’s High Street) to the bishop’s castle, where they were forced to seek refuge.²⁷ Their lives were only spared because privy councillors including John Fleming, the first Earl of Wigton, John Graham, the Master of Montrose and Sir William Livingstone of Kilsyth were present in the town and able to protect them.²⁸ These councillors may have been there because of the planned meeting in the town on 23 July, and it is likely that Sir Walter Stewart staged his attack in an attempt to influence them. During this second stage of the crisis, Sir Walter appears to have killed or wounded one of Elphinstone’s supporters, James Forreth, and in August he lodged his own, separate case with the Privy Council in relation to this incident, claiming that he had acted in self-defence. The Privy Council eventually placed combatants from both sides in ward.²⁹

²² *RPC*, first ser., vii, 242-3.

²³ *Ibid.*, 243.

²⁴ *Ibid.*

²⁵ *RPS*, 1605/6/133, ‘The table of the acts of parliament held at Perth, 19 July 1606.’

²⁶ *RPC*, first ser., 243-4.

²⁷ This incident is outlined most clearly by Stewart, ‘Politics and Government in the Scottish Burghs’, 439-40.

²⁸ *RPC*, first ser., vii, 245. At this time, the Master of Montrose was John Graham, later fourth Earl of Montrose. See Balfour, *Scots Peerage*, vi, 236-7, 239.

²⁹ *RPC*, first ser., vii, 234-5, 240-7 and see Stewart, ‘Politics and Government’, 440 for these references; Pearce, ‘John Spottiswoode’, 135.

The crisis revealed and exacerbated existing political divisions in the town, between those who supported Elphinstone and the town council in their attempts to secure royal burgh status, and Minto's followers, who resisted them. In July 1606, Glasgow's town council accused John Ross, the burgh's common procurator, a notary and former town clerk, of having petitioned the Perth Parliament to postpone the act permitting free appointment of the magistrates.³⁰ When Minto rallied his supporters, he was also able to persuade a large number of craftsmen to support his cause, including the Deacon Convenor and several deacons of individual crafts. He convinced them that the push by Elphinstone and the town council to appoint the magistrates constituted a further erosion of their rights, and they mustered in his support. When Elphinstone and the town council brought their case before the Privy Council in August, they complained that:

[Minto and his faction] delt and travellit, first privatlie and appairt, with certain of the deacons of crafts of the said toun, and did inculcate in their earis that the libertie procured by the said complainers was nothing ellis bot ane manifest thraledom and tyranie aganis the crafts, a dissolution of the estaite of the said toun, and ane heretable establishing of the offices and jurisdiction of the town in the personis of a few number.³¹

TABLE 4.1 in the appendix outlines the level of support that Minto was able to muster in July 1606, and the extent of craft involvement. This gives the lie to the idea that the Letter of Guildry of the previous year ushered in political parity between merchants and craftsmen in Glasgow, or brought an end to conflict between the two groups.³² He was also supported by members of the town council and men who lived within the barony lands around the town, including those described in the Privy Council record as the 'officers of the barony'. In turn, Elphinstone was supported by members of his family, his servitors, the serving magistrates and others on the town council. These political divisions would endure beyond 1606. In September 1608, Robert McGill, a supporter of Elphinstone's, attacked James Inglis, who was one of Minto's followers and by then a bailie of the burgh court, and McGill was subsequently imprisoned in the tolbooth.³³

The events of July 1606 naturally angered the king, who judged correctly that the violence had broken out as a result of competition between Elphinstone and Minto over the provostship and continuing animosity and distrust between the town's merchants and craftsmen. In an attempt to prevent similar conflicts in the future, James intervened directly in Glasgow's municipal elections in October 1606 and wrote a letter to the magistrates

³⁰ Marwick, *Extracts*, i, 249-50, 264.

³¹ *RPC*, first ser., vii, 242.

³² See Jackson, *Dean of Guild Court*, 24 for mention of these ideas.

³³ Marwick, *Extracts*, i, 290-1; Anderson and Gourlay, *Provosts of Glasgow*, 2-3.

ordering that the town would be permitted no provost for the foreseeable future and that it must accept his choice of bailies for the following year (the king chose Robert Rowat, Thomas Mure and Matthew Trumble, who all appear to have been supporters of Elphinstone). He also demanded that the town council should from then on be comprised of a balance of twelve merchants and eleven craftsmen so as to reduce the likelihood of future disturbances.³⁴ This firmly re-established royal authority in the town and seems to have restored Elphinstone's supporters to the magistracy, although Elphinstone himself was barred from holding the office of provost.

John Spottiswood only seems to have involved himself in these affairs the following month. In early November he wrote to the king describing the response of Glasgow's civic leaders to James' letter nominating the bailies and ordering equal representation between merchants and craftsmen on the town council.³⁵ Spottiswood stated that the meaning of the letter had been 'misconstrued', but that now 'at last they [the burgesses] are won to obedience, and have advisit to pass from their new liberties, and betake themselves to the custom of former times, which as it is more ancient, so will it prove better much to their estate than the new forms they desirit.'³⁶ Spottiswood added that his involvement in the burgh's affairs had been unpopular and the first reaction of some in the town had been to threaten him. He wrote to the king: 'certain also were put out to warn me that it were not expedient I come to the council, because in opposition there might fall out some things that would not easily be redressed.'³⁷ He also reported that the days between 3 and 11 November had been 'spent [by the council] in animating the burgesses against the directions of it [the king's letter]'.³⁸ On 14 November, the bailies and council met with the archbishop and demanded that he present them with leets from which they might then be able to choose the provost.³⁹ At that point, the town council still seems to have been clinging to the hope that it might salvage some of the rights to magistracy nomination that it had gained over the previous three years. However, Spottiswood rejected their proposal and forced them to adhere to the king's orders.⁴⁰ By March 1607, the bailies and town council seem to have come round to the archbishop's way of thinking, as they wrote to King James themselves, stating that: 'The nychtbours and indwellers of this your Hieness' city of Glasgow, being

³⁴ GCA, C1/1/6, fo. 114; Marwick, *Extracts*, i, 255-6.

³⁵ GCA, C1/1/6, fo. 114; Marwick, *Extracts*, i, 255-6; *OLEAS*, i, 207-10. This letter is dated as 1609 in the printed volume, but as Pearce has argued, it clearly refers to the events of autumn 1606. Pearce has dated the letter to 11 November 1606, but it appears to have been written later, as it refers to events which occurred on that date. Pearce, 'John Spottiswoode', 137, n. 64.

³⁶ *OLEAS*, i, 207.

³⁷ *Ibid.*, 208. Pearce, 'John Spottiswoode', 138.

³⁸ *OLEAS*, i, 207.

³⁹ Marwick, *Extracts*, i, 256-7.

⁴⁰ *OLEAS*, i, 208.

now satlit in a perfect peace and quietness, after long and troublesome broyles, chiefly be the care and diligence of your Majestie's trustie servitor, and our very good Lord, the Archbishop of Glasgow.'⁴¹ At the next burgh election, at Michaelmas 1607, and with the second Duke of Lennox once again in attendance, Spottiswood unilaterally appointed as provost a local laird and vassal of the Duke, Sir John Houston of Houston. As Laura Stewart has noted, Glasgow's magistrates and town council had by then endured a difficult eighteen months of political conflict and were somewhat chastened, and had little choice but to accept the archbishop's decision.⁴² This analysis of the events which took place in Glasgow during 1605 and 1606 suggests that Elphinstone and his faction tried to secure royal burgh status for Glasgow and that Minto challenged him on the basis that this usurped his rights. The civic reforms outlined in chapter 3 were made in preparation for this bid for royal burgh status.

The next change to Glasgow's constitution came in April 1611, when the town was finally elevated to royal burgh status. Even then, this was granted with the caveat that the town council was not to appoint the magistrates, as was the custom in other royal burghs, and that this right was to remain with the archbishop.⁴³ Robert Tittler and Phil Withington have both argued that the nearest English equivalent to the Scottish royal burgh charter – the royal charter of incorporation – had many functions, but that they essentially acted as a codification of powers which the civic leaders of a town already enjoyed, while also simultaneously strengthening crown authority over that town, by 'tightening ... the state's infrastructural reach.'⁴⁴ A similar dynamic can be observed in Glasgow's royal burgh charter. It reflected the modernising civic administration's demands for royal burgh status and more powers, but also the archbishop's desire to retain political control over the town. The charter specifically mentioned that it had been granted 'at the express and earnest request of our well beloved counsellor the most reverend father in Christ, John, Archbishop of Glasgow.'⁴⁵ Glasgow's new status did not confer upon it any meaningful additional rights in terms of its position within Scotland's urban estate or the wider polity of the realm. In both regards, the town had been operating like a royal burgh for many years, by attending

⁴¹ *Ibid.*, 76-7.

⁴² GCA, C1/1/6, fos. 114, 155; Marwick, *Extracts*, i, 255-9, 261-2, 268-9 and see Stewart, 'Politics and Government', 440 for these references.

⁴³ In royal burghs it had become customary for town councils to appoint their magistrates, long before James III's parliamentary act of 1469, which clarified the way in which burgh officials should be appointed, seemingly for the first time. See MacKenzie, *The Scottish Burghs*, 96; *RPS*, 1469/19, 'Acts of the parliament of James III begun and held at Edinburgh on 20 November 1469'.

⁴⁴ Withington, 'Two Renaissances', 253.

⁴⁵ 'Charter by King James VI, confirming all rights and privileges, previously granted to the Burgh and City of Glasgow, and erecting the same into a Royal Burgh. Royston, 8 April 1611' [hereafter 'Glasgow Royal Burgh Charter, April 1611'], in Marwick, *Charters*, ii, 278.

Parliament and meetings of the Convention of Royal Burghs, engaging in foreign trade, exercising a territorial 'liberty' and a monopoly on trade within the nearby rural hinterland and paying a share of royal taxation.⁴⁶ By granting royal burgh status to Glasgow, the crown in effect officially sanctioned these activities for the first time. The charter began by stating, erroneously in regard to the town's constitutional history, but perhaps deliberately in order to provide a semblance of legal precedent, that:

We understanding that our most noble and ancient progenitors, from the special favour that they bore towards the Archbishops of Glasgow, erected the burgh and city therefore into a Royal Burgh, investing it with the freedoms and privileges thereto belonging, which for many years bygone they have well and peaceably possessed and enjoyed, in peace; And now we, for the thankful and obedient service rendered to us by the provosts, bailies, councillors, and community of Glasgow, moved with the greatest goodwill, to increase and confirm the same.⁴⁷

Where Glasgow's new status did bring with it benefits for the town was in placing additional economic and legal powers in the hands of the civic administration, so that it could fulfil the obligations required of a royal burgh. The burgesses now became tenants of the crown, and money generated through the rents of their properties, customs paid at the town's markets and fines from the courts became payable directly to the king, rather than to the archbishop.⁴⁸ So that they were able to do this, a 'special liberty' was granted to the 'provosts, bailies, councillors and community' of Glasgow to uplift customs and all other casualties belonging to the markets and fairs in the town and 'to make and ordain acts and statutes for the good rule of the commonweale, and to put the same to due execution.'⁴⁹ Significantly, they were also to receive:

All and whole the said burgh and city of Glasgow, with houses, buildings, gardens, lands, as well outfield as infield, tilled as untilled, customs by land and water, freedoms and privileges of patronages and gift of benefices, chaplainries, prebends, and alterages, mills, multures, suckin and knaveship thereof, loading and unloading of ships, barks, crears, and other vessels of whatsoever kind they be.⁵⁰

Both lands and rights relating to trade were therefore transferred from the archbishop to the town's civic administration. They were also to receive the 'freedoms, privileges, honours,

⁴⁶ W. MacKenzie, *The Scottish Burghs: an expanded version of the Rhind Lectures in Archaeology for 1945* (Edinburgh, 1949), 70, 75, 78, 82; MacDonald, *Burghs and Parliament*, 193.

⁴⁷ 'Glasgow Royal Burgh Charter, April 1611', 278.

⁴⁸ MacKenzie, *The Scottish Burghs*, 97.

⁴⁹ 'Glasgow Royal Burgh Charter, April 1611', 281.

⁵⁰ *Ibid.*, 279.

immunities and jurisdictions, which by the laws and custom of this our realm belong to a free royal burgh.’⁵¹

The charter also guaranteed certain specific trading privileges for Glasgow’s burgesses within the local region, which had previously been negotiated with neighbouring towns. For example, the trading privileges belonging to Glasgow’s burgesses on the River Clyde were clarified. The provost, bailies, town councillors and community of Glasgow would be allowed to purchase:

All sorts of goods and merchandise, as well of all ships as of other vessels of whatever kind, home or foreign, coming in the Clyde from the Clochstane to the Brig of Glasgow, on either bank of the river Clyde, possessed by them and their predecessors; with free privilege of the water of Clyde, trade and traffic thereof, and others whatsoever pertaining to the said burgh.⁵²

Whether or not Glasgow’s burgesses had been doing these things already, they could now do so with the crown’s blessing and under its authority. However, these new privileges seem to have brought Glasgow into conflict with other burghs, particularly the longstanding royal burgh of Dumbarton. On 8 June, representatives for Glasgow’s merchants and craftsmen agreed to provide £200 from each group, for the town’s ‘new investment and ratification to be passed through three seals’ and to support an action described as ‘sustaining of the play against Dumbarton.’⁵³ The Deacon Convenor’s council organised the collection of the craftsmen’s contribution.⁵⁴ Throughout the summer of 1611, Glasgow’s town council also gathered the evidence required to further clarify the privileges laid out in the royal charter, and pave the way for the ratification of the new royal burgh status by Parliament. On 14 June, charters outlining the relative privileges of Glasgow and Dumbarton, which dated from the reigns of Alexander III and Robert I, were delivered to Matthew Trumble, so that he could present them to the chancellor in Edinburgh.⁵⁵ These activities, which were designed to secure parliamentary ratification of Glasgow’s royal burgh status, must have constituted a moment of great civic pride for the new administration that had been ushered in by the Letter of Guildry and the other reforms introduced under Sir George Elphinstone.

Glasgow’s new standing as a royal burgh was approved by Parliament in October 1612, and the act was immediately preceded by another which confirmed Dumbarton’s own royal burgh status.⁵⁶ This:

⁵¹ *Ibid.*, 280.

⁵² *Ibid.*, 278-283.

⁵³ GCA, C1/1/7, fos. 88-9; Marwick, *Extracts*, i, 319-20.

⁵⁴ Lumsden, *The Trades’ House of Glasgow*, 34.

⁵⁵ Marwick, *Extracts*, i, 321.

⁵⁶ RPS, 1612/10/25, ‘Ratification in favour of the burgh of Glasgow of their infetment’.

Granted and conveyed to the said burgh [Dumbarton], magistrates, community and inhabitants thereof sundry new privileges, liberties, immunities, casualties and others particularly set down in the said infestment, but also has ratified, approved and confirmed diverse and sundry old evidents, infestments, writs, rights and securities.⁵⁷

Thus, while Glasgow's new status as a royal burgh was confirmed by Parliament, Dumbarton's rights were also safeguarded. Also, as part of the same act, some of Archbishop Spottiswood's rights pertaining to lands near Dumbarton were also protected.⁵⁸ Glasgow's royal burgh charter was a precise and subtle document, which placed new economic and legal powers in the hands of the town's new civic administration, so that it could fulfill the additional obligations required of a royal burgh. Most of these new rights and privileges were delegated from the archbishop.

However, by allowing the archbishop to continue to appoint the magistrates of the burgh court, the royal burgh charter denied the town council the key privilege that it had been agitating for between 1603 and 1606, under the leadership of Sir George Elphinstone of Blythswood as provost.⁵⁹ The compromises contained in the 1611 charter stored up problems for the future. In 1636 they would allow both Patrick Lindsay, the archbishop at that time, and Glasgow's town council to claim proprietorship of the burgh lands, a dispute which contributed to a disintegration in the relationship between the archbishop and the burgh's ruling elite during the late 1630s.⁶⁰ The royal burgh charter also ensured that Spottiswood would continue to receive the yearly sum of sixteen merks, the small amount of money that was due to him from the burgesses of the town for the rental of their lands, while the crown remained in receipt of 'the service of burgh used and wont.'⁶¹ The charter of 1611 was therefore a compromise, by which the archbishop devolved some of his privileges to the burgh authorities, while retaining others, most notably the right to appoint the magistrates. As a result of the 1606 crisis and Glasgow's royal burgh charter of 1611, some new powers came to be devolved to the civic authorities. However, these did not

⁵⁷ *RPS*, 1612/10/24, 'Ratification in favour of the burgh of Dumbarton of their infestment'; *RGSS*, v, 69, no. 190.

⁵⁸ *RPS*, 1612/10/24.

⁵⁹ Goodare, MacDonald and Verschuur have both suggested that because the archbishop had the right to appoint Glasgow's magistrates, the burgh tended to vote with the crown during the 1620s and 1630s. See J. Goodare, 'The Scottish Parliament of 1621', *HJ*, 38 (1995), 29-51, at 36-7 and MacDonald and Verschuur, *Records of the Convention of Royal Burghs*, 26.

⁶⁰ GCA, A1/64/17, 'Memorial on behalf of the city against the archbishop' (1636). Also see A. Macinnes, 'Covenanting Revolution and Municipal Enterprise', *History Today*, 40 (5) (May 1990), 10-16, at 11 for more evidence of a breakdown in this relationship. The confusion over the ownership of the burgh lands possibly arose specifically because a charter ratifying the 1611 charter was issued by Charles I in October 1636, which was ambiguous and did not clarify the respective rights of the town and the archbishop sufficiently. 'Charter by King Charles I, whereby he confirmed all the charters ... enjoyed by the Provost, Bailies, Dean of Guild, Treasurer, Councillors, and Community of the Burgh of Glasgow', in Marwick, *Charters*, ii, 375-395.

⁶¹ 'Glasgow Royal Burgh Charter, April 1611', 282-3.

constitute the ‘full’ royal burgh status that the town council had been hoping for between 1603 and 1606.

Archiepiscopal and noble power and the burgh of Glasgow, 1606-1625

The 1606 crisis was in one respect fortuitous for Spottiswood as it allowed him to assert his authority in the burgh.⁶² He had greater problems when it came to recouping from the Duke of Lennox the patrimony of the archdiocese that the latter had accrued since the 1587 annexation of ecclesiastical benefices, and this resulted in the two men sharing rights in relation to the burgh. The extent of Spottiswood’s patrimony as Archbishop of Glasgow was established by acts under the Great Seal in February 1604 and under the Privy Seal in June of that year, both of which were subsequently ratified at the Perth Parliament of July 1606.⁶³ Alan MacDonald has shown that the king was slow to provide the bishops with real power after deciding to reinstate them and that this process only began in earnest during 1606, when they started to receive the spiritual revenues attached to their dioceses for the first time.⁶⁴ Spottiswood’s elevation to the Glasgow archbishopric in April 1603 took place before this slow re-introduction of episcopal power. The Privy Seal charter of June 1604 for example specified that Spottiswood had ‘no right but to the spirituality of the said benefice, which is not able to bear out his charge and estate and is deprived from bruiking any of the temporality thereof.’⁶⁵ The charter addressed this by providing him with:

All and sundrie teind fructs, rents emoulments, lands, teindscheaves, uther teinds, fishings, feufermes, superiorities, profits and deuties of the said archbishopric quhatsumever with all and sundrie many places castles, toures, fortalices, houses, biggings, yards, dewcattis layand alsweil within the walls and precinct of the bishops place as any other part or place of this realm of Scotland.⁶⁶

By December 1605, Spottiswood was still dissatisfied with his position regarding the archiepiscopal patrimony and wrote to the king ‘to signify to your majesty the invaliditie of the renunciation made by the Duke of Lennox of the bishopric of Glasgow, that the same

⁶² Laura Stewart has noted that the crisis and the opportunity that it presented to Spottiswood to exert his control, seems to have been an ‘advantageous development’ rather than planned by the crown as Maurice Lee has suggested. See Stewart, ‘Politics and Government’, 440, n. 47 and her reference to Lee, *Government by Pen*, 69.

⁶³ NRS, Privy Seal: Latin and English Register, Old Series, 1596-1606, PS 1/74, fos. 208v-9v; *RPS*, 1605/6/31; Marwick, *Charters*, ii, 272-277. Pearce, ‘John Spottiswoode’, 145-6.

⁶⁴ MacDonald, ‘James VI and I, The Church of Scotland and British Ecclesiastical Convergence’, 889-90.

⁶⁵ NRS, PS 1/74, fo. 208v.

⁶⁶ *Ibid.*

may be renewed.⁶⁷ Spottiswood therefore had difficulty recouping from Lennox the lands and privileges attached to the archbishopric, despite his receipt of the June 1604 Privy Seal charter.

The Privy Seal and Great Seal charters were ratified at the 1606 Parliament in Perth, as part of the 'Act regarding the restitution of the estate of bishops'. This overturned the 1587 annexation but the parliamentary act itself was nevertheless a compromise. Maurice Lee has shown that at the Perth Parliament, James VI was faced with the challenge of repealing the 1587 annexation and restoring the bishops to their lands, while also guaranteeing the interests of many noble landowners who had been awarded by the crown over the preceding nineteen years with property gained via the annexation.⁶⁸ As a result, the 'Act regarding the restitution of the estate of bishops' of 1606 included a general statement ratifying all prior grants of lands given to these nobles, alongside a large number of private acts which protected their individual privileges.⁶⁹

This balancing act was reflected in the specific lands and privileges that Spottiswood was entitled to in 1606. The parliamentary act made an attempt to clarify the archbishop's rights in relation to those of the Duke. Spottiswood was fully reinstated to the superiority of his archdiocese 'but [without] prejudice to the Letters of Gift and Pensions granted to the Duke of Lennox,' which indicates that some of the patrimony was to remain with him.⁷⁰ This was followed by a royal grant in August 1608, by which the king provided Spottiswood with regality jurisdiction throughout the archbishopric, handing him significant legal powers of the kind that the fifteenth-century bishops of Glasgow had enjoyed. These privileges were augmented with further periodic royal grants of additional church lands.⁷¹ Yet Spottiswood was only able to achieve these gains through persistent negotiation and petitioning of the king in London, rather than as part of any royal strategy to provide him with the means necessary to exercise his lordship effectively or implement the crown's ecclesiastical policies. Untangling the privileges that he was entitled to from those belonging to the Duke appears to have been a complex and laborious process for the new archbishop. Ludovick would continue to receive rents from some of the barony lands until his death in February 1624, when the privileges he had held in relation to the barony passed to his younger brother Esmé and then his nephew James, as his successors as Duke of Lennox.⁷²

⁶⁷ *OLEAS*, i, 25.

⁶⁸ Lee, *Government by Pen*, 63.

⁶⁹ A number of private parliamentary acts in July 1606 guaranteed nobles' rights to former church lands, for example *RPS*, 1605/6/101-131; Also see *OLEAS*, i, 54-55, 57-58.

⁷⁰ Marwick, *Charters*, ii, 272-277, quotation at 277; *RPS*, 1605/6/31.

⁷¹ Pearce, 'John Spottiswoode', 139-40, 145-7.

⁷² NRS, Montrose papers, GD220/1/G/3/3/2, 'Extract special retour in favour of James, Duke of Lennox as heir to the deceased Ludovick, Duke of Lennox, his uncle' (1625); NRS, GD220/1/G/4/1/4 'Instrument of

Because the archbishop and Lennox shared different parts of the patrimony of the archbishopric between them, the former also relied heavily upon the latter to provide him with the *de facto* and legal authority he needed in order to govern the burgh of Glasgow effectively after the Union of Crowns. In essence, the two men shared power in Glasgow following the 1606 ‘Act regarding the restitution,’ despite Lennox having accompanied the king to England. While Spottiswood was archbishop, a key element of this ‘working relationship’ was the personal relationship between the two men, by which Spottiswood was a loyal servant of the Duke as well as the king. In this sense, despite his role as a prelate, Spottiswood’s position was similar in some ways to that of James VI’s ‘new men’ such as Walter Stewart of Blantyre or Sir George Elphinstone of Blythswood, in that he served Lennox’s private interests as well as the crown.

Spottiswood was himself a prominent member of Lennox’s clientage network in the west of Scotland, and this relationship endured throughout his time as Archbishop of Glasgow. James Kirk has shown that Spottiswood was Lennox’s personal chaplain during the latter’s ambassadorial visit to France in 1601, that the Duke most likely put Spottiswood forward for the vacant Glasgow archbishopric in 1603, and that he remained his patron after that date.⁷³ That Spottiswood was a client of the Duke is also evidenced by letters sent by Lennox to Sir William Livingstone of Kilsyth in 1606 and 1611. In November 1606, Ludovick wrote with information about a new commission that he had established in Scotland to manage his affairs, which comprised Kilsyth, Spottiswood and Walter Stewart of Blantyre. He urged Kilsyth: ‘When the bishop [Spottiswood] comes to you, I pray you talk with him at length, for he knows my mind in all particular affairs.’⁷⁴ In February 1611 he wrote to Kilsyth again, stating that he had entrusted management of his affairs in Scotland to both him and Spottiswood.⁷⁵ In 1613, Spottiswood was one of four men who signed a contract undertaking to pay a share of Ludovick’s debts in Scotland, which amounted to a total of £27,350, in return for the rents of the Duke’s Scottish lands and the proceeds of a royal pension worth 4,000 marks yearly for five years. The other signatories were Kilsyth, who was by then one of the senators of the College of Justice, James Clelland of Monkland, who was another local laird and George Muirhead, the Duke’s chamberlain.⁷⁶ These episodes shed light on Lennox and Spottiswood’s close working relationship after 1603.

sasine following on precept of clare constat by James, Archbishop of Glasgow in favour of James, Duke of Lennox as heir to Ludovick, Duke of Lennox’ (30 Dec 1628; 1 Apr 1629).

⁷³ Kirk, *Patterns of Reform*, 436-7.

⁷⁴ H. Paton (ed.), *Report on the Laing manuscripts*, 2 vols (1914, 1925), i, 105.

⁷⁵ *Ibid.*, 123-4. Pearce has drawn attention to both of these letters, see Pearce, ‘John Spottiswoode’, 141, n.74; Kilsyth and Spottiswood were both clients of the Duke.

⁷⁶ NRS, Montrose papers, GD220/1/G/2/2/10, ‘Contract between Ludovick, Duke of Lennox and John, Archbishop of Glasgow, Sir William Livingston of Kilsyth, one of the senators of the College of Justice, James Clelland of Monkland and George Muirhead, the Duke’s chamberlain’ (1613).

Evidence that Lennox and Spottiswood worked together in order to govern Glasgow can be found in May 1606, when the archbishop and the Duke agreed to temporarily devolve some of Lennox's legal authority to the civic administration, by granting a commission of justiciary to the influential bailie, Robert Rowat. By this, Rowat was authorised to hold justice courts in the burgh on a temporary basis until the upcoming Michaelmas, a period of about five months.⁷⁷ Lennox's continued influence can also be seen in the fact that when Spottiswood made his appointments to Glasgow's burgh court throughout his time as the archbishop, he for the most part appointed men who had supported Lennox's client Minto during the fighting of 1606. This was because the latter retained high levels of support within the burgh and barony until his death in 1612.⁷⁸ Spottiswood's appointments to the magistracy will be explored in greater detail in chapter 5, in a discussion of personnel serving in the civic administration. In his last will and testament of that year, Minto passed the depute bailieship of the barony on to his son, Sir Walter Stewart, which indicates that he held that title (or felt that he did) until the end of his life.⁷⁹

Spottiswood's appointment of Sir John Houston of Houston as provost of Glasgow in October 1607 further illustrates his reliance on the Duke of Lennox when it came to exercising power in the local region, and also highlights the political instability that existed within the burgh following the crisis of 1606. Houston was a local laird, a trusted member of the Duke's affinity in the west of Scotland and steadfastly loyal both to him and the crown, and an effective political operator who could be relied upon to work in the royal interest. He successfully oversaw the Clydesdale Synod of 1606 and Linlithgow General Assembly of 1608 and managed them in the interests of the government.⁸⁰ He thereby played a pivotal role in ensuring that the re-establishment of episcopacy was confirmed by those Kirk assemblies, against the wishes of the Presbyterian opposition. Houston was also a loyal follower of the Duke of Lennox. He was part of the commission of February 1606 mentioned in chapter 1, which was charged with managing the Duke's affairs in Scotland after his move to England and included six more of Lennox's closest adherents. The commission was headed by Walter Stewart of Blantyre and its other members were Hugh Campbell, Lord Loudon, Sir Matthew Stewart of Minto, Sir William Livingstone of Kilsyth, Archibald Stewart of Castlemilk, James Wemyss of Bogie and Sir William Ruthven of Frieland.⁸¹

In 1615, Spottiswood's successor as Archbishop of Glasgow, James Law, inherited the balance of power that his predecessor had established in the local region. Law maintained a

⁷⁷ Marwick, *Extracts*, i, 246-247.

⁷⁸ Goatman, 'James VI, Noble Power', 92-4.

⁷⁹ NRS, Hamilton and Campsie Commissary Court Testaments, Sir Matthew Stewart of Minto, CC10/5/2/539.

⁸⁰ *OLEAS*, i, 126-7, 142, 169.

⁸¹ NRS, Montrose papers, GD220/1/F/8/4/3, 'Extract commission by Ludovick, Duke of Lennox' (1606).

policy of working in tandem with the Duke of Lennox and relying upon him when it came to exercising authority in the burgh and barony of Glasgow. He served as archbishop from September 1615, upon Spottiswood's elevation to the see of St Andrews, until his death in November 1632.⁸² During his time as archbishop, Law sought to further formalise the working relationship that existed between himself and Lennox. Between 29 August and 6 October 1619, for example, he agreed four articles with the Duke, as part of a charter and investment which allowed Law to act against 'delinquents' in the Duke's absence. The charter also stated that the Duke was to appoint a deputy for 'doing justice' who would reside in Glasgow and that he would have the power to create deputy clerks and other officials of the archbishop's burgh and barony courts, who could be deprived of office if they misbehaved. The articles also guaranteed the Duke the 'right to privileges belonging to the office' of bailliary and justiciary of the bailliary of Glasgow, which indicates that he may have transferred these legal rights to the archbishop at some point prior to 1619 and that they were now being reinstated.⁸³ This charter seems to show Law making use of the Duke's authority to reinforce his own power. It may not have been necessary for Spottiswood to secure such an agreement because of their closer personal relationship. It certainly appears that Law saw the need for greater formality in his relationship with the Duke than had Spottiswood. In August 1621, another charter between Law and Lennox transferred to the latter the office of bailliary and justiciary of the barony and regality of Glasgow.⁸⁴ This charter was granted because the Duke and his predecessors had 'possessed and enjoyed' this office 'beyond all memory of man' and because 'through their authority, help and assistance, the tenants and inhabitants of the said lordship and barony have hitherto continued in most steadfast obedience and service to us and our predecessors, the archbishops of Glasgow.'⁸⁵ This gave Lennox the right to try criminal as well as civil cases within the lordship and barony, both inside and outside the burgh.⁸⁶ Here again, the archbishop worked with Lennox in order to govern the burgh. This second charter also acknowledged the role that the Duke had played in ensuring peace and loyalty to the crown amongst the inhabitants of the burgh and barony since Spottiswood's appointment. These charters show that Ludovick held legal rights in relation to Glasgow, even from the distance of his English estate at Richmond, until his death in February 1624. This arrangement meant that the exercise of royal and

⁸² Calderwood, *History*, vii, 197-8, 203.

⁸³ NRS, Montrose papers, GD220/1/G/2/3/4, 'Articles agreed between the Duke of Lennox and James, Archbishop of Glasgow' (1619).

⁸⁴ 'Charter by James, Archbishop of Glasgow, disposing to Ludovick, Duke of Lennox, the office of bailliary and justiciary of the Barony and Regality of Glasgow. Edinburgh, 7 August 1621', in Marwick, *Charters*, ii, 314-322.

⁸⁵ *Ibid.*, 315.

⁸⁶ *Ibid.*

archiepiscopal power in the town was reinforced by private noble power until the end of James' reign.

The Burgh and its Kirk following the return of the Archbishop, 1603-1625

Spottiswood was able to be more decisive in his dealings with the Kirk following his return as archbishop. He swiftly established his authority over the church courts of the Glasgow presbytery, Clydesdale synod and the town's High Kirk session. However, in doing so, he met with resistance from the serving ministers on the presbytery. When the Five Articles of Perth were introduced in 1618, they engendered further resistance amongst the ministry and overall there is clear evidence of ministerial opposition to the crown's programme of ecclesiastical reform in Glasgow between 1603 and 1625. These findings contrast with the view put forward by Margo Todd, who has argued that that most ministers welcomed the re-establishment of episcopacy and consequent introduction of a system of 'presbytery within prelacy' after 1600.⁸⁷ Todd based her argument upon an analysis of the career of one bishop in particular, the aforementioned Bishop of Galloway, William Cowper, who was the brother of the Glasgow High Kirk minister John, discussed in chapter 2. She highlighted Cowper's 'zealous' reform work as minister of Perth between 1595 and 1612 and argued that even after he became a bishop, he continued to encourage Presbyterian practices there.⁸⁸ In 1614, for example, he allowed the Perth presbytery to nominate a new minister and throughout his life he encouraged lay participation in Kirk discipline and catechism by the lay elders of the kirk session.⁸⁹ Pearce, mirroring Todd's views, has suggested that in Glasgow and the surrounding area, John Spottiswood's arrival as archbishop was accepted by the ministers of the presbytery 'stoically ... as something of a *fait accompli* ... unlike the vociferous presbyterial protests and initial refusals to comply with the decree which emanated from other particular quarters of the kingdom' and that 'resistance to Spottiswood's appointment as constant moderator of the Glasgow presbytery was ... non-existent or at least muted.'⁹⁰ Alan MacDonald has offered a slightly different view, arguing for an evolution in attitudes over time and suggesting that, for many clergy, the episcopate was acceptable in 1602 but not by 1610.⁹¹ This was because during that period, wide-ranging powers were transferred to the bishops, at the expense of the pre-existing presbyterial system. James established the

⁸⁷ Todd, 'Church and Religion', 115-6; Todd, 'Bishops in the Kirk', 300-312.

⁸⁸ Todd, 'Bishops in the Kirk', 302-6.

⁸⁹ *Ibid.*, 306-7.

⁹⁰ Pearce, 'John Spottiswoode', 121, 123, 128-9.

⁹¹ MacDonald, *The Jacobean Kirk*, 182.

bishops' dominance over the commission of the General Assembly, and then abolished it; increased their wealth; granted them sole power over paying stipends, parochial visitation, examination of ministers, the granting of benefices and the prosecution of Catholics; created two archiepiscopal courts of High Commission in 1610 under the archbishops of Glasgow and St Andrews, and dramatically reduced meetings of the general assembly after 1603.⁹² This stirred up resistance amongst the clergy, which is especially noticeable in Glasgow.

Spottiswood's personal attitude to the Presbyterian system was an added factor in the emergence of resistance in Glasgow, as he was particularly antagonistic. Each bishop differed in their interpretation of the role and their impact on the attitudes of clergy, and they should therefore each be treated individually when trying to determine their influence. McCallum has shown that ministers' individual preoccupations determined the different foci of individual kirk sessions.⁹³ In the same way, we should not generalise about the nature of 'prelacy within presbytery'. Julian Goodare has recently highlighted the difference between the attitudes of Spottiswood and William Cowper concerning the ideal relationship between episcopacy and presbytery. Spottiswood has been described as a 'zealous' Presbyterian during his time as minister of mid-Calder,⁹⁴ but Goodare showed that he came to support episcopacy in response to the attempted Edinburgh ministerial *coup* of December 1596.⁹⁵ He subsequently began to fear the insurgent potential of Presbyterianism and by early 1597 had decided that the two systems of church government could not peacefully coexist.⁹⁶ Spottiswood even criticised Cowper directly, because he 'affected too much the applause of the popular.'⁹⁷ His well-known advice to the king in March 1610 is usually cited as evidence of his attitude to Presbyterianism after 1597. He stated that: 'wer it gud to use the opportunitie to cutt tham [presbyteries] schort of thair power, and leave tham a bare name, quhiche for the present may please, but in a litle tym sal evanische,' and he put this ideology into practice in Glasgow.⁹⁸

As has been noted, Spottiswood was appointed as Archbishop of Glasgow in April 1603 but did not arrive in the burgh until January 1605. He established himself as the constant

⁹² *Ibid.*, 180-5; MacDonald, 'James VI and I, The Church of Scotland and British Ecclesiastical Convergence', 889-90.

⁹³ McCallum, *Reforming the Scottish Parish*, 229; McCallum, 'The Reformation of the Ministry', 310.

⁹⁴ See Pearce, 'John Spottiswoode', 31-2 for quotation. Spottiswood succeeded his father, also John, as minister of mid-Calder in December 1585 and served at least until joining the second Duke of Lennox on his ambassadorial visit to France in 1601. See A. S. Wayne Pearce, 'John Spottiswoode' (1565-1639), *ODNB* (Oxford, 2004).

⁹⁵ J. Goodare, 'How Archbishop Spottiswoode Became an Episcopalian', *Renaissance and Reformation*, 30 (4) (2007), 83-103.

⁹⁶ *Ibid.*, 96-7.

⁹⁷ Spottiswood, *History*, iii, 258, cited in Goodare, 'How Archbishop Spottiswoode Became an Episcopalian', 96.

⁹⁸ *OLEAS*, i, 235. Goodare, 'How Archbishop Spottiswoode Became an Episcopalian', 96; Pearce, 'John Spottiswoode', 123.

moderator of both the Glasgow presbytery and the Clydesdale synod at the controversial December 1606 General Assembly in Linlithgow.⁹⁹ By that time, the Glasgow presbytery already had a history of opposition to episcopacy and both the presbytery and the Clydesdale synod resisted Spottiswood's appointment. In July 1598, for example, the presbytery had responded to news of James Beaton's planned restoration by ordering that 'ane grieff' be presented at the upcoming Convention of Estates at Falkland, in order to determine the 'manir and form of the said restitution and redress to be cravat of the same.'¹⁰⁰ In June 1599, the presbytery sought the advice of the leading opponent of episcopacy, Andrew Melville, then principal of St Mary's College, St Andrews, by asking him to recommend one of his students to enter the ministry in Glasgow.¹⁰¹ In September 1600, the presbytery sent a commission to the upcoming General Assembly in Edinburgh to argue for the retention of pensions for the ministers and funding for schools, which were provided from the archbishopric, should James Beaton be restored at the November Parliament.¹⁰²

While there was clearly some trepidation within the presbytery about the return of the archbishop, the ministry within the burgh itself was in a weak position to offer resistance to Spottiswood's policies, as immediately prior to his arrival in the burgh, they suffered two setbacks in quick succession. John Cowper died towards the end of 1603 and by October 1604 the elderly minister David Wemyss had resigned his charge.¹⁰³ This meant that by the end of the year there were no permanent ministers serving the High Kirk parish. After Cowper's death, the town was home to just two ministers and between October and December 1604, there seems to have been only one, the Tron Kirk minister John Bell.

Further evidence that the presbytery was hostile to episcopacy at the time of Spottiswood's arrival in Glasgow can be seen in their attempts to find a replacement for John Cowper.¹⁰⁴ During 1604, the presbytery requested that Robert Bruce be appointed as a temporary replacement for Cowper in the High Kirk parish. Bruce was a constant critic of royal ecclesiastical policy and the crown's re-introduction of bishops to the Kirk.¹⁰⁵ Although Bruce had enjoyed a role in government during James VI's marital visit to

⁹⁹ A. MacDonald, 'Ecclesiastical Politics in Scotland: 1586-1610,' (University of Edinburgh PhD thesis, 1995), 28, 89.

¹⁰⁰ CH2/171/32/270; *RPS*, 1598/6/17, 'Act in favour of [James Beaton], archbishop of Glasgow'.

¹⁰¹ CH2/171/33/59.

¹⁰² CH2/171/33/264-5; *RPS* 1600/11/70; 'Act of Parliament, ratifying to James Archbishop of Glasgow his restitution to his whole heritages and possessions'.

¹⁰³ CH1/171/3/272, 278-9.

¹⁰⁴ Pearce has made this point. Pearce, 'John Spottiswoode', 118.

¹⁰⁵ See for example, J. Reid-Baxter, 'Presbytery, politics and poetry: Maister Robert Bruce, John Burel and Elizabeth Melville, Lady Culross', *RCHS*, 34 (2004), 6-27, at 6-7. In September 1624, James VI wrote to the Privy Council about Bruce, ordering that: 'He neyther preach, make feastes, nor visites; and in case of breach, to be presentlie sent to Inverness. Wee thinke it neyther convenient nor tolerable that he who opposeth him selfe against all Byshoppes should play the part of an universall Byshoppe, and lyke an Apostle go frome place to place preaching the Gospell.' *OLEAS*, ii, 837. Mullan, *Scottish Puritanism*, 17-8.

Denmark in 1589-90, he had refused to accept the king's account of the Gowrie conspiracy in 1600. By 1604 he was decidedly *persona non grata* in James' eyes and had been placed under house arrest on his estate in Airth, in Stirlingshire.¹⁰⁶ Pearce has gone so far as to suggest that by inviting Bruce to preach, the Glasgow presbytery was committing an act of open rebellion against the crown.¹⁰⁷ The presbytery's requests began in January 1604, when it recorded that:

The presbytery thinks good that Mr Robert Bruce be requested to come to Glasgow to preach God's word to the people within this town ... for a tyme while God provide a minister to the said town.¹⁰⁸

This appeal was repeated the following month. At the same time, the two remaining Glasgow ministers, David Wemyss and John Bell, some other ministers from local parishes and the moderator designate of the presbytery, Robert Scott, were called upon to visit Bruce in person to try and persuade him to come to Glasgow.¹⁰⁹ In April of that year, William Struthers, a Glasgow University graduate who was waiting for a vacant charge, and Archibald Hamilton, the minister of Rutherglen, were also asked to preach in the Blackfriars' Kirk as temporary replacements for Cowper, while in August, the presbytery again asked Bruce to preach.¹¹⁰ These appeals do appear to have met with some success, as Bruce preached in the High Kirk at least once, on 22 July 1604.¹¹¹

A permanent replacement for Cowper was eventually found in December 1604, when the presbytery admitted Robert Scott as Glasgow's second minister. This was done not more than a couple of weeks before John Spottiswood's arrival in the burgh.¹¹² His appointment provides further evidence of the presbytery's dissenting nature at that time. Scott had been educated at Edinburgh University under the tutelage of Robert Rollock and Charles Ferme and had been a classmate there of David Calderwood and Robert Boyd of Tochrig, who would be appointed principal of Glasgow University by the king in 1614.¹¹³ MacDonald has argued that the educational and political climate in Edinburgh during the 1590s had a radicalising effect on ministers and university personnel living there, and this was the period in which Scott was a student. In particular, MacDonald credited the teaching provided by

¹⁰⁶ Reid-Baxter, 'Presbytery, politics and poetry', 6-7.

¹⁰⁷ Pearce, 'John Spottiswoode', 118.

¹⁰⁸ CH2/171/1/3/263.

¹⁰⁹ CH2/171/1/3/263A.

¹¹⁰ CH2/171/1/3/266, 268; Pearce, 'John Spottiswoode', 118.

¹¹¹ CH2/171/3/274.

¹¹² CH2/171/3/279.

¹¹³ University of Glasgow Special Collections [UGSC], Wodrow MS 1201, 'Collections on the Life of Mr Robert Scott, Minister of Glasgow', 1-4; D. Laing (ed.), *A catalogue of the graduates in the Faculties of Arts, Divinity, and Law, of the University of Edinburgh, since its foundation* (Edinburgh, 1858), xi, 12, 14, 16; A. MacDonald, 'David Calderwood: The Not-so-hidden years, 1590-1604', *SHR* (Apr., 1995), 69-74, at 70.

Ferne, who went on to become one of the rebel ministers who attended the illegal General Assembly at Aberdeen in July 1605, with helping to create a new, radical generation of Edinburgh-educated ministers, of which Scott appears to have been one.¹¹⁴ He graduated from Edinburgh University in August 1595 and appeared on the roll of *lauretae* there as *minister verbi* in July 1597 and 1598. He was also a regent at Edinburgh during the academic year of 1598-9.¹¹⁵ It is therefore likely that he witnessed the attempted ministerial *coup* of December 1596 and the same controversial proceedings of General Assemblies, Parliaments and Commissions of the General Assembly as David Calderwood. MacDonald credited these experiences with helping to shape Calderwood's later religious radicalism.¹¹⁶

Because of these anti-Episcopalian sympathies within the presbytery, it is not surprising that the ministers opposed Spottiswood after his arrival in Glasgow. On 23 January 1605, Spottiswood sent a letter to the king describing the attitude of Glasgow's ministers to his appointment at that time. He stated that:

Lest I suld want matter of exercise, thai [the ministers] begin in this Citie, by privat counsels and publick spechis in pulpit, to do qhat thai can for my disgrace, and will nedis, because I haif toppit this matter (for so thai speik), bend all thair forcis against me.¹¹⁷

The Glasgow presbytery and Synod of Clydesdale would remain a thorn in Spottiswood's side for at least the next three years. In June 1607, the presbytery protested to the Clydesdale synod that Spottiswood was frequently absent from Glasgow and negligent in his duties as constant moderator. The synod responded by empowering the presbytery to summon Spottiswood to appear before it in the Blackfriars' Kirk the following month:

And there to accuse him of his non-residence, and for his discharge of his office in the ministrie of the Kirk of Glasgow, and for his not subscriyving of the caveats of the General Assembly ... and anent another grief notishit be thame, and offence in his person that can be laid to his charge.¹¹⁸

Pearce has noted that the additional 'grief notishit' was never elaborated upon, but it is clear that the synod was unhappy with Spottiswood's absenteeism.¹¹⁹

¹¹⁴ MacDonald, 'David Calderwood: The Not-so-hidden years', 70; MacDonald, 'Ecclesiastical politics', 360.

¹¹⁵ Laing *A catalogue of the graduates in the Faculties of Arts, Divinity, and Law*, xi, 12, 14, 16; *Fasti*, iii, 456; UGSC, Wodrow MS 1201, 1-4.

¹¹⁶ MacDonald, 'David Calderwood: The Not-so-hidden years', 70, 74; Goodare, 'The Attempted Scottish Coup of 1596'.

¹¹⁷ *OLEAS*, i, 12; Pearce, 'John Spottiswoode', 120.

¹¹⁸ J. Robertson et al., *Maitland Miscellany*, 5 vols (Edinburgh, 1833-47), i, part 2, 409. Kirk, *Patterns of Reform*, 443.

¹¹⁹ Pearce, 'John Spottiswoode', 129.

In August 1607, James VI called upon James Hamilton, the first Earl of Abercorn, to browbeat the Clydesdale synod into accepting Spottiswood as its constant moderator. In a letter to James that month, Abercorn noted the opposition that had greeted him in this endeavour, but added that, after threatening the ministers with imprisonment and dissolution, ‘the hail synod (twa onlie accepted) voittit to his [Spottiswood’s] acceptation.’¹²⁰ The following April, James again ordered a local landowner to oversee the business of the synod and ensure its obedience. He wrote to Sir John Houston of Houston, the recently-appointed provost of Glasgow, and ordered him to ensure that ‘nothing be moved therein prejudiciall to the Actis of the Generall Church, bot speciallye any thing whiche might be derogatorye to the Actis concludit at the Linlithgow Assemblie.’ (meaning the acts establishing bishops as constant moderators).¹²¹ Again, Houston succeeded in this task, but the king clearly perceived a threat of opposition and turned to heavy-handed tactics.

There is also some evidence that Spottiswood established his authority over Glasgow’s kirk session and met with resistance there. After his arrival, he appears to have expanded the jurisdiction of the archbishop’s commissary court so that it could prosecute slander cases, which had previously been one of the session’s responsibilities. This stimulated a protest and on 24 March 1606, the session ‘appoint[ed] the ministers to pass to the commissary, and desire he medle not with any slanders in this burgh, the deciding whereof has been handled these thirty-six years by the session, ever since the Reformation.’¹²² Similarly, in October 1609, Spottiswood permitted Glasgow’s ministers to choose the elders and deacons of the session. This indicates that he had been doing this himself since his appearance in the burgh, perhaps to dilute the influence of hard-line opponents.¹²³

The arrival of Robert Boyd of Tochrig as principal of Glasgow University in October 1614 helped to foster resistance to royal ecclesiastical policy there. Boyd was by that time already highly-respected for the academic and disciplinary programmes that he had introduced while Professor of Divinity at the Huguenot Academy of Saumur in France, and was well-regarded in France as a Latin poet.¹²⁴ The king appointed him following a government visitation the previous year which had found a deterioration in academic standards and evidence of corruption under Patrick Sharp, who was principal from 1585 to 1613.¹²⁵ Sharp was himself a supporter of Spottiswood, and the latter had singled him out

¹²⁰ J. Maidment (ed.), *Letters and state papers during the reign of King James the Sixth* (Edinburgh, 1838), 118; Pearce, ‘John Spottiswoode’, 129-131. The two dissenting ministers were William Simpson, the minister at Dumbarton and Edward Bryce, the minister at Drymen.

¹²¹ *OLEAS*, i, 126-7. Pearce, ‘John Spottiswoode’, 132.

¹²² Wodrow, *Biographical Collections*, II.ii, 55.

¹²³ *Ibid.*, 52.

¹²⁴ S. J. Reid, ‘The Parish of Govan and the Principals of the University of Glasgow, 1577-1621’, *Friends of Govan Old lecture series* (8), 1-23, at 17.

¹²⁵ Reid, *Humanism and Calvinism*, 244-5.

for special praise in his letter to the king in January 1605.¹²⁶ By appointing Boyd, James created problems for himself by, in effect, turning the university into a hot-bed of opposition where previously it had been wholly supportive of the crown. It is hard to know why James appointed a principal so opposed to his ongoing programme of church reform, particularly as letters that Boyd exchanged with colleagues in both Scotland and France suggest that he was against the re-introduction of bishops into the Kirk even before his return to Scotland. In May 1609 for example, John Johnston, then Professor of Divinity at St Andrews University, wrote to Boyd at Saumur describing recent events in the church. The letter was conspiratorial in tone, suggesting that the two men were both similarly opposed to the re-establishment of episcopacy, and Johnston mentioned tension in Scotland between the bishops and some of the ministers. He wrote: 'The old course is going on. This very same time there is a conference at Falkland ... betwixt the bishops and some of the sincere ministry ... there is no power given to conclude anything, but to report to the next Assembly, whilk is uncertain.'¹²⁷ Johnston and Boyd both clearly saw themselves as members of the 'sincere ministry', and opposed to royal policy. Boyd's own attitude to the role of bishops in the Kirk is laid out even more clearly in a letter he wrote during a visit to Scotland in July 1610 to Phillippe Du Plessis-Mornay. Du Plessis was the governor of the town of Saumur and founder of the Huguenot academy there, where Boyd at that time was Professor of Divinity. He was also a *monarchomach* who condoned tyrannicide in certain circumstances.¹²⁸ Boyd explained that although he wanted to return to France, he needed to remain in Scotland because of 'incidents and circumstances which are like to draw out my business to more length and suspense than I wish for.'¹²⁹ He then went on to say:

Our king is resolved at all ventures more and more to establish through all his countrys and kingdoms the Episcopal hierarchy, and in consequence to overturn the discipline of our church. This is what all the good people in the country deplore and lament, and very justly, as a desolating stroke and the true way to force in among us, with Popery, Atheism, ignorance and impiety, and to open a door to a total dissolution, since this was the only discipline duly and well-observed in Scotland authorised by the laws and statutes of the realm.¹³⁰

As early as 1610 therefore, Boyd seems to have been a hard-line Presbyterian and committed to resisting James VI's reforms. His correspondence with a *monarchomach* like Du Plessis casts Boyd's sympathies in a radical light. The king was surely unaware of these views or

¹²⁶ *OLEAS*, i, 12. Pearce, 'John Spottiswoode', 120.

¹²⁷ Wodrow, *Biographical Collections*, II.i, 80-1.

¹²⁸ For Du Plessis-Mornay's views on tyrannicide and the authority of the French king, see R. Giesey, 'The Monarchomach Triumvirs: Hotman, Beza and Mornay', *Bibliothèque D'Humanisme et Renaissance*, 32 (1) (1970), 41-56.

¹²⁹ Wodrow, *Biographical Collections*, II.i, 83.

¹³⁰ *Ibid.*, 84.

would not have appointed him as principal at Glasgow. Perhaps James simply saw him as the best qualified candidate, whose educational credentials outweighed his political leanings.

Boyd improved intellectual standards at Glasgow and was admired by his students, but from 1618 he also cultivated resistance to the Perth Articles amongst the staff and students there. The High Kirk minister, Robert Scott, became a regent at Glasgow University in 1618 and together with Boyd made a strong impression on its young graduates and regents, including John Livingstone (graduated 1621), Robert Blair (1614) and David Dickson (1610), all of whom would go on to become the inspiring conventicle preachers of the Presbyterian revival of the 1620s and 1630s.¹³¹ Blair and Livingstone's autobiographies survive and they indicate the extent to which they were mentored by Boyd and Scott. Livingstone took on preaching duties in the High Kirk in Scott's absence, for instance, and Blair seems to have occasionally preached at Govan as a replacement for Boyd.¹³² Blair found Boyd's 1614 inaugural speech as principal particularly inspirational and wrote in his autobiography: 'From that day my heart was knit to that learned and holy man, in whose hand the lord had put, as it were, the key of my heart to open it to the Lord.'¹³³ These episodes indicate that student-teacher relationships at Glasgow University were one of the ties that bound together a group of clergy who were resistant to royal supremacy in the Kirk. Scott and Boyd remained lifelong friends until the latter's death in 1627.¹³⁴

The university's antagonism to royal ecclesiastical policy came to a head in April 1621, when Blair and Livingstone, along with some of their fellow students, publicly challenged the authority of Archbishop James Law in Glasgow's High Kirk by refusing to kneel for communion. Law removed them from the communion table in an off-hand manner and Boyd admonished the archbishop, saying that 'he dealt with the matter as [if] he had been removing his house boy from the by-board.' As Law tried to respond, Boyd cut him short, saying 'I will not sit in Rome and strive with the Pope.' Boyd then invited the students to take communion seated in his parish church of Govan the following day. For this he had no choice but to resign as principal and subsequently retired to his estate at Tochrig.¹³⁵

Robert Boyd was succeeded as principal of Glasgow University by another royal appointee, John Cameron, who, like his predecessor, had been a distinguished scholar in France and a professor at Saumur. James did not make the same mistake that he had with

¹³¹ Innes, 'Preface', *Munimenta*, iv, lviii; J. Livingstone, *A brief historical relation of the life of Mr. John Livingstone* (Edinburgh, 1848), 74-5; L. E. Schmidt, *Holy Fairs: Scotland and the making of American Revivalism* (Cambridge, 2001), 21-32; Reid-Baxter, 'Presbytery, politics and poetry', 7.

¹³² Blair, *Autobiography*, 19; Livingstone, *A brief historical relation*, 73-5.

¹³³ Blair, *Autobiography*, 10. Reid, 'Parish of Govan', 17.

¹³⁴ UGSC, Wodrow MS 1201, 1-4.

¹³⁵ Blair, *Autobiography*, 19, 36; Wodrow, *Biographical Collections*, II.i, 160-2. Reid, 'Parish of Govan', 19-20.

Boyd and Cameron's appointment marked the return of the university to royal, pro-episcopal oversight. But dissenters remained amongst the regents and students. Before his arrival in November 1622, Cameron wrote a letter to King James emphasising his support for divine-right monarchy and in January 1623 he insisted that an oath of fidelity to the king be taken by all university officials, which acknowledged royal supremacy over the Kirk. He also ordered prayers to be said by students every morning and evening for the king and the royal family.¹³⁶ Despite this new regime, Robert Blair, who had been appointed to a professorship of philosophy at Glasgow, engaged Cameron in a series of public debates over issues including the doctrine of justification by faith alone, the precedent for the keeping of Yule days in the writings of Augustus, Blair's own dictates on Aristotle's *Ethics and Politics* and, perhaps most tellingly, Cameron's supposed Arminianism and Blair's apparent lack of respect for royal authority.¹³⁷ Although Cameron was able to force Blair's resignation, he was unable to settle at Glasgow and stayed for one torrid year before resigning himself in the spring of 1623. The principalship of the university then remained vacant for almost three years. The royal candidate for the position, John Strang, a cousin of Archbishop James Law, was eventually installed by Charles I in 1626.¹³⁸

The town's serving ministers each responded differently to the return of episcopacy and the introduction of the Five Articles of Perth. Only Robert Scott and John Bell appear to have served Glasgow's two urban parishes consistently between 1604 and 1621. William Struthers, who would go on to become the minister of St Giles' in Edinburgh, also temporarily served as the minister of the Blackfriars' Kirk from 1612 until 1614, assisting Scott in the High Kirk parish. He had graduated from the University of Glasgow in 1599 and contributed to the weekly exercise of doctrine on the Glasgow presbytery between 1604 and 1607.¹³⁹ It has already been noted that the university principal Patrick Sharp was one of Spottiswood's steadfast adherents and a supporter of royal policy. In contrast, Robert Scott was most resistant to crown policy. In June 1617, he was one of the rebel ministers who signed a protestation drafted by the Edinburgh minister Peter Ewart, which attempted to defend the Kirk's liberties against planned legislation designed to establish royal supremacy.¹⁴⁰ In 1619, he fasted and prayed with both Bruce and Boyd at a clandestine meeting at Bruce's house in Monkland where, according to Robert Wodrow, Bruce was visited 'by many ministers of the greatest piety.'¹⁴¹ This seems to have been an example of

¹³⁶ L. W. B. Brockliss, 'Cameron, John (1579/80–1625)', *ODNB* (Oxford, 2004).

¹³⁷ Blair, *Autobiography*, 41-5.

¹³⁸ Wodrow, *Biographical Collections*, II.ii, 202.

¹³⁹ A. MacDonald, 'Struthers, William (c.1578–1633)', *ODNB* (Oxford, 2004) [<http://www.oxforddnb.com/view/article/55910>, accessed 12 Dec 2014] quotations are taken from this article.

¹⁴⁰ Calderwood, *History*, vii, 256.

¹⁴¹ UGSC, Wodrow MS 1201, 2.

a conventicle meeting, indicating the participation by Glasgow clergy in an emerging dissenting movement.¹⁴² In March 1620, Scott was prosecuted for his non-conformity to the Perth Articles, sentenced by the High Commission and deprived of his ministry. The following month, he appeared before the diocesan synod led by Archbishop Law, who ordered Scott to adhere to the Articles. Law demanded that Scott ‘resolve better’ to which he replied that he was ‘resolved already’, a response which resulted in Law depriving him of his ministerial charge.¹⁴³ Scott was swiftly reinstated as a minister in Glasgow after this episode, probably because he was a capable and popular minister in a town where the population was growing fast, and in which John Bell was the only other serving clergyman.

The Tron Kirk minister John Bell was far more supportive of the crown’s agenda of ecclesiastical reform. In December 1606 he was one of the ministers handpicked by the king to attend the controversial General Assembly at Linlithgow, which endorsed constant moderators for the presbyteries. The Linlithgow assembly was seen as illegal by the non-conforming ministers. Robert Scott did not attend that assembly, although neither did he subscribe to a protestation against episcopacy compiled in July of that year.¹⁴⁴ However, he did attend the only slightly less closely-managed assembly of 1608, also held at Linlithgow, for which ministers were for the most part nominated by the king. Bell did not attend that assembly but he did attend the one held at Glasgow in June 1610, which was entirely nominated by the crown, moderated by Spottiswood and which fully re-established the authority of the episcopate in ecclesiastical affairs.¹⁴⁵ During the same year, he was also appointed to sit on the first court of High Commission.¹⁴⁶ On 15 June 1619, he was reappointed to the renewed High Commission, which was granted greater power to punish dissenters from the Perth Articles.¹⁴⁷ Confusingly, during 1622 he seems to have displayed some resistance to the Articles, first by appearing as a witness in support of David Dickson, the minister of Irvine, during his prosecution for refusing to adhere to them and then by administering communion to seated parishioners in Glasgow’s Blackfriars’ Kirk.¹⁴⁸ This may indicate that Bell had changed his mind about royal ecclesiastical policy by 1622, but

¹⁴² For the long history of private conventicle meetings in the Scottish Kirk, first mentioned in Knox’s *History* as existing in the 1550s, see A. Ryrie, ‘Congregations, Conventicles and the Nature of Early Scottish Protestantism’, *Past & Present*, 191 (2006), 45-76. For their endurance as a vehicle for dissent from orthodoxy into the late seventeenth century, see N. McIntyre, ‘Saints and Subverters: the later Covenanters in Scotland c.1648-1682’ (unpublished University of Strathclyde PhD thesis, 2016), chapter 4, 112-144.

¹⁴³ Calderwood, *History*, vii, 385. Reid, ‘Parish of Govan’, 17-21.

¹⁴⁴ MacDonald, ‘Ecclesiastical politics’, 372.

¹⁴⁵ MacDonald, *Jacobean Kirk*, 144-7; MacDonald, ‘Ecclesiastical politics’, 300, 315.

¹⁴⁶ MacDonald, ‘Ecclesiastical Politics’, Appendix 1 (b), 332-336; Calderwood, *History*, vii, 59.

¹⁴⁷ NRS, GD 3/8/3 (4), ‘Copy of commission under the great seal to try offenders in doctrine in provinces of St. Andrews and Glasgow, 15 June 1619’; Calderwood, *History*, vii, 386, 531.

¹⁴⁸ *Fasti*, iii, 398.

his service on the High Commission throughout the period suggests that he was happy to enforce the crown's policies.

William Struthers, who served in Glasgow's High Kirk parish from 1612 until 1614 before his transfer to St Giles', responded differently again to the Five Articles of Perth. He seems to have personified the internal debate and soul-searching that many ministers endured in response to the king's ecclesiastical reforms. Jamie Reid-Baxter has recently drawn attention to sermons that Struthers delivered in Edinburgh on Christmas Day 1618 and 5 January 1619, in which he berated townspeople there for their resistance to the Perth Articles. His speeches inspired the anonymously-authored *Ane Dialogue betuix Mr James Melville, Mr Walter Balquanquan, Archibald Johnstoune, Johne Smith* of 1619, which denounced Struthers, while providing a highly literary justification for Presbyterian resistance to royal ecclesiastical policy in the process.¹⁴⁹

Struthers' sermons indicate that he had made a spectacular *volte-face* in his attitude to the Perth Articles by the end of 1618. He had initially been in the vanguard of the dissenting faction in the Kirk. In June 1617 he was selected by nonconformist ministers, along with Peter Ewart, to draft that year's protestation to Parliament. He was also one of the forty-two ministers who signed the final protestation and as punishment, the High Commission removed him from his charge in Edinburgh. This caused Struthers to change his mind regarding royal supremacy in the Kirk and admit his fault upon his knees before the king, which earned him a pardon. As his Edinburgh sermons indicate, he went on to fulsomely support James' ecclesiastical reforms. He even took an active part in the preparation of the Articles during 1618 and, as has been noted, was appointed to serve on the re-empowered High Commission the following year. MacDonald has shown that he later changed his mind again and regretted his support for the Perth Articles. In 1621 he complained that 'The Five Articles which have bred this rent in the Kirk are come from Papists' (despite having helped to author them himself) and in January 1630, he wrote a letter to the Earl of Airth stating that episcopacy and the Articles were 'two woundes' under which the Kirk 'layes groning' and warned of 'a dissipatione of the church' if a third wound were to be inflicted.¹⁵⁰ His early radicalism can perhaps be attributed to his experience in Glasgow. He attended

¹⁴⁹ J. Reid-Baxter, 'Posthumous Preaching: James Melville's Ghostly Advice in *Ane Dialogue* (1619), with an Edition from the Manuscript', *Studies in Scottish Literature*, 43 (1) (2017), 70-101, at 72-3, 74-9.

¹⁵⁰ J. Haig (ed.), *The Historical Works of James Balfour*, 4 vols (Edinburgh 1825), ii, 181-4 and Calderwood, *History*, vii, 461. MacDonald, 'Struthers, William'; It is possible that the 'third wound' referred to is William Laud's plan to introduce the English Prayer book to Scotland without any changes, which was under discussion at the end of 1629. See J-L Kim, 'The Character of the Scottish Prayer Book of 1637', in M. Braddick and D. Smith (eds), *The Experience of Revolution in Stuart Britain and Ireland* (Cambridge, 2011), 18-19.

meetings of the presbytery from 1602 and served with the nonconformist Robert Scott in the High Kirk parish between 1612 and 1614.¹⁵¹

Glasgow's final two ministerial appointments during the reign of James VI were those of Robert Wilkie and Zachary Boyd, both of whom were appointees of the archbishop, James Law.¹⁵² Their careers further underline the resistance in Glasgow to the crown's ecclesiastical reforms but also the complexity of this picture.¹⁵³ Vaugh T. Wells has seen both men as two of the key figures in the wide network of non-conformist Presbyterian churchmen that he identified in Lowland Scotland between c.1580 and 1638.¹⁵⁴ However, Wilkie's reaction to royal policy may have been more ambiguous than this, as he is recorded as having served on the court of High Commission during the 1630s. Zachary Boyd was a cousin of Robert Boyd of Tochrig and was appointed to Glasgow's barony parish in 1623. He had matriculated at Glasgow University in 1601 but later transferred to St Andrews, where he graduated as Master of Arts in 1607. He then joined Robert Boyd at the Academy of Saumur, becoming a regent professor there in 1611. He in fact declined the principalship of Saumur in 1615, before returning to Glasgow to succeed John Blackburn as the minister of the barony parish, where he would remain for the rest of his life. During that period he became both dean and rector at Glasgow University and would bequeath 20,000 marks to the university upon his death in 1653.¹⁵⁵

Robert Wilkie became minister in the Blackfriars' Kirk in Glasgow in 1621. He was the son of William Wilkie, who was a parliamentary shire commissioner for Lanark during the 1580s and 1590s, and was appointed minister of Douglas in 1603.¹⁵⁶ He was a close associate of both Robert and Zachary Boyd and named one of his sons after Zachary. Two of his daughters married the sons of Patrick Sharp and John Bell respectively. A letter written by Robert Boyd when he brought his own son, also Robert, to matriculate at Glasgow University in 1624 describes Wilkie as 'my old friend and condisciple.'¹⁵⁷ Both Wilkie and Zachary Boyd were closely connected to the Boyd family, and displayed resistance to royal policy, but Wilkie also seems to have supported the crown by serving on the High Commission.

¹⁵¹ MacDonald, 'Struthers, William'; Reid-Baxter has described Struthers' trials of conscience in the face of the crown's ecclesiastical reforms, in 'Posthumous Preaching', at 76-7.

¹⁵² By March 1610, bishops carried out all presentations to ecclesiastical benefices. MacDonald, 'Ecclesiastical politics', 228.

¹⁵³ *Fasti*, iii, 398.

¹⁵⁴ Wells, 'Origins', 53-4.

¹⁵⁵ David W. Atkinson, 'Boyd, Zachary (1585-1653)', *ODNB* (Oxford, 2004) [<http://www.oxforddnb.com/view/article/3119>, accessed 16 Dec 2014].

¹⁵⁶ *Fasti*, iii, 398.

¹⁵⁷ Wodrow, *Biographical Collections*, II.ii, 197.

In June 1619, the crown had re-constituted the archbishops' courts of High Commission with added powers. The way in which this was done tells us much about attitudes in Glasgow to royal ecclesiastical policy at that time, and how these were interpreted by central government. Attitudes in Glasgow seem to have been polarising by this time. We have already seen that there was resistance to the restoration of the episcopate, and then to the Five Articles of Perth, across almost the entire period between 1605 and the early 1620s. However, others, both clergy and laymen, seem to have been supportive of royal policy. Several inhabitants of Glasgow were named as members of the High Commission in 1619. The two archbishops, John Spottiswood (St Andrews) and James Law (Glasgow), were the most important, and always needed to be present in order for a ruling to have legal force. Fifty-six members of the Commission were then named altogether, including churchmen supportive of the Archbishop of Glasgow and one lay representative from the town. They included the Tron Kirk minister John Bell; James Hamilton, dean of the chapter of Glasgow; Theodore Hay, the arch-dean of Glasgow; David Sharp, the 'chantour' of Glasgow; William Struthers, the aforementioned former minister of the Blackfriars' Kirk, who was by then minister at St Giles', and James Hamilton, the provost of Glasgow, who is described as the town's 'commissioner.'¹⁵⁸ He was the provost at the time and this last description possibly refers to his role as Glasgow's most recent parliamentary commissioner.¹⁵⁹

David Calderwood saw the renewed High Commission of 1619 as the government's reaction to growing dissent from the Five Articles of Perth.¹⁶⁰ It was also a response to what the king saw as overly lenient treatment of religious dissenters by the Court of Session, which had previously been responsible for overseeing their cases. The new commission declared that:

As it has been complained by the archbishops, bishops and other ministers of his majesties kingdom that invocations and suspensions are frequently granted by the Lords of Counsel and Session to such as be in process before them and other ecclesiastical courts for offences committed, whereby offenders are embolden to continue in their wickedness using then his invocation and suspensions as means to delay their trial and punishment.¹⁶¹

The new commission would have power to:

Summon and call before them all ministers, preachers, doctors, or masters of schools, colleges and universities, and all exhorting and lecturing readers within the bounds forsaied that shall be delated to them. For preaching and speaking in

¹⁵⁸ NRS, GD 3/8/3 (4), 'Copy of commission under the great seal to try offenders in doctrine (June 1619)'.

¹⁵⁹ *RPS*, 1617/5/14, 'Sederunt'; Young, *The Parliaments of Scotland*, i, 314.

¹⁶⁰ Calderwood, *History*, vii, 384.

¹⁶¹ NRS, GD 3/8/3 (4); Calderwood, *History*, vii, 386.

public against the present established order of the Kirk or estate, or against any of the conclusions of the bypast general assemblies of the Kirk; specialle of the Acts of the General Assemblie holden at Perth in the month of August 1618 years.¹⁶²

Despite the clear opposition within Glasgow against the crown's policies for the Kirk, in 1619 the town was also home to a group of clergy and laymen supportive of the archbishop and willing to execute his orders. Attitudes to royal ecclesiastical policy therefore seem to have polarised by that time.

The work of the Kirk in Glasgow, c.1603-1625

Surviving evidence for the activity of the Kirk in Glasgow between Spottiswood's appointment in 1603 and the end of James VI's reign in 1625 is limited when compared with the relative abundance of material that exists for the period between 1583 and 1603. The presbytery records continue to provide information about lay-ecclesiastical relations and the preoccupations of the clergy, although after Spottiswood had established himself as the presbytery's constant moderator, its records became less voluminous and references to Catholics dominate after 1612. This marked a change of focus for the Kirk in Glasgow, which will be discussed below.¹⁶³ Robert Wodrow's edited collections of kirk session extracts also offer limited anecdotal evidence for the activity of the Kirk, while the printed town council minutes provide more systematic detail, albeit from the perspective of the burgh authorities. There is nevertheless enough material to highlight the important role that the church courts continued to play in Glasgow after the appointment of Archbishop Spottiswood in 1603.

One notable feature is that there appears to have remained a close working relationship between the civic and ecclesiastical authorities. In 1604, for example, the kirk session divided the town into a number of sections, each of which was to be administered by a session elder.¹⁶⁴ In 1606, the session ordered a prison to be built in the steeple of the Blackfriars' Kirk and Wodrow described imprisonments there as being 'frequent' between 1608 and 1628.¹⁶⁵ In chapter 2 it was argued that prior to 1603, the kirk session worked hard to persuade the town's bailies to imprison recalcitrant wrongdoers in the tolbooth gaol, but

¹⁶² *Ibid.*

¹⁶³ Pearce has described the Glasgow presbytery as resembling an 'archiepiscopal court' after 1610. Pearce, 'John Spottiswoode', 123.

¹⁶⁴ Wodrow, *Biographical Collections* II.ii, 56. The number of sections was probably twenty. In 1600, the session had divided the town into twenty sections. See chapter 2.

¹⁶⁵ *Ibid.*, 67.

from at least 1606 the session had its own prison. Evidence that the Kirk and the burgh's ruling elite shared similar interests in the governance of the town can also be found in a town council entry for 12 March 1608, which stated that the provost, bailies and council had been 'informed by the ministry of cokalandis [false accusations or calumnies, usually seditious] oft publist and set out in this toune be sum profane and insolent personis, express contrar the actis of Parliament and all Christiene behauieur in reformat commowne weillis.'¹⁶⁶ On 23 April, 1616, the session named a new inquest for trying offenders.¹⁶⁷ There are also several instances in Wodrow's records which show that between 1605 and 1620, the session often requested the assistance of the bailies to monitor the townspeople, and that they were especially concerned about women living alone.¹⁶⁸ Members of Glasgow's town council also continued to attend meetings of the General Assembly. In December 1617, the session appointed a lay commissioner to that year's assembly and paid him twenty merks, while in August 1620, intriguingly, as no General Assembly was held that year, the session apparently recorded payments for two more lay commissioners.¹⁶⁹ These may have been backdated payments for attendance at earlier assemblies.

The collection of poor relief continued to be an area in which the Kirk and the civic administration worked together particularly closely. As was the case between 1583 and 1593, collections were made for Protestant congregations abroad. During 1604 and 1605, for example, the ministers and magistrates called upon parishioners to give money for the church in Geneva.¹⁷⁰ Closer to home, in 1622, a collection was made to repair the bridge at Cathcart.¹⁷¹ Michael Lynch has drawn attention to a fourfold increase in weekly poor relief takings at the church door between the 1590s and the 1630s.¹⁷² In 1598 the average weekly taking was £6, whereas by 1630 it had reached £19.¹⁷³ He noted that, even accounting for inflation, this was a large rise, although population increase should also be taken into account as a factor. These increases at least suggest that an effective system of poor relief collection was maintained in Glasgow during that time. Repair of the cathedral, and other church buildings and kirkyards in the town, also continued after 1603. Two examples of this can be found in 1605, when the elders of the session consulted the principal and masters of the university about repairing the Blackfriars Kirk and collections were raised for repairing the

¹⁶⁶ Marwick, *Extracts*, i, 275.

¹⁶⁷ Wodrow, *Biographical Collections* II.ii, 74; In 1583, the session established an inquest in Glasgow for bringing wrongdoers before the session. See chapter 2.

¹⁶⁸ *Ibid.*, 75.

¹⁶⁹ *Ibid.*, 64.

¹⁷⁰ *Ibid.*, 45.

¹⁷¹ *Ibid.*

¹⁷² Lynch, 'Preaching to the Converted?', 341.

¹⁷³ Wodrow, *Biographical Collections* II.ii, 46-7.

High Kirk. Between 1608 and 1611, further, frequent visitations of the High Kirk were carried out, in order to assess its state of physical repair.¹⁷⁴

The kirk session also retained its jurisdiction over slander cases and dispute arbitration. It has already been noted that in March 1606, the session complained that the archbishop had ‘medl[ed]’ with their jurisdiction for overseeing slander cases by transferring this to his commissary court.¹⁷⁵ This does seem to have been restored to the session, as a number of instances can be found of it overseeing slander cases after that date. In November 1608, for example, the session found caution for John Robeson, a baxter, who had slandered both Margaret Park, a woman who had been burned to death, possibly for witchcraft, and a man whom he said deserved the same fate. This incident was recorded by the town council, which reported that in dealing with the case, it had adhered to the ordinances of the session.¹⁷⁶ In April 1609, the session mentioned that a ‘book of slanders’ was being kept.¹⁷⁷ In May 1618, the session ordered that ‘bammers [fools] and swearers’ pay eight shillings for their first fault; this was then doubled for the second fault and tripled for the third, which provides further evidence that the session had taken back responsibility for verbal offences by that date.¹⁷⁸

The session’s penalisation of Sabbath breach also continued. During 1608, it ordered that women should stop meeting together on the Sabbath in time of sermon, and ‘that no hostler sell drink, wine or ale, in time of sermon, under the pain of 20 shillings.’¹⁷⁹ Litsters [dyers] were warned for working on the Sabbath in February 1613, while the fleshers were similarly ordered not to do so in November 1619, October 1622 and December 1630.¹⁸⁰ In March 1625 a man was accused of encouraging people to play ‘catch-pole’ in time of sermon. In 1603, 1607 and 1612, parishioners were ordered not to travel to ‘Rugland’ [Rutherglen] to see ‘vain playes’ on the Sabbath.¹⁸¹ This indicates once again that ecclesiastical discipline may have been more effective in Glasgow than in the parishes around the town, although acts forbidding continued celebration of the Yule festival needed to be renewed by the Glasgow kirk session in 1600, 1602, 1604 and 1609, in the last case with the additional comment that ‘no plays or gysings, nor pypings, nor drinking, nor any superstitious exercise be used the days following Yule, on the pain of censure.’¹⁸²

¹⁷⁴ *Ibid.*, 10-11.

¹⁷⁵ *Ibid.*, 55.

¹⁷⁶ Marwick, *Extracts*, i, 296.

¹⁷⁷ Wodrow, *Biographical Collections* II.ii, 59.

¹⁷⁸ *Ibid.*, 73.

¹⁷⁹ *Ibid.*, 35.

¹⁸⁰ *Ibid.*, 36.

¹⁸¹ *Ibid.*

¹⁸² *Ibid.*, 38.

There is also evidence, albeit limited, of corporal punishments being carried out by the session into the 1630s. In 1605, the session declared that fornicators should both pay a fine and stand at the market cross for one day, on a Monday, ‘with a fast band of iron about their craige [neck], and a paper on their forehead.’¹⁸³ In March 1610, all ‘gangers to the cross’ were ordered to stand there bare headed, ‘without cloak or plaid.’¹⁸⁴ Although it falls outside the chronological scope of this study, by December 1635, the kirk session seems to have if anything escalated the severity of its punishments, as Wodrow mentioned that a ‘correction house’ had been built by then, to which both men and women could be taken, ‘to be whipped every day during the session’s will.’ This punishment was mentioned again in March 1639.¹⁸⁵ As far as can be discerned from Wodrow’s limited selection of kirk session extracts, the session continued its work in the town after the arrival of the archbishop, and maintained a similar disciplinary agenda and system of punishment.

There was, however, significant change in the attitude of the Kirk towards Catholics living in Glasgow following the return of the archbishop, with 1612 being the crucial year which marked an increase in intolerance. This should be seen in terms of the archbishop using his right to prosecute Catholics as a way to exercise his archiepiscopal authority in the local area. In particular, he did this to establish authority over dissenters within the Kirk and the burgh’s civic authorities. The 1612 Parliament ratified the acts of the 1610 General Assembly, one of which had granted the episcopate the primary responsibility for prosecuting Catholicism.¹⁸⁶ It was only then that the bishops felt that they had the legal authority to embark upon, in the words of Allan Macinnes, ‘a markedly vindictive phase in the prosecution of Catholic clergy.’¹⁸⁷ As was argued in chapter 2, prior to this date, Glasgow’s civic authorities had adopted a policy of *de facto* religious tolerance toward Catholics living in the burgh. This was because the magistrates were more responsive to the dictates of the crown than those of the Kirk and James VI was himself, in general, tolerant of Catholics. On these occasions, the Kirk could expect the support of the magistrates, but because of the ambivalent attitude of the crown, this could not always be relied upon.¹⁸⁸

After the parliamentary acts of 1612, the archbishops embarked upon a more systematic programme of targeting Catholics in Glasgow. This included captured Jesuits and priests, and laypeople. The Scottish Jesuit John Ogilvie was apprehended in the town over the winter

¹⁸³ *Ibid.*, 67.

¹⁸⁴ *Ibid.*

¹⁸⁵ *Ibid.*

¹⁸⁶ *BUK*, iii, 1065-6; *RPS*, 1612/10/8, ‘A ratification of the acts and conclusions set down and agreed upon in the general assembly of the kirk, kept in Glasgow in the month of June 1610’; MacDonald, ‘Ecclesiastical Politics’, 93.

¹⁸⁷ Macinnes, ‘Catholic Recusancy’, 40.

¹⁸⁸ Goatman, ‘Archibald Hegate’, 159-181.

of 1614-5 and executed on 28 February, and these events should be seen in this context of increased persecution.¹⁸⁹ The execution was orchestrated as a very public display of archiepiscopal and government strength and it placed Glasgow's magistracy in the position of having to sentence Ogilvie to death. This forced the magistrates to choose between loyalty to the crown and archbishops and continued adherence to *de facto* religious pluralism.¹⁹⁰ Once the archbishops had parliamentary authority behind them, they could expect greater support from the magistrates in carrying out their prosecutions.

This policy did face resistance in Glasgow, however. In one particularly notable case which began in 1618, James Stewart younger of Flock, the son of the provost at the time, was accused of receiving items for use in the mass from Archibald Hegate's brother, William, who was at the time a professor at the Catholic College of Guienne in Bordeaux.¹⁹¹ The trial was overseen by Archbishop Law, and lasted for almost two years between December 1618 and August 1620. Stewart initially fought his case, before eventually bowing to the authority of the archbishop and seeking reconciliation with the Kirk.¹⁹² His eventual compliance may have been due to his father's influence and his own desire for a quiet life after a long trial.¹⁹³ Therefore, not unlike Spottiswood's execution of Ogilvie in 1615, the trial appears to show Law punishing Catholics in order to exercise his authority over the civic administration in the burgh and in this case, the locally-powerful Stewart family.

Between 1620 and the end of James VI's reign, there are numerous instances of Catholics appearing before the archbishop-led presbytery. In 1620, while James Stewart's trial was ongoing, two merchants, John Schellis and Matthew Adam, the latter another of Ogilvie's earlier supporters during his mission, were called before the presbytery as 'suspect in religion.'¹⁹⁴ Between 1621 and 1626, Duncan Sempill, a ship's captain and prominent town councillor, was repeatedly called upon by the presbytery to subscribe to the Confession of Faith, but he provided a series of excuses, including on one occasion that he was ill and in 1622 that 'there were many things as he allegit in the Confession of Faith that he understood not well [and] craved one month to be further advised.'¹⁹⁵ It seems likely that he was a

¹⁸⁹ Calderwood thought that Ogilvie's execution 'was done to be a terrour to the sincerer sort of the ministrie', Calderwood, *History*, vii, 196. Professor Allan Macinnes' forthcoming article on this subject, 'John Ogilvie SJ: the smoke and mirrors of confessional politics' in Spurlock, Tierney and Goatman, *John Ogilvie SJ and the Jesuit Legacy in Scotland* was unavailable for consultation.

¹⁹⁰ Goatman, 'Exemplary Deterrent'.

¹⁹¹ For William Hegate's career, see J. Durkan, 'A post-Reformation miscellany II', *INR*, 55 (1) (2004), 53-72, at 66-69.

¹⁹² CH2/171/36/129, 152, 160-5, 176-8, 189-91, 197, 201-2, 211-3, 216-9, 223-5, 227-30.

¹⁹³ On 15 March, James Stewart senior appeared before the presbytery to say that his son would confess to receiving a 'buist' and to giving the *agnus dei* to Colin Campbell. See CH2/171/36/196-7. James Stewart senior had been an elder on Glasgow's High Kirk session during the 1580s and 1590s, suggesting that he was a Protestant who was supportive of the Kirk. See chapter 2.

¹⁹⁴ CH2/171/36/168-9.

¹⁹⁵ CH2/171/36/225-6, 258, 282, 294, 324, 349, quotation at 282.

Catholic who was able to avoid prosecution during these years because he was often away at sea. In December 1622, Dame Isobel Leslie refused either to subscribe to the Confession or attend sermon, and was suspected of being a Catholic,¹⁹⁶ while in May 1626 the presbytery complained that Sir William Hamilton of Elistone had recently returned to Scotland from France, since when he had ‘not only professed and allowed himself to be of the Roman religion, but hath also at diverse times and in diverse instances reasoned openlie against the religion presentlie professed and established within the Kingdom of Scotland and has refused to hear the word and participate in the holy sacraments.’¹⁹⁷ After 1612, life became more difficult for Catholics living in Glasgow. But despite the archbishops’ concerted policy of targeting them as a means of increasing their own authority, their presence can be detected in the burgh throughout the remainder of James VI’s reign.

Conclusion

Following John Spottiswood’s appointment as Archbishop of Glasgow in April 1603, he was faced with the challenge of establishing his authority over the burgh authorities and the local church courts, and recouping from the Duke of Lennox the patrimony of the archdiocese that had come into his hands after the annexation of 1587. He enjoyed different levels of success in each of these endeavours, and this had long term repercussions for the burgh. In the first case, Spottiswood did not take up residence in Glasgow until January 1605, when he inherited a modernising civic administration that had been appointing the magistrates for over a year under the provostship of Sir George Elphinstone of Blythwood and was in the process of seeking out the king’s writ giving permission to do so. The political crisis of 1606 provided the archbishop with an opportunity to assert his authority in the town and reclaim the prelate’s traditional right to appoint the magistrates. The town continued to pursue royal burgh status however, and in 1611 the archbishop devolved some of his privileges to the civic authorities via the royal burgh charter of April that year. While this did grant the magistrates and town council significant new powers within the local community, the archbishop continued to appoint the magistrates of the burgh court, including the provost. These events give us an important insight into the way in which urban administrations could accrue power from their feudal superiors. In Glasgow, this did happen between 1605 and 1625, but in a gradual, contingent and protean fashion. In the case of the archbishop’s relationship with the Duke of Lennox, the latter continued to hold many rights

¹⁹⁶ CH2/171/36/284.

¹⁹⁷ CH2/171/36/339.

to the patrimony of the archdiocese until the end of his life. This meant that the two men both held privileges pertaining to the burgh and barony of Glasgow, which occasionally needed to be renegotiated. John Spottiswood enjoyed a closer relationship with Ludovick Stewart than did James Law, and the Duke entrusted Spottiswood to manage his affairs in Scotland in his absence. The relationship between Law and Lennox seems to have been more formal in nature and their respective rights and responsibilities in Glasgow were set out in charters in 1619 and 1621.

When it came to establishing his authority over the church courts, Spottiswood did this swiftly and decisively, but in doing so stirred up resistance amongst the local ministry. This was only aggravated further by the arrival of the dissenter Robert Boyd of Tochrig as principal of Glasgow University in 1614 and the establishment of the Five Articles of Perth in 1618. In their attempts to exercise their authority over both the Kirk and the civic authorities in Glasgow, the archbishops targeted Catholics, including lay people, particularly after the Parliament of 1612. This brought an end to the *de facto* religious tolerance that had endured in the town prior to that date on the part of the magistrates. These developments meant that the period between 1605 and 1625 was one of religious controversy in Glasgow, which saw the attitudes of Presbyterian dissenters, royal supporters and Catholics all become entrenched and polarised. Spottiswood's successes and failures during his time as Archbishop of Glasgow dictated the nature of politics and religion in the burgh until the end of James VI's reign. The next chapter will investigate the ways in which the town's civic administration continued to evolve, increase in complexity and sophistication, and gradually come to exercise a greater degree of authority over the townspeople during that period.

5

Civic Administration, 1605-1625

Introduction

The Letter of Guildry (1605) introduced change across all aspects of Glasgow's civic administration. As has been noted, alongside the king's letter of October 1606, the innovations that it ushered in formed the basis of the burgh's constitution until 1711, when the town council established comprehensive new guidelines for electing the municipal officers.¹ The administration continued to modernise between 1605 and 1625. To a significant degree, this was the result of the various civic institutions responding to demands placed upon them from outside. The Dean of Guild court became a stepping-stone to the office of bailie of the burgh court, meaning that men with specialist administrative experience and knowledge came to fill the office of junior magistrate. The town council also became the most important organ of the administration and an effective conduit for implementing central government policy at the local level. In addition, the town's civic leaders found new ways to collect money for the common good. Overall, a greater number of the town's guild brethren, both merchants and craftsmen, became involved in local government. However, at the same time, the archbishops restricted who was permitted to serve as provost to a small group of trusted men. Broadly, these changes could be described as ushering in, as Michael Braddick has argued in relation to the fiscal-military state in England during the seventeenth century, a system whereby office-holders 'exercis[ed] power based on knowledge and expertise rather than birth and status.'² Similar expansions in civic governance were also taking place in England at this time.³ Robert Tittler, for example, has identified what he describes as a *cursus honorum*, or 'career ladder' which developed in English towns during the second half of the sixteenth century.⁴ In Glasgow during this period, the same can be said of all the branches of the civic administration except the provostship. As a result of these changes, it is possible to observe that an integrated system of administration bearing the hallmarks mentioned above was in place by the mid-1620s. The importance of the 1620s as a key stage in Glasgow's municipal development is perhaps exaggerated by gaps in the records, particularly a long ten-year gap that appears between

¹ Marwick, *Extracts*, i, 234.

² Braddick, *State Formation in Early Modern England*, 429.

³ Withington, 'Two Renaissances', 254.

⁴ Tittler, *The Reformation and the Towns*, 222-3, 242-3.

1613 and 1623, but this chronology does fit with the expansion to the size of the guild at around the same time noted in chapter 3 and the building of the new tolbooth in 1626. This chapter begins by discussing the changes to the nature of the magistracy – the offices of provost and bailie of the burgh court – which took place under the archbishops. It then goes on to examine the personnel who sat on the town council and the relationship that developed within the town after the Letter of Guildry between the new civic institutions of the Dean of Guild’s court and Deacon Convenor’s council and the old institutions of the burgh court, the town council and the common good.

Glasgow’s political elite after the Letter of Guildry: the magistrates

By October 1626, the wider community of the burgh played an important role in the appointment of the bailies of the burgh court. They continued to be nominated by the archbishop, but the ‘comburgesses and whole community of the burgh’ then granted a commission to the men that he had chosen, which gave them their ‘full power and faculty in every respect’ to hold courts in the burgh and uphold the town’s liberties.⁵ This marked a significant delegation of responsibility from the archbishop to the community of the burgh.

The involvement of the whole town in the approval and appointment of the bailies reflected the fact that by 1626 the office of junior magistrate was open to a large number of the guild brethren. This was a significant change when compared with the period before 1605. McGrath showed that between 1574 and 1586, just twelve men dominated the thirty-nine available bailie positions, while chapter 1 in this thesis argued that the magistracy became even more narrowly oligarchic once Walter Stewart of Blantyre began taking responsibility for those appointments after 1588. That chapter also showed that prior to 1606, many of the bailies were landowners and that under the superiority of Walter Stewart and the second Duke of Lennox, links to the Stewart kindred and the Colquhoun family of Luss were particularly important when it came to securing a position as a magistrate.⁶ In contrast, Glasgow’s extant burgh court records show that during the fifteen-year period between 1613 and 1628, twenty-three different men served as bailies.⁷ There were elements of continuity and change in terms of the personnel who filled these positions. TABLE 5.2 in the appendix details the magistrates who served during that time and shows that members of what might

⁵ ‘Commission by the Burgesses and Community of the Burgh and City of Glasgow in favour of Patrick Bell, James Stewart, senior, and William Neilson, junior, as Bailies of the Burgh. Glasgow, 1626’, Marwick, *Charters*, i, ‘Appendix’, dcxxii-dcxxiv.

⁶ See chapter 1.

⁷ TABLE 5.2.

be termed the ‘old’ elite continued to serve, and successfully integrated themselves into the new system of civic administration that existed after 1605. So James Stewart of Flock and his relative, the graduate Mr William Stewart, served as bailies between 1613 and 1628, as did Robert and John Rowat, Matthew Trumble and the cordiner, James Braidwood.⁸ At the same time, new men also began to appear on the magistracy by the mid-to-late 1610s and early 1620s, many of whom had already served prominently as members of the Dean of Guild court. They included successful merchants such as James and Patrick Bell, Colin Campbell and William Wemyss, and craftsmen such as Patrick Maxwell, Thomas Moreson and Walter Douglas.⁹ In almost all cases, these craftsmen had already been prominent members of the Deacon Convenor’s council, and had then been nominated by the council to serve on the Dean’s court.¹⁰ Administrative experience was therefore important in securing these offices. Nevertheless, marriage and kinship relationships also remained a key factor. William Wemyss, who was Dean of Guild in 1611-12 and a prominent bailie and town councillor, was related to the minister David Wemyss (he was possibly his son), for example, while the influential magistrate and merchant George Barclay was married to one of David Wemyss’s daughters, Isobel.¹¹ Campbell and Bell were both members of well-established merchant families. In this way, although the Dean’s court and Deacon Convenor’s council both acted as feeder institutions for the magistracy, administrative experience was not the only qualification needed to serve as a bailie and kinship and marriage ties also remained important.

Although the office of bailie became open to more of the burgesses after 1605, the provostship was closed to them and remained carefully controlled by the archbishops. The nature of the provostship changed after Sir George Elphinstone’s disappearance from the burgh. It was argued in the previous chapter that John Spottiswood’s appointment of Sir John Houston of Houston as provost in October 1607 should be seen in the context of the archbishop’s reliance upon the Duke of Lennox, and his patronage networks, when it came to exercising authority within the burgh and barony.¹² Unlike Elphinstone and Minto, Houston does not appear to have had any prior links to the burgh and his appointment seems to have been solely due to his position as one of Lennox’s servitors.

⁸ TABLE 5.2.

⁹ See TABLE 5.2 and TABLE 5.4.

¹⁰ See Lumsden, *The Trades’ House of Glasgow*, 9, 20, 26-7 and 29 for Maxwell, Moreson and Douglas’ appearances on the Deacon Convenor’s council.

¹¹ GCA, C1/1/6, fo. 8v. In November 1627, John Spottiswood wrote to James Inglis, the provost, to provide him with information about the rights of the Wemyss family in relation to the parsonage of Glasgow. He wrote ‘I was summoned the last day at the instance of some bairns of William Wemyss upon a contract that passed between me and Mr David [Wemyss] at my coming to Glasgow.’ GCA, A1/64/9, ‘Letter from John Spottiswood (Archbishop of St Andrews) to provost of Glasgow, James Inglis, 19 November 1627.

¹² *OLEAS*, i, 126-7, 142, 169; NRS, Montrose papers, GD 220/1/F/8/4/3; Chapter 4.

Permanent change in the nature of the office of provost was ushered in during 1609. In June of that year, a parliamentary act decreed that only ‘burgesses, actual traffickers and inhabitants’ of burghs should serve as provosts or bailies, ‘as is most necessary for preservation of the liberties and good estate of the said burghs and hindering of the dissipation of their common good and perverting of their privileges.’¹³ This has been viewed as a royal response to a series of electoral irregularities which occurred in ten burghs between 1604 and 1609, including Glasgow, where the trouble has been seen as the 1606 crisis, and widespread complaints by towns at interference by noble landowners in their affairs.¹⁴ Michael Lynch has also suggested that the act was a direct response to resistance in the wealthy burgh of Dundee to the crown’s appointment and subsequent support for an unpopular provost, Sir James Scrymgeour of Dudhope.¹⁵ However, as Laura Stewart has noted, the parliamentary legislation stating that burgh magistrates had to be merchant burgesses was part of a wider-reaching act entitled ‘Of the Apparels of judges, magistrates and kirkmen,’ which seems to have aimed at clearer delineation of the status of the parliamentary estates and government officials more broadly, through the regulation of their actions, clothing and modes of display.¹⁶ The act begins by stating the reasons that lay behind it:

The greatness of his majesty's empire, magnificence of his court, fame of his wisdom and justice and of the civility of his subjects has begun already to allure diverse foreign princes and other strangers of all estates to make more frequent repair to his country than ever they did in any preceding age.¹⁷

In light of this, the reasons for the section of the act stipulating that burgh magistrates had to be resident burgesses and merchants may have been part of a more general reform, and simply designed to establish uniformity and good governance across the urban estate.

The 1609 act no longer permitted Spottiswood to maintain a laird such as Houston as provost, so instead he selected James Inglis, a prominent merchant, at the magistracy elections in October of that year. He would continue to appoint him as provost every year until 1613. In 1609, the town council specifically mentioned that Inglis was being appointed in order to ‘conforme to the act of Parliament ordaning that ane actuall resident burgess and traffiquer should bear office of provostrie within all burrows.’¹⁸ After much careful research, conducted in preparation for his volume on the post-1609 provosts of Glasgow, James

¹³ RPS 1609/4/27, ‘Act of the apparel of judges, magistrates and kirkmen.’

¹⁴ Stewart, ‘Politics and Government’, 438-9. The ten burghs were Edinburgh, Dundee, Perth, Dumfries, Annan, Glasgow, Brechin, Montrose, Haddington and Ayr.

¹⁵ Lynch, ‘The Crown and the Burghs’, 64.

¹⁶ Stewart, ‘Politics and Government’, 438-9.

¹⁷ RPS, 1609/4/27.

¹⁸ Marwick, *Extracts*, i, 304.

Anderson determined that James Inglis was most probably the son of Thomas Inglis of Audliston, a merchant burghess from Edinburgh, who had purchased a property on Glasgow's Gallowgate in August 1599.¹⁹ More importantly perhaps in explaining the influential position that Inglis came to hold within the burgh, he was married to Marion Stewart, who was likely related to the Glasgow Stewarts previously mentioned, and therefore part of the wider kinship network connected to Sir Matthew Stewart of Minto.²⁰ When put to the test, Inglis' loyalties certainly lay with Minto. When Sir George Elphinstone's faction brought their case before the Privy Council following Minto's 1606 rebellion, they described him as one of the 'friends and followers of the House of Minto,' alongside Sir Walter Stewart, Minto's eldest son, Mr John Ross, a notary who had worked against the town's campaign to become a royal burgh throughout 1606, James Stewart of Flock, James Hamilton and two merchants, William and Andrew Symmer.²¹

TABLES 1.1 and 5.2 in the appendix show that between 1609 and 1625, the provostship remained in the hands of just four men – James Inglis, James Stewart of Flock, Gabriel Cunningham and James Hamilton. These provosts were all members of landed families, which indicates that the archbishops continued to take advantage of networks of noble and lairdly power when exercising their authority in the burgh. Gabriel Cunningham was the second son of a laird, John Cunningham of Baidland, who was himself a grandson of William Cunningham of Craigends and therefore a distant patrilineal descendent of Alexander Cunningham, the first Earl of Glencairn.²² He did not become a burghess of Glasgow until 1610 and does not appear amongst the conspirators on either side during 1606, which perhaps indicates that he was not living in the burgh at that time.²³ He seems only to have arrived in the town during the period that Spottiswood was archbishop. It has not been possible to discover whom he married. As chapter 1 indicated, James Stewart of Flock was a member of the Minto Stewart kindred and was possibly a younger son of Sir John Stewart of Minto.²⁴ It is likely that in marrying Marion Stewart, James Inglis became part of that family. Inglis may have settled in the burgh at the time that his father bought property there, although there is no record of him becoming a burghess. Yet he must have done so, as his son

¹⁹ Anderson and Gourlay, *Provosts*, 1.

²⁰ *Ibid*; Chapter 1.

²¹ *RPC*, first ser., vii, 242; Marwick, *Extracts*, i, 249-50. If the James Hamilton mentioned in the Privy Council record is the same man who would go on to become provost in 1614, 1621 and 1627, this would indicate that throughout James' reign the archbishops of Glasgow continued to appoint to the magistracy those who had shown loyalty to Minto in 1606. See Anderson and Gourlay, *Provosts*, 1-8.

²² J. Paterson, *History of the County of Ayr: with a genealogical account of the families of Ayrshire*, 2 vols (Edinburgh, 1847), i, 427. Anderson and Gourlay, *Provosts*, 9.

²³ Anderson, *Burgesses and Guild brethren*, 39.

²⁴ See chapter 1.

was admitted by right of his father's status in 1632.²⁵ The appointments of James Stewart and James Inglis to the provostship highlight the continued influence of the Stewart kindred in Glasgow during the 1610s and 1620s.

James Hamilton, who first became provost in 1614, was also the second son of a laird, James Hamilton of Torrence. Either Torrence or his own father had been provost of Glasgow in 1550-1 and a servitor of the Duke of Châtelherault during the 1560s.²⁶ He was certainly a member of the Duke's kindred. James Hamilton became a burgess of Glasgow by right of his father in January 1589-90²⁷ and first served on the town council in 1600, but he does not appear again as a councillor until 1607.²⁸ He then served as a councillor for six consecutive years before becoming a bailie in 1613, and was appointed as provost for the first time the following year. He seems only to have been out of favour for political office in Glasgow during Sir George Elphinstone's provostship. This view is supported by the appearance of a James Hamilton amongst those named as the 'friends and followers of the House of Minto' by the Privy Council in 1606.²⁹ James Hamilton's career in Glasgow provides further evidence that under Spottiswood, many of those who supported Minto were returned to office within the burgh administration and that Elphinstone attempted to usher in a new, albeit short-lived, revolutionary regime in the town during his tenure. Hamilton would prove himself a loyal servant of the crown and as a result was amply rewarded with lands in and around Glasgow. As the previous chapter demonstrated, he served on the renewed High Commission from June 1619. He also received several charters under the Great Seal which granted him lands.³⁰ In August 1609 he received lands within the burgh of Glasgow itself, and in December 1611, together with his wife and heirs, those of Meikill and Little Aikenhead. In January 1616 he was granted the lands of Langside.³¹ John Durkan has noted that Hamilton married twice, both times into well-established mercantile Glasgow families with Catholic connections. His first wife was Elizabeth Adam, the daughter of the successful Catholic merchant Robert Adam and his second wife was Margaret Ross, the widow of Archibald Mure, who was himself the son of the well-known Catholic conspirator Marion Walker.³² These marriage ties serve to underscore the important role that marriage into

²⁵ Anderson, *Burgesses and Guild brethren*, 85.

²⁶ J. Anderson, *Historical and genealogical memoirs of the house of Hamilton; with genealogical memoirs of the several branches of the family* (Edinburgh, 1825), 477-8.

²⁷ Anderson, *Burgesses and Guild brethren*, 19.

²⁸ GCA, C1/1/5, fos 103-4; C1/1/6, fo. 155.

²⁹ *RPC*, first ser., vii, 242 and see n.81 above. A Robert Hamilton is also named; James Hamilton's eldest son was named Robert, see Anderson and Gourlay, *Provosts*, 7, n. 1.

³⁰ NRS, GD 3/8/3 (4), 'Copy of commission under the great seal to try offenders in doctrine in provinces of St. Andrews and Glasgow, 15 June 1619'.

³¹ *RGSS*, 1609-1620, 51, 224, 496-7.

³² Anderson and Gourlay, *Provosts*, 7; Durkan, 'John Ogilvie's Glasgow Associates', 153-70.

influential mercantile families continued to play when it came to securing political office in Glasgow during the 1620s, and highlight the extent to which the network of Catholics who supported the Jesuit John Ogilvie in 1614-5 were linked to members of the town's ruling elite.³³ Given Hamilton's service on the High Commission after 1619, it is unlikely that he was a Catholic himself, or even that his wives were, but the women he married were related to those convicted of Catholic activity.

After 1609, Glasgow's provosts also became the town's only commissioners to Parliament. TABLE 5.3 in the appendix lists all of Glasgow's commissioners to Parliament between 1585 and 1633. It shows that while there was some diversity amongst them prior to 1600, after 1609 this was a position reserved for the provost. Alan MacDonald has recently highlighted the ways in which the opportunities for Scotland's political elite to engage with the king at Parliament and Conventions of the Estates declined markedly after the Union of Crowns.³⁴ This was in contrast to the many Conventions that James VI had called prior to 1603 and was concurrent with a decline in meetings of the General Assembly.³⁵ Only eight Parliaments met after 1603 and only two after 1612. As a result, when Parliaments did convene after 1612, they were better-attended and more politically-charged affairs.³⁶ MacDonald has also argued that burgh commissioners to Parliament were almost always members of their town councils and elected by their peers to represent them, so that they genuinely represented each town's ruling mercantile elite to a greater extent than was the case in other European kingdoms, such as England or Castile.³⁷ He has argued that older, wealthier towns in north-east Fife such as St Andrews, Crail and Cupar placed greater importance on parliamentary attendance than newer burghs like Anstruther Easter and Wester, Kilrenny and Pittenweem, and signified this by sending their most senior burgh officers to Parliament.³⁸ Glasgow does not fit with either of these patterns and the available evidence suggests that the archbishop was able to retain close control over who represented the burgh. Julian Goodare has shown that this resulted in Glasgow supporting the crown's agenda at the controversial 1621 Edinburgh Parliament. The town was amongst a minority

³³ See Goatman, 'Exemplary Deterrent or Theatre of Martyrdom? John Ogilvie's Execution and the Community of Glasgow' in Spurlock, Tierney and Goatman, *John Ogilvie and the Jesuit Legacy in Scotland* for more on the elite status of Glasgow's Catholics at this time.

³⁴ A. MacDonald, 'Consultation, Counsel and the "Early Stuart Period" in Scotland', in Rose, *The Politics of Counsel in England and Scotland*, 200-204; MacDonald, 'Consultation and Consent', 302-306.

³⁵ MacDonald, 'Consultation, Counsel', 196-7, 198-9; A. MacDonald, 'Consultation and Consent under James VI', *Historical Journal* 54 (2) (2011), 287-306, at 288-293, 294; A. MacDonald, 'James VI and the General Assembly, 1586-1625' in Lynch and Goodare, *Reign of James VI*, 170-85.

³⁶ See J. Goodare, 'The Scottish Convention of Estates of 1630', *SHR*, 93 (2014), 217-239 at 218-9 for this point.

³⁷ MacDonald, *Burghs and Parliament*, 32-4.

³⁸ A. MacDonald, "'Tedious to rehearse'? Parliament and locality in Scotland c.1500-1651: the burghs of North-East Fife', *PER*, 20 (1), 31-58, at 49.

of burghs which voted that year in favour both of ratifying the Five Articles of Perth and accepting the annualrents' tax.³⁹ Because of the control that the archbishops were able to maintain over the provostship, Glasgow has accurately been seen as part of a 'court' faction in Scotland during the 1620s and 1630s.⁴⁰

The provosts of Glasgow also gained materially as a result of their relationship with the archbishop. James Hamilton's rewards for his royal service have already been noted, but James Inglis also came to hold a series of lucrative tacks [leases] of the royal customs between 1609 and 1618.⁴¹ While his lease was coming to an end, James Stewart younger of Flock bid for the next term, but was unsuccessful.⁴² Throughout the reign of James VI therefore, the provostship of Glasgow was very much a political appointment, which was carefully managed by the archbishops through the dispensation of patronage, and this meant that it remained out of reach of even the most influential of the other burgesses in the town. However, at the same time, the office of bailie became more open to a greater number of guild brethren.

The impact of the Letter of Guildry upon the burgh administration: institutions old and new

More of the guild brethren also seem to have been serving on the town council by the 1620s. TABLE 5.5 in the appendix shows that a greater number of both merchants and craftsmen sat on the council between 1623 and 1628 than had tended to do so previously, with fourteen merchants and nine craftsmen serving prominently (on more than five occasions) during that time. However, the process by which craftsmen came to be well-represented on the council took time. James VI's letter of October 1606 was a decisive moment for the crafts as it ordered that one of the town's three bailies should always be a craftsman and that the council should be made up of twelve merchants and eleven craftsmen.⁴³ This has often been interpreted as having ushered in political equality between merchants and craftsmen on Glasgow's magistracy and town council.⁴⁴ TABLE 5.1 in the appendix identifies the elite town councillors and bailies who served between 1607 and 1613, at which point a ten-year gap opens up in the burgh court and council records. The list of names shows that in practice,

³⁹ J. Goodare, 'The Scottish Parliament of 1621', *Historical Journal* 38 (1995), 29-51, at 36-7.

⁴⁰ *Ibid.*; MacDonald and Verschuur, *Records of the Convention of Royal Burghs*, 26.

⁴¹ *RPC*, first ser., viii, 589-90, 810-13; ix, 269, xi, 91; *OLEAS*, ii, 581. Goodare, *State and Society*, 83-84.

⁴² *RPC*, first ser., x, 690-91.

⁴³ Ewing, *View of the Merchants' House*, 86.

⁴⁴ Jackson, *Dean of Guild Court*, 24. Here, Jackson suggests that the king's letter 'may have contributed as much or more to the subsequent harmony between the two ranks as the Letter of Guildry.'; Also see chapter 3.

the same seven men dominated the positions on the town council which were reserved for craftsmen during those six years. They were Duncan Sempill (who seems to have been a ship's captain, rather than a craftsman *per se*), John Anderson, Alexander Caldwell, James Fischer, Walter Douglas, Patrick Maxwell and Ninian Anderson.⁴⁵ Caldwell, Douglas and both of the Andersons supported Sir Matthew Stewart of Minto during the 1606 crisis. At that time, Caldwell was described in the Privy Council records as the deacon of the skimmers and Ninian Anderson as deacon of the cordiners [shoemakers or leather workers].⁴⁶ During the same six-year period, James Braidwood was the only craftsman to serve as a bailie.⁴⁷ He was also a cordiner, and was the Deacon Convenor of the crafts in 1606 and one of the leaders of Minto's rebel faction. His involvement in the fighting that summer was deemed so serious by the Privy Council that he was ordered into ward in Perth.⁴⁸ While there is no indication that the town disobeyed the king's orders and failed to put eleven craftsmen on the council, prior to 1613 there was little turnover amongst this group and the same seven men dominated the available positions. However, by the 1620s there is evidence that more craftsmen were serving on both the town council and the magistracy.

The Deacon Convenor's council also enabled the craftsmen to engage with and influence the other parts of the civic administration. Whereas before 1605 the merchant oligarchy had made a conscious effort to keep the thirteen incorporated crafts divided and controlled them through their individual deacons, after the Letter of Guildry the new council gave the crafts collective bargaining power. It also provided an effective forum for mobilising the craftsmen behind particular causes, resolving their disputes and providing them with charitable services (primarily through the crafts' hospital). The council also nominated craftsmen to become guild brethren and members of the Dean of Guild court and took responsibility for registering new apprentices.⁴⁹ Like the Dean of Guild court, it was a council with a specialised focus, which was able to take some of the burden of local government away from the town's other institutions. The Letter of Guildry stated that the Deacon Convenor should 'convene the hail deakins of crafts and their assisters at such times as occasion shall occur,' and in practice, he does seem to have adhered to this and assembled them on an irregular basis.⁵⁰ The council met on average around ten times per year, but there was fluctuation in the frequency of the meetings. It met on twenty-four occasions in 1615 and seven times the following year, for

⁴⁵ TABLE 5.1.

⁴⁶ *RPC*, first ser., vii, 242.

⁴⁷ GCA, C1/1/6, fos. 155, 236; C1/1/7, fos. 13, 53, 98, 124.

⁴⁸ *Ibid.*, 235.

⁴⁹ *Ibid.*, 2, 3, 9, 27-8, 48, 50, 51-2, 60-1, 76, 82-4, 93-4, 105; 'Act of Deacon Convenor and Crafts, 15 May 1611', Marwick, *Charters*, i, dcxxi-dcxxxii.

⁵⁰ 'Letter of Guildry and Relative Documents', Article 40.

example.⁵¹ The council also managed its own accounts, which benefitted from rentals pertaining to the crafts' hospital and its associated lands.⁵² By 1625, the income that the Deacon Convenor's council managed was considerable, extending to £592, thirteen shillings and two pence.⁵³ The council was also able to act independently from the other civic institutions. Two examples of this occurred during 1609, when it organised a response to attempts made by Sir George Elphinstone to force the town's population to use his mills and also raised £500 with which to provide a yearly stipend for the Tron Kirk minister, John Bell.⁵⁴

The creation of the Dean of Guild court also provided additional opportunities for a wide range of guild brethren, both merchants and craftsmen, to become involved in local government. The first two manuscript volumes of the Dean of Guild Court act book, which together account for the period between 1605 and 1638, contain the lists of personnel who sat on the court each year.⁵⁵ These have been compiled in TABLE 5.4 in the appendix. By cross-referencing these with the lists of magistrates and town councillors recorded in TABLES 5.1, 5.2 and 5.5, which show the elite magistrates and town councillors who served between 1607 and 1628, it becomes apparent that there were at least five tiers of burgh official working in Glasgow after February 1605. These were: men who served on the burgh magistracy and town council but had no role on the Dean of Guild court; those who had a prominent role on the magistracy, the town council *and* the Dean's court; those who served on the town council and Dean's court but not the magistracy; those who served neither as bailies nor town councillors, but were prominent members of the Dean's court, and those who played a lesser role on the Dean of Guild court and never served on the magistracy or town council. On the basis of TABLE 5.4 and TABLE 5.5, men such as the four provosts who served between 1609 and 1628 – James Stewart, James Inglis, James Hamilton and Gabriel Cunningham – and prominent bailies such as George Barclay and Mr William Stewart, fell into the first category, because although they held office as magistrates, they never served on the Dean of Guild court. Matthew Trumble, James Braidwood, James Bell, Colin Campbell and Robert Rowat fell into the second, because they were prominent magistrates *and* members of the Dean's court. Archibald Faulis, John Bornis and Alexander Caldwell fell into the third as they were prominent town councillors and served on the Dean's court but were never magistrates; John Lawson fell into the fourth as he served frequently on the Dean's court but never on the magistracy or town council. Matthew Marshall, George

⁵¹ Lumsden, *The Records of the Trades House of Glasgow*, 1-111.

⁵² *Ibid.*, 16-7, 37-8, 43-5, 54-7, 64-5, 78, 87, 95-100, 109-110.

⁵³ *Ibid.*, 112.

⁵⁴ *Ibid.*, 12-3, 14-5,

⁵⁵ GCA, B4/1/1, Dean of Guild Court act book, 1605-1622; B4/1/2, Dean of Guild Court act book, 1622-1638.

Glasgow and John Woodrope fell into the fifth category, as they served only a handful of times on the Dean's court and were never magistrates or town councillors.⁵⁶ The creation of the Dean of Guild court was therefore central to the evolution of a more sophisticated system of civic administration in Glasgow, which allowed for the participation of a large number of guild brethren. Some of the humbler merchants, in particular, became involved in local government for the first time through service on the Dean's court.

The Letter of Guildry also had an impact upon the older institutions of the burgh court, town council and common good and caused a realignment to take place across the civic administration. In particular, the Dean of Guild court took on a range of responsibilities from the burgh court, helping to rationalise the administration and make it more efficient. Articles nine to twelve of the Letter decreed that the Dean of Guild court would take responsibility for four jurisdictions. Three of these were transferred from the burgh court, while the fourth essentially helped to protect the newly-defined privileges of the guild brethren and 'simple' burgesses through the punishment of unfree men.⁵⁷ The three responsibilities delegated from the burgh court were mentioned in chapter 3. They were 'neighbourhood' and lynyng disputes, disagreements between merchants and other guild brethren and the supervision of weights and measures.⁵⁸ With the Dean of Guild court taking on specialised work in this way, the burgh court was left free to focus on civil and criminal cases (the latter typically related to crimes involving violence – 'wrangs' or crimes of 'trubalance'), disagreements relating to moneylending and inheritance cases.⁵⁹

Analysis of the types of cases brought before the Dean's court between 1605 and 1625 reveals that, in practice, they fell broadly within the three main categories of dispute pertaining to its jurisdiction. These were disagreements between merchants, 'questions of neighbourhood' and illegal trading by unfreemen. CHART 5.1 [169] shows that almost equal numbers of these types of cases were overseen by the court between February 1605 and July 1611, the first six years of its existence, (thirty-seven, forty-five and forty-one respectively). Neighbourhood disputes then became increasingly common, rising to seventy-eight cases between 1616 and 1621, while cases concerned with illegal trading declined towards the end of James VI's reign, to just eight in the final five-year period. This may have been because the burgh administration was becoming more efficient. Judicious decisions by the Dean's court and relatively inexpensive burgess admission fees may have become an effective deterrent to illicit trade, while it is likely that the Dean's court increasingly came to be seen

⁵⁶ See TABLES 1.3, 5.1, 5.2, 5.4 and 5.5.

⁵⁷ Jackson, *Dean of Guild Court*, 11, 17-8.

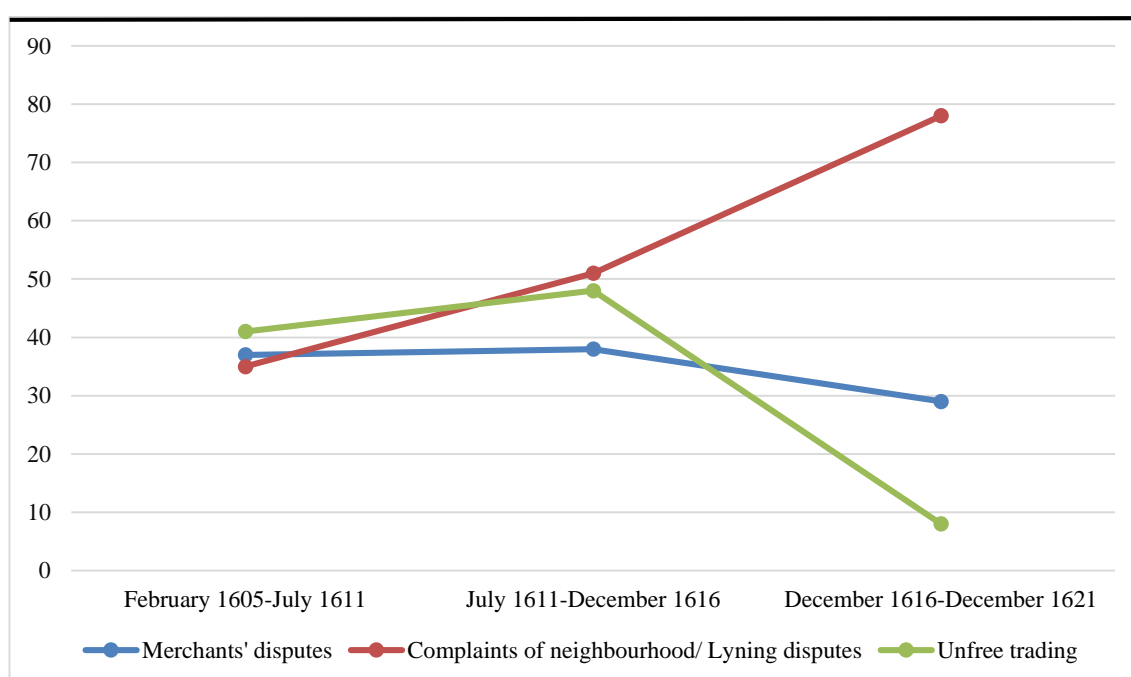
⁵⁸ *Ibid.*

⁵⁹ See GCA, Burgh court act book, 1621-4, B1/1/1, fos., 29v-100r, 102v-192r, 193v-237v, in which burgh court cases between 1621 and 1624 are recorded.

as the most effective arbiter in complaints about property and disputes between neighbours. The number of cases involving disagreements between merchants remained broadly steady throughout the period but did decline slightly, from thirty-seven to twenty-nine. These cases were mainly concerned with arguments over payments for goods and could involve either local or overseas trade.⁶⁰

During October 1609, the magistrates also transferred the responsibility for registering new burgesses, and other responsibilities relating to the regulation of burgess-ship, from the burgh court to the Dean of Guild court. This had the effect of maximising the income that could be gained through burgess fees, and has been described as a ‘self-denying ordinance.’⁶¹ The magistrates previously had the right to grant burgess status as a form of patronage, but this had been acknowledged as a problem for some time. In 1577, 1582 and 1599, attempts had been made to reform this practice but it was the existence of the Dean’s court after 1605 which provided the means to do so.⁶² This measure increased the revenue that could be gained through burgess admissions and was another way in which the arrival of the Dean of Guild court contributed to the streamlining of the burgh administration.

CHART 5.1: Types of cases heard before the Dean of Guild Court, 1605-1622



Source: GCA, Dean of Guild court act book, first volume, B4/1/1.

⁶⁰ Jackson, *Dean of Guild Court*, 27.

⁶¹ *Ibid.*, 26; Also see McGrath, ‘Medieval and Early Modern Burgh’, 33, where he mentions that other functions of the burgh court relating to burgess-ship, such as the return of heirs and the appointment of tutors during minorities also transferred to the Dean of Guild at the time of the establishment of the Letter of Guildry in 1605.

⁶² McGrath, ‘Administration’, i, 368.

The high quantity of business taken on by the Dean of Guild court and the delegation of responsibilities relating to burgess-ship highlights the fact that the jurisdictional scope of the burgh court became greatly reduced after 1605. It nevertheless remained an important part of the civic administration. James McGrath has described the court as ‘moribund’ by October 1609, when the responsibility for registering new burgesses was transferred to the Dean of Guild court, but this does not seem to have been the case over the longer term.⁶³ The first burgh court act book which survives after the separation of court and council minutes in 1609 accounts for the years 1621-4. A limited analysis of this volume has been carried out. It is immediately apparent that after 1621, the burgh court maintained a high frequency of meetings. McGrath showed that between 1574 and 1586, the burgh court met an average of over 100 times each year (or about eight times a month).⁶⁴ The patchy records available for the period between 1588 and 1601 suggest that there was no reform of the burgh court before the Letter of Guildry, but that its workload was increasing. During the short periods for which records do exist, 137 burgh court meetings were recorded in total between October 1588 and July 1590, 210 between October 1594 and May 1597 and 195 between November 1598 and October 1601, all of which appear to have been court meetings, with no mention of the town council, except when the annual statutes were recorded.⁶⁵ This equates to an average of around seven burgh court meetings per month throughout the period between 1588 and 1601. McGrath also identified what he described as ‘quasi-curial’ meetings during the period between 1574 and 1586, which were ‘held by the magistrates under some form of delegated powers.’⁶⁶ Between 1588 and 1601, a significant number of additional meetings can also be found. These are possibly similar to those identified by McGrath and may account for an ‘overspill’ of business dealt with by the burgh court. Between October 1588 and July 1590, seventy-seven such extra meetings are recorded; between October 1594 and May 1597, this number was eighty-four and between November 1598 and October 1601, eighty-four again.⁶⁷ The burgh court therefore operated in very much the same way between 1588 and 1601 that it had between 1574 and 1586, but its workload was increasing. This provides further context for the reforms that took place during Sir George Elphinstone’s provostship, by showing that the unreformed system that existed prior to 1605 was coming under increased strain.

⁶³ McGrath, ‘Medieval and Early Modern burgh,’ 33.

⁶⁴ McGrath, ‘Administration’, i, 137, n. 9.

⁶⁵ GCA, C1/1/3; C1/1/4; C1/1/5.

⁶⁶ McGrath, ‘Administration’, i, 135-6. The delegated powers mentioned here were delegated from the burgh court proper.

⁶⁷ *Ibid.*

Between October 1621 and October 1622, the restructured burgh court met on seventy-eight occasions, the following year it met ninety times and although the act book comes to an end on 30 March 1624, during a period of around six months between October 1623 and March 1624, it convened forty-four times.⁶⁸ This was a similar rate to the earlier period: between seven and eight meetings per month. Most of these meetings were held by the bailies, with the provost only attending on occasion. During the year between October 1621 and October 1622 for example, the provost James Hamilton attended the burgh court only eight times. He was also provost the following year, when he did not attend any burgh court meetings at all. Between October 1623 and March 1624, Gabriel Cunningham was the provost and attended three times. The main business of the burgh court during these years concerned the removing of people from properties for a variety of reasons such as non-payment of rents; crimes of trublance; inheritance inquests; money-lending disputes and some disagreements between merchants concerning their business transactions.⁶⁹ This last category indicates that the burgh court, as well as the Dean of Guild court, handled mercantile disputes at that time. Overall, the evidence provided by the only extant post-1609 burgh court act book reinforces the idea that the court had a greatly reduced jurisdiction by the 1620s and was less important within the civic administration than it had been during the pre-1605 period. But it did nevertheless still serve a key function.

While the burgh court came to play a minor role within the civic administration after 1605, largely taking responsibility for petty crime, during the same period the town council became the most important branch of the administration. The scope of its activities expanded considerably and the level of its authority within the town increased because it provided the primary means of facilitating central government policies at the local level. The role that the council played in organising the constables of the Justice of the Peace (JP) courts after 1610 and collecting parliamentary taxation is particularly noticeable. McGrath has described the changing role of the town council in the following terms: ‘one of the most important factors in the emergence of the modern town was the gradual acquisition by the town council of the business of the burgh court, which became, in effect, a magistrates’ court responsible, not least, for upholding the council’s by-laws.’⁷⁰ As has been mentioned, during the twelve years between 1574 and 1586, only eighty-three specifically conciliar minutes were recorded, an average of slightly fewer than seven town council meetings per year.⁷¹ In the four years between June 1605 and Michaelmas 1609, at least 108 separate minutes of the town council

⁶⁸ GCA, Burgh court act book, 1621-4, B1/1/1, fos., 29v-100r, 102v-192r, 193v-237v.

⁶⁹ *Ibid.* For particular merchants’ disputes in the burgh court, see for example GCA, B1/1/1, fos., 7r, 9r, 14r.

⁷⁰ McGrath, ‘Medieval and Early Modern burgh,’ 33.

⁷¹ McGrath, ‘Administration’, i, 137, n. 9.

were recorded, an annual average of twenty-seven meetings.⁷² Between Michaelmas 1623 and 13 May 1626, the council met at least seventy times, a similar average of between twenty-six and twenty-seven meetings per year.⁷³

An area of the town council's activity that has received little attention from historians is the role that it played in managing the constables of the JP courts that were introduced after 1610. Discussion of constables of the JP courts has tended to focus on the role that they played at the level of the shire, with Julian Goodare for example describing them as 'the most successful civil scheme to increase the density of the matrix of local power' introduced during the reign of James VI.⁷⁴ The courts themselves were first introduced in 1610, following a parliamentary statute of the previous year.⁷⁵ In 1611, Privy Council articles set out the jurisdiction of their constables and the extent of their authority in detail and this was endorsed and further modified by a parliamentary act of June 1617.⁷⁶ In towns, the constables were responsible for keeping the king's peace by making arrests and bringing people before the burgh courts for sentencing and if necessary, imprisonment.⁷⁷ They therefore complemented the burgh courts but also took over some of the work that had previously been carried out by urban magistrates. In ecclesiastical burghs or burghs of barony the constables were appointed by the Justices of the Peace themselves, but in royal burghs (such as Glasgow became in April 1611), the town's magistrates were allowed to choose them.⁷⁸ Glasgow's town council records show that in October 1611, John Spottiswood in fact transferred this responsibility to the council, which indicates that the right to do so had initially been his.⁷⁹ From then on, the council appointed the constables and organised their work. The following April, it appointed seventeen constables, and allocated them to five districts within the town.⁸⁰ The next time they were mentioned in the records, in December 1624, the town council selected fifty-nine constables, a more than three-fold increase in their number which constituted a significant extension of central and local government authority in Glasgow.⁸¹

⁷² Marwick, *Extracts*, i, 227-303. These numbers are taken from Marwick's printed volume, which records town council minutes but not burgh court minutes. He seems to have been thorough in his recordings but may have missed out some council meetings.

⁷³ GCA, C1/1/8, fos., 1v-100r.

⁷⁴ Goodare, *Government of Scotland*, 203.

⁷⁵ *Ibid.*

⁷⁶ *RPC*, first ser., 75-80; *RPS*, 1617/5/22, Act viii, 'Regarding the justices for keeping of the king's majesty's peace and their constables'; *Ibid.*

⁷⁷ *RPS*, 1617/5/22, Act viii.

⁷⁸ *RPS*, 1617/5/22, Act viii.

⁷⁹ GCA, C1/1/8, fos. 100v-r; Marwick, *Extracts*, i, 323.

⁸⁰ Marwick, *Extracts*, i, 327-8.

⁸¹ *Ibid.*, i, 344.

The town council also played an important role in organising the collection of taxation. Between 1601 and 1625, the amounts of taxation that the king demanded from his estates increased almost six-fold. Goodare has shown that James was forced to settle for a tax of just 100,000 merks (approximately £70,000) in 1601, for the by-then well-established and uncontroversial purpose of paying for his ambassadors.⁸² Two decades later, at the Edinburgh Parliament in August 1621, both an ordinary tax of £400,000 and the extraordinary annualrents' tax on interest payments were granted.⁸³ A further £400,000 tax was granted to Charles I by a Convention of the Estates in October 1625, indicating that the new king felt the level of taxation granted at the 1621 Parliament should subsequently be seen as the minimum.⁸⁴ During the intervening years, the estates had voluntarily offered to provide £240,000 in October 1612 to pay for the marriage of the king's daughter, Princess Elizabeth, to Friedrich V, count Palatine of the Rhine, and had also granted an ordinary tax of £200,000 at the 1617 Parliament, to pay for James' visit that year.⁸⁵ At the 1606 Parliament in Perth, an unusual tax had been granted for 'relief and payment of his highness' debts and reparation of his majesty's houses' which levied twenty schillings from every £1 land of old extent [the system of land valuation used for tax purposes prior to 1643].⁸⁶ The amount was not specified in the parliamentary act, but the Glasgow burgh records make clear that the total came to 400,000 merks.⁸⁷

The growing tax burden meant that after the Union of Crowns, collection became a more routine process for all of the burghs. Goodare has argued that prior to the Covenanted period, the system of tax assessment remained essentially feudal. This meant that the oligarchic elites who traditionally dominated administrative office within towns were responsible for bringing in the burghs' share, rather than specialist bureaucratic officials of the kind that were well-established by then in France.⁸⁸ Tax was assessed according to the centuries-old criteria of old extent and Bagimond's Roll [the thirteenth-century system on which the taxation of ecclesiastical property was based], the burden was spread unevenly across the estates and the crown relied upon the kingdom's feudal hierarchy to collect the money. It is true that out of all the estates, the smallest tax burden fell upon the burghs, at

⁸² Goodare, 'Parliamentary Taxation in Scotland, 1560-1603', 43-5.

⁸³ Goodare, 'The Scottish Parliament of 1621', 29, 33, 35, 46.

⁸⁴ *RPS*, A1625/10/3, 'Taxation of £400,000'.

⁸⁵ NRS, E65/7, 'Exchequer Records: Taxation Accounts, 1617'; NRS, E62/4, 'Exchequer records: Taxation Decrees, 1612-1627', fos. 1v-2r; *RPS*, 1612/10/19, 'An act concerning the voluntary offer of a taxation made by the estates of parliament to his majesty'; *RPS*, A1617/3/2, 'Act regarding the taxation.'

⁸⁶ NRS, E62/3, 'Exchequer Records: Taxation Decrees, 1606', fo. 1v; *RPS*, 1605/6/47, 'Act regarding the taxation and collecting thereof.'

⁸⁷ Marwick, *Extracts*, i, 273.

⁸⁸ Goodare, 'Parliamentary Taxation', 45-7.

around one-sixth of the overall total,⁸⁹ and that Glasgow's own share within the urban estate only rose from 4.5 per cent in 1606 to 5.5 per cent by 1635,⁹⁰ but after 1606 tax collection was an almost constant activity for the towns. By highlighting when each of these taxes began to be collected and when they were eventually rendered to the Exchequer, it is possible to show that between 1606 and 1634 Glasgow's civic administration laboured almost constantly under an ever-rising tax burden. The 1606 tax was to be collected over four consecutive annual terms between February 1607 and February 1610.⁹¹ The 1612 voluntary contribution for Princess Elizabeth's marriage was not rendered to the Exchequer by its collector, Sir Gideon Murray of Elibank, until April 1618, by which time the 1617 tax had already been granted.⁹² That was rendered in September 1620 and in August of the following year the ordinary tax of £400,000 and the annualrents' tax were controversially pushed through Parliament.⁹³ The former was only rendered by the collector in August 1627 and the latter in July 1629.⁹⁴ The 1625 tax was collected in four terms, the first and second of which were rendered in March 1628 and the third and fourth not until July 1634.⁹⁵

The gap in the town council records between 1613 and 1623 means that information is only provided about the 1606, 1612 and 1625 taxations. Nevertheless, something about the way in which the town council collected the taxes can be revealed. The 1606 tax was granted while the town was experiencing a financial crisis of its own and although the council had to work hard to raise the money, it was able to do so successfully.⁹⁶ In December 1607, thirty men were named to collect the town's share of the second term of the 1606 tax. Unsurprisingly perhaps, they were not popular and the town council simultaneously passed a statute stating that 'gif any person traduce or slandir any of the saidis stenteris or any of thame for setting down the said stent roll they shall pay ten pound to the common use of the calsay.'⁹⁷ In February 1609, the council nominated seventeen merchants and seventeen craftsmen to collect the third term of the 1606 tax, who were to give their oaths under 'pain of horning.'⁹⁸ In December of the same year, a list of 'neighbours' of the burgh was nominated by the town council 'for setting down a stent roll upon all the hail inhabitants of the burgh, so that they can be taxed to pay the last part of the tax owed to the king.'⁹⁹ The

⁸⁹ *Ibid.*, 27.

⁹⁰ Lynch, 'Change and Continuity in the Scottish Towns', 116.

⁹¹ *RPS*, 1605/6/47.

⁹² NRS, E65/6, 'Exchequer Records: Taxation Accounts, 1612'.

⁹³ Goodare, 'The Scottish Parliament of 1621', 29, 33, 35, 46.

⁹⁴ NRS, E65/8-9, 'Exchequer Records: Taxation Accounts, ordinary and extraordinary taxation, August 1621.'

⁹⁵ NRS, E65/10, 'Exchequer Records: Taxation Accounts, Oct., 1625'.

⁹⁶ *OLEAS*, i, 77; Jackson, *Dean of Guild Court*, 24.

⁹⁷ Marwick, *Extracts*, i, 273.

⁹⁸ *Ibid.*, 298.

⁹⁹ *GCA*, C1/1/6, fo. 22v.

next piece of information in the town council records concerning tax collection relates to the ordinary 1621 taxation of £400,000. In September 1624, the council selected seventeen stent masters to collect the last term's payment.¹⁰⁰ Glasgow's share both of the ordinary levy and the annualrents' tax was submitted on time in August 1626, this time to Edinburgh's town council.¹⁰¹ The same month, Glasgow's town council began collecting the first and second terms of the October 1625 tax, and ordered the stent masters to collect money from all 'inhabitants' in Glasgow, as well as the burgesses. The former provost, James Hamilton, was named at the head of the group charged with doing this, perhaps indicating the need for an authoritative figure to take charge of collection.¹⁰² It seems clear that between 1606 and 1625, tax collection took up a lot of the town council's time. This was a relatively new development as these fiscal demands had been far less burdensome before 1606.

Further evidence of the widening scope of the civic administration's activities can be found in the town's common good accounts. By the 1620s, the burgh's financial situation had improved considerably. This was primarily because the increasingly active administration sought out patronage from the crown, the archbishop, and local landowners. The town secured a number of charters with these parties during the 1610s and 1620s, which provided income from a range of new sources. Especially important were the rentals that could be obtained from local mills. McGrath has highlighted that during the 1570s and 1580s, Glasgow's common good or 'ordinary' income was derived from land rents, casualties, burgess admission fees and the revenue obtained from petty customs, as was the case for most other towns in Scotland.¹⁰³ This revenue was used to meet the town's routine expenditure. For extraordinary expenditure, such as that which was required to pay taxes, repair the High Kirk or provide hospitality for the king or other distinguished visitors, stents were raised.¹⁰⁴ By the 1620s, these sources of income had not changed, but the towns' civic administration had become proficient at seeking out many more of them, as will be shown below.

As with Glasgow's church, burgh court and council records which account for the period between 1585 and 1625, there are a number of years for which the town's common good accounts are missing. After 1585, the next extant account does not appear until 1605-6. Ten sets of accounts then survive for the next twenty years until 1625-6, providing enough evidence with which to analyse change and continuity in the town's annual income and expenditure during the remainder of the reign. At first glance, the town seems to have

¹⁰⁰ Marwick, *Extracts*, i, 342.

¹⁰¹ *Ibid.*, 354.

¹⁰² *Ibid.*, 354-5.

¹⁰³ McGrath, 'Administration' i, 337.

¹⁰⁴ *Ibid.*

enjoyed a remarkable increase in its income between 1585 and 1625. In 1584-5, the entire income pertaining to the common good stood at just £671, four shillings and four pence.¹⁰⁵ By 1625-6, this had increased to £14,060, two shillings and four pence.¹⁰⁶ Even accounting for inflation, this was a significant rise within a relatively short space of time. CHART 5.2 [178] provides a visual representation of this increase.

TABLE 5.6 [177] details the common good income and expenditure, or ‘charge’ and ‘discharge’, for every year during that time. This shows that the town struggled financially prior to 1610 and spent more money than it took in every year. From 1610-11, the town began to break even and by the 1620s the administration was able to save thousands of pounds each year for the common good. Furthermore, the accounts for 1605-6, 1607-8, 1608-9, 1609-10 and 1610-11 were all audited and recorded during the same year – 1611-12 – which was the second year in which they began to break even.¹⁰⁷ Something similar had occurred during the early 1580s, when the account for 1581-2 took twenty-six months to audit and the account for 1582-3 was delayed by fifteen months.¹⁰⁸ McGrath explained this in terms of the political difficulties that impacted the burgh during the early 1580s. The provostships of Esmé Stewart, first Duke of Lennox (provost during 1580-1), and then Sir Matthew Stewart of Minto’s first year in office (1581-2) were turbulent ones for the burgh, during which the magistracy and town council were purged. McGrath argued that this made it difficult to collect the money for the common good and that it was only during the provostship of John Graham, third Earl of Montrose (1583-4), that the accounts became regularised.¹⁰⁹ Similarly, Jackson has suggested that Glasgow experienced ‘a desperate financial crisis’ in 1608.¹¹⁰ This may have been linked to the political trouble of 1606 and the instability that followed, making it difficult for the treasurer to collect the money for the common good, as had been the case in the 1580s, although there was also a serious outbreak of plague in the burgh at that time.¹¹¹ Indeed, evidence that political trouble lay behind the financial difficulties can be found in a letter written by the bailies and town council to James VI in March 1607, in which they described the indebted state of the town’s finances. They complained that: ‘the dettis quilkis haif bene contractit throw thir trublis haif near exhaustit the common gude, the ruynis of our Kirk, and other inconvenientis that be wattir we are lyke

¹⁰⁵ McGrath, ‘Administration’, ii, 313.

¹⁰⁶ GCA, C1/1/8, fo. 54v.

¹⁰⁷ GCA, C1/1/7, fos. 64v, 85v, 91r-97v, 119v-r.

¹⁰⁸ McGrath, ‘Administration’, i, 345.

¹⁰⁹ *Ibid.*, 346-7.

¹¹⁰ Jackson, *Dean of Guild Court*, 24. Evidence to support this view can be found in the town council minutes for 1608, which show the council undertaking a number of measures to clear the town’s debt. See Marwick, *Extracts*, i, 274, 276, 277-81.

¹¹¹ Jackson, *Dean of Guild Court*, 24.

to sustene.’¹¹² It was around this time that the town council was busy collecting the king’s 1607 tax.¹¹³ TABLE 5.6 certainly shows that Glasgow did struggle financially between 1605 and 1610 and the town’s treasurers may simply have waited for the accounts to return to profit before completing their audits. The financial crisis seems to have been serious and across the entire period between 1574 and 1625, 1611-2 was the only year in which multiple accounts were audited all at once.

TABLE 5.6: Glasgow’s overall common good income, 1605-1625 (£ Scots)

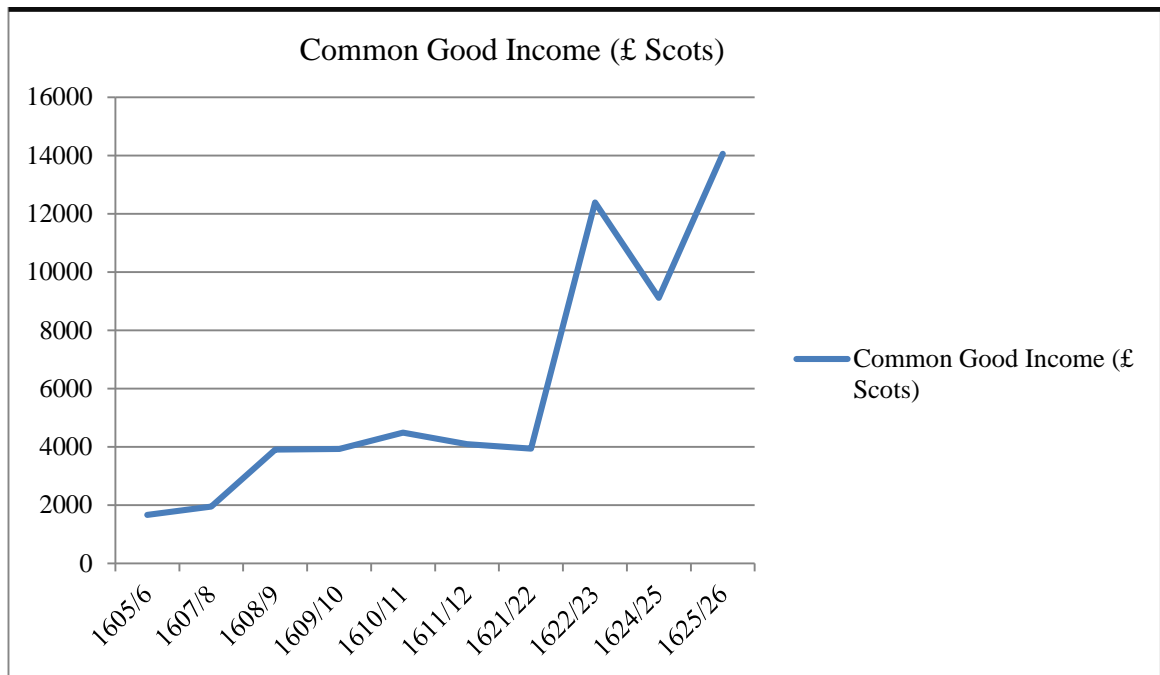
Year	Treasurer	Charge	Discharge	Total
1605-6	John Or	£1663 10s 8p	£2041	-£330 5s
1607-8	Alexander Pollock	£1955	£2584	-£629
1608-9	John Alexander	£3911	£5188	-£1227 4s 6
1609-10	Robert Hogisard	£3931 7s	£4095	-£164 4s
1610-11	Archibald Russell	£4491	£4314	£100
1611-12	James Briscat	£4097	£3942	£90
1621-22*	‘Thomson’	£3936 6s 8p	£5246 13s 4p	-£1310 6s 8p
1622-23	Robert Bar	£12,391 11s 4p	£10,391 11sh 4p	£2000
1624-25	Thomas Norvell	£9117 12s 8p	£5964	£3153 12s 4p
1625-26	Gavin Neisbit	£14,060 2s 4p	£12,980 10s 2p	£1,079 12s 2p

Sources: GCA, C1/1/6, fos. 97-107; C1/1/7, fos. 38, 64v, 85v, 91r-97v; C1/1/8, fos. 6v-r, 24v-r, 54v-r; NRS, ‘Common Good Accounts, Glasgow: 1621-1622’, E82/26/1.

¹¹² *OLEAS*, i, 77.

¹¹³ Marwick, *Extracts*, i, 273.

CHART 5.2: Glasgow's common good income, 1605-1625



Sources: GCA, C1/1/6, fos 97v-98v; C1/1/7, fos 38v-r, 64v, 85v, 91r-97v; C1/1/8, 6v-r, 24v-r, 54v-r; NRS, 'Common Good Accounts, Glasgow: 1621-1622', E82/26/1.

CHART 5.2 highlights the significant increases in common good income during the 1620s. The main reason for this was the rental income gained from mills. This increased markedly, from £155 in 1605-6 to £5153 by 1624-5. All of these sums are recorded in CHART 5.3. The reason for this increase was that between 1611 and 1620, the town secured a number of charters from the crown, the Archbishops of Glasgow and local lairds, which entitled it to income from a range of new sources, including these additional mills.¹¹⁴ Most importantly for the burgh's common good, in September 1619 and May 1620, the town secured from Sir Walter Stewart of Minto, Sir Matthew Stewart's eldest son and heir, two charters by which he disposed [transferred legal ownership of] the 'subdean mills,' along with a small kiln and the feu-duties attached to them, to the community of the burgh.¹¹⁵ These mills provided the main sources of income for the common good during the 1620s. Furthermore, the civic administration introduced a policy of thirlage to the town's mills in 1608, to help overcome the burgh's financial crisis at that time, and this was made permanent

¹¹⁴ Marwick, *Charters*, ii, 278-314.

¹¹⁵ 'Charters XCIX, C', in *Ibid.*, 302-314.

in 1615.¹¹⁶ This ensured that Glasgow's inhabitants had no choice but to use the town's mills and the money they paid in order to do so went to the common good.

Additional income also came from other sources. The previous chapter outlined some of the ways in which the royal burgh charter of 1611 provided the civic administration with new ways of raising money, for example. Then in December 1613, James VI provided the town with a charter giving the 'magistrates, burgesses and inhabitants' of Glasgow lands near the Rottenrow, which had previously belonged to the 'sub-deacons' of Glasgow but had come to the crown through the 1587 act of annexation.¹¹⁷ Income from these was to be put towards the upkeep of the cathedral and the bridge over the Clyde.¹¹⁸ In December 1614, John Spottiswood presented the town with the customs of the Tron, in return for a one-off cash payment.¹¹⁹ This was later ratified by the university at Spottiswood's behest, indicating that the college also had a claim to these customs.¹²⁰ In December 1618, the Privy Council allowed the provost, bailies and town council to levy a toll from travellers using the bridge, in order to pay for its upkeep.¹²¹ CHART 5.3 [180] also indicates that between 1605-6 and 1625-6, large contributions were provided by rents from kilns owned by the town (this was especially the case during 1622-3, when over £1,200 was gained in this way), from burgess fees in 1622-3, 1624-5 and 1625-6, when sums of over £1552, £800 and £650 were gained respectively, and from the custom of the ladle, which was a tax on trade conducted at the market. These sums were almost certainly augmented by the increased fines that could be levied through the town being home to a more complex administrative system and more courts after 1605, but closer scrutiny of the accounts will be required to bear this out.¹²² The extant common good accounts do show that the town's revenue had increased significantly by the 1620s, and that the burgh authorities were becoming more effective at finding sources of income.

¹¹⁶ Marwick, *Extracts*, i, 277-281; ii, 309. McGrath, 'Administration', i, 454.

¹¹⁷ *Ibid.*, 286-7, these lands comprised forty-four acres in total.

¹¹⁸ 'Charter XCIV', in *Ibid.*, 284-291.

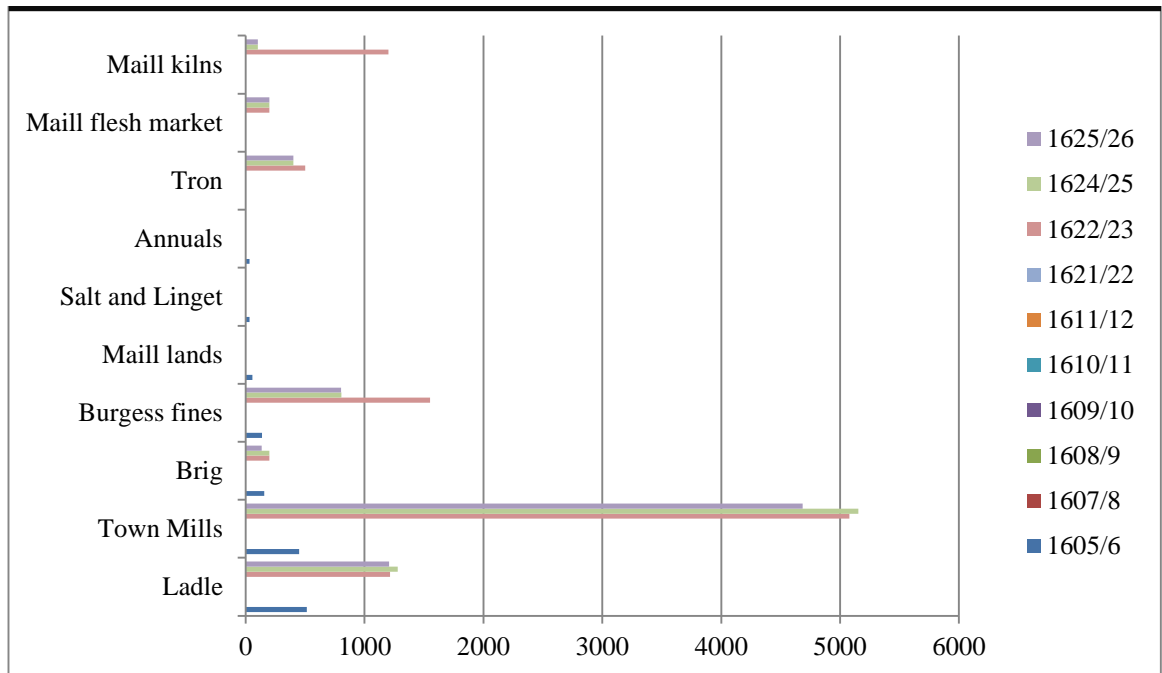
¹¹⁹ 'Charter XCV', in *Ibid.*, 291-294.

¹²⁰ 'Charters XCVI-XCVII', in *Ibid.*, 295-299.

¹²¹ 'Charter XCVIII', in *Ibid.*, 300-302.

¹²² Greater scrutiny of the town's expenditure may also show the expanding activity of the modernising administration.

CHART 5.3: Main sources of income for Glasgow's common good, 1605-1625 (£ Scots)



Sources: GCA, C1/1/6, fos. 97v-98v; C1/1/7, fos. 38v-r, 64v, 85v, 91r-97v; C1/1/8, fos. 6v-r, 24v-r, 54v-r; NRS, 'Common Good Accounts, Glasgow: 1621-1622', E82/26/1.

Conclusion

By the 1620s, Glasgow was home to an integrated and sophisticated system of urban administration. The most important institution was the town council, which proved itself adept at implementing central government policy at the local level and its importance was reflected in the fact that it was regularly attended by the provost and the bailies of the burgh court. The court itself, on the other hand, had declined in importance. It continued to play a key role in the prosecution of petty crime, but several of its functions were transferred to the Dean of Guild court and town council and the constables of the Justice of the Peace courts also usurped its jurisdiction to some degree after 1610. This was a major change compared to the period prior to 1605, when the burgh court was the central organ of the civic administration. It was possible for many of the guild brethren, both merchants and craftsmen, to serve in different parts of the administration by the 1620s, whether on the burgh court, town council or Dean of Guild court, and the craftsmen further benefitted from the services

that could be provided by the Deacon Convenor's council. The exception to this new *cursus honorum* was the provostship, which was closely managed by the archbishops and acted as their primary means of exercising control in the burgh. Only four men, James Inglis, Gabriel Cunningham, James Hamilton and James Stewart of Flock, served as Glasgow's chief magistrate between 1609 and 1625. Also by the 1620s, the town's common good accounts had come into profit and the modernising administration had become well-practised at seeking out new sources of income.

The main catalyst for all of this change was the Letter of Guildry of 1605 and the other civic reforms that were ushered in during Sir George Elphinstone's tenure as provost. However, between 1605 and 1625, it does seem to have been the case that the administration was broadening its horizons on its own initiative, while central government policies also thrust new responsibilities upon it. This last development points to a key feature of the town's governance during the first quarter of the seventeenth century, which is also highlighted by the close control that the archbishops exercised over the provostship. Glasgow's civic administration was modernising but these improvements did not come at the expense of central government authority.

Conclusion: Civic Reform in Jacobean Scotland

When Glasgow's town council embarked upon the building of the new tolbooth in March 1626, the project marked a maturation point in over forty years of civic reform. Different parts of this thesis have suggested why the burgh's administration might have been ready for such a project by the mid-1620s. By that time, a 'Stewart Revolution in *local* government' had taken place.¹ A degree of financial freedom had been achieved; the merchant guild was beginning to expand noticeably in size; local government had been realigned, with the town council becoming the most important organ of the civic administration; and the wider burgh community had gained a say in who could serve as a bailie of the burgh court, despite these appointments still nominally being made by the archbishop. By the 1620s, a sophisticated urban court system was in place, by which the institutions created through the Letter of Guildry had established their place alongside the older organs of local government and the entire system was mobilised behind the interests of the guild. In so far as this affected the pre-existing oligarchic elite who had governed Glasgow for generations, many of them, such as the Stewart family, and the Bells and Campbells, integrated themselves perfectly happily into the new system. On the other hand, there is some evidence of a generational shift in the fact that the changes of this period brought to an end the influence in Glasgow of long-established families such as the Elphinstones and Hegates.

The key moment of civic change had been the provostship of Sir George Elphinstone of Blythswood (1600-1606). The reforms introduced during his tenure saw the administration switch, almost overnight during 1605, from being based on the archbishop's burgh court to being organised around the merchant guild and town council. The Letter of Guildry was the centrepiece of this programme of reform, but the other changes introduced during that period are also interesting. The functions of the burgh court and town council were separated before the Letter of Guildry began to be negotiated, and unlaws were also devolved from the provost's private purse to the common good during 1605. What seems to have been happening in Glasgow during Sir George Elphinstone's provostship was that the ground was being laid so that the burgh could petition the king and Parliament to become a royal burgh, and the preconditions needed for this to take place were reforms to local government. It is the contention of this thesis that Elphinstone was acting as the king's client in the burgh and therefore that the reforms that he introduced reflected the wishes of James VI's government,

¹ See Goodare, *Government of Scotland*, 277 for the concept of a 'Stewart Revolution in government'.

but the gaps in the extant local records, particularly between 1601 and 1605, make this difficult to prove.

The planned parliamentary ratification of Glasgow's royal burgh status proved a step too far for Sir Matthew Stewart of Minto, who challenged the sitting civic administration, forcing the king and the archbishop to step in and restore order. This meant that the revolution in local government intended for Glasgow during the first decade of the seventeenth century was never finished. The archbishop retained his right to appoint the magistrates of the burgh court even after the royal burgh charter of April 1611. He would continue to rely upon a quartet of merchant lairds to fulfil the role of provost until 1632. They were James Inglis, James Stewart of Flock, James Hamilton and Gabriel Cunningham, who were all linked to loyal noble families through kinship and marriage ties. If Mr William Stewart is also included in this category, as he was a member of the long-established family of Glasgow Stewarts, this policy would last until 1634.² It was only with the elevation of Patrick Bell as provost that year, and then Colin Campbell in 1636, that the wealthy merchants who dominated the guild began to scale the heights of the provostship. Even then, the turbulence of the Covenanted period would see experienced provosts such as Gabriel Cunningham and James Stewart younger of Flock returned to office.³

After the death of James Law in 1632, tensions between the town and the archbishop over the incomplete nature of Glasgow's civic reforms were an almost constant feature of Patrick Lindsay's hapless tenure as archbishop. What Allan Macinnes has termed 'constitutional sparring' saw the magistrates and town council frequently submit their leets to him late or in an irregular fashion, in an attempt to undermine him as he made his appointments.⁴ These tensions bubbled over during 1636. In October of that year, King Charles I ratified Glasgow's royal burgh charter of 1611, but in ambiguous fashion, retaining the archbishop's right to appoint the magistrates and allowing for confusion over who actually owned the burgh lands.⁵ The following month, the magistrates and town council commenced legal proceedings against Lindsay. In a 'Memorial on behalf of the city against the archbishop,' they complained that: 'The Archbishop of Glasgow opposes againis the charter of Glasgow and alleges that he has the city of Glasgow erected in ane regality to him and that therefore he is prejudged by this gift in the right of the town pertaining to him as his city and to the burrow acres as his lands.'⁶ The crown intervened and the issue appears to have been

² Anderson and Gourlay, *Provosts of Glasgow*, 1-10; Marwick, *Charters*, i, dcxxxvi.

³ Anderson and Gourlay, *Provosts of Glasgow*, 9, 11-15.

⁴ A. Macinnes, 'Covenanted Revolution and Municipal Enterprise', *History Today* 40 (5) (May 1990), 10-16, at 11.

⁵ 'Charter by King Charles I, in Marwick, *Charters*, ii, 475-6.

⁶ GCA, A1/64/17, 'Memorial on behalf of the city against the archbishop' (1636).

resolved relatively quickly, albeit to the frustration of the civic authorities, who grudgingly granted a bond to Lindsay in December which agreed that Charles' new charter 'should in no respect be prejudicial to the archiepiscopal see.'⁷ Also during 1636, the burgh's civic authorities had quarrelled with the archbishop over who was responsible for paying the stipend of Robert Wilkie, the minister who served in the town's Blackfriars' Kirk. The town appealed directly to King Charles but again received short shrift, in the form of a perfunctory letter stating that Lindsay was 'overburdened in maintenance of more of your ministry than in reason he is tied unto, or by law obliged, or (in regard of the meanness of his bishopric) he is able to do.'⁸ The events of 1636 showed that despite being saddled with an unpopular and intransigent archbishop, Glasgow's civic authorities could expect little support from the king, who could be relied upon to side with the prelate. The supplication campaign against the Prayer Book of 1637 provided an opportunity for the town's authorities to rid themselves of Lindsay's overlordship and in October of that year a Glasgow representative signed one of the petitions sent to the Privy Council. The signatory was Walter Stirling, who was an ordinary, albeit senior, guild member, rather than the provost, as was the case for many of the other burghs that subscribed to that petition.⁹ This suggests a degree of subversion in Glasgow when it came to support for the rebellion, in that the provost, who at that time was James Stewart younger of Flock,¹⁰ was reluctant to rebel against his patron the archbishop but the guild decided to do so.

The events of the late 1630s serve to underline the unfinished nature of the 'Stewart Revolution in local government' that took place in Glasgow during the first decade of the seventeenth century and therefore also the extent to which Elphinstone's provostship turned out to be a missed opportunity. Nevertheless, this thesis has argued that the changes which took place between c.1585 and 1625 were extensive. It has also attempted to present a new framework for gauging change and continuity in Scottish towns by focusing more precisely on the impact made by the processes involved in state formation and Reformation. Elphinstone's provostship coincided with John Spottiswood's arrival as Archbishop of Glasgow and together these two appointments marked the firm re-establishment of royal authority in the burgh, in both the civic and ecclesiastical spheres. A major contribution of the thesis has been to show that prior to this, the Kirk had already established itself in the

⁷ 'Bond granted by the Provost, Bailies and Councillors of the Burgh and city of Glasgow to the Archbishop, Chapter and College of Glasgow, 6 December 1636' in Marwick, *Charters*, ii, 477.

⁸ GCA, A1/64/16, Letter from King Charles I addressed to 'our trusty and welbeloved, the provost, bailies and council of our city of Glasgow', 18 October 1636; Marwick, *Charters*, i, 79.

⁹ D. Hay Fleming (ed.), 'Scotland's supplication and complaint against the Book of Common Prayer (otherwise Laud's Liturgy), the Book of Canons and the Prelates, 18th October 1637: a paper read to the Society of Antiquaries of Scotland ... on the 10th of May 1926', *Proceedings of the Society of Antiquaries of Scotland*, 60 (Edinburgh, 1927); Ewing, *View of the Merchants' House*, 551.

¹⁰ Anderson and Gourlay, *Provosts of Glasgow*, 14.

burgh under the Presbyterian settlement in a manner, and according to a chronological framework, comparable to other regions of Lowland Scotland. A kirk session came into existence in the 1560s and became particularly well-established during the church's 'radical phase' of expansion in the 1580s and 1590s.¹¹ A system of three ministers and two parishes was put in place during that time and a hard-working ministry collaborated closely with the session elders in carrying out a wide-ranging programme of religious and social reform. The Glasgow presbytery was established in 1581 and when its records come into existence after 1592, they reveal that the burgh had become the centre of its activities. Taken together, the kirk session and presbytery records show that the Kirk worked hand-in-glove with the civic authorities and local lay landowners in order to create a godly community. Spottiswood was particularly combative in his relationship with the local church courts after 1605, and we should be careful not to presume that this was also the case with the other new bishops elsewhere. He met with opposition from the ministers of the Glasgow presbytery upon his arrival, and ministerial resistance to the crown's ecclesiastical reforms was an almost constant feature within the town and university between Robert Boyd's arrival as principal in 1614 and the end of James' reign.

The reform of Glasgow by church and state, and the effective re-establishment of the archiepiscopate after 1605, is part of a bigger story about the expansion of government and increase in royal authority that took place in Scotland during James' reign, for which Goodare has argued and which Laura Stewart has recently described as 'the rise of the state.'¹² Royal supremacy over the Kirk was imposed as central government authority also increased elsewhere, and as Michael Lynch has shown, a greater involvement in urban affairs should be included in any list of the Jacobean state's achievements.¹³ These trends are clearly apparent in Glasgow. This thesis has tried to take into account the limits of government authority as it affected the burgh and has interpreted the political crisis of 1606 as a backlash against royal policy, which gained much in the way of local support, but it is difficult to argue that royal authority was anything other than firmly established over the town throughout the entire period between 1585 and 1625. There is no room in which to apply Marxist theories of municipal independence or concepts of 'civic republicanism' to Glasgow.¹⁴

¹¹ Lynch first suggested that the 1580s was the key period of acceleration during Scotland's Reformation. Lynch, 'Preaching to the Converted?', 335, 337, 339. This has since been corroborated by local studies. See for example, McCallum, *Reforming the Scottish Parish*, 36, 125-132, 134-145, 151; id., 'The Reformation of the Ministry', 310.

¹² Stewart, 'The "Rise" of the State?', 204; Goodare, *Government of Scotland*.

¹³ Lynch, 'Introduction: Scottish Towns, 1500-1700' and id., 'The Crown and the Burghs 1500-1625', in id., *Early Modern Town*, 16-17, 28-9, 73-5.

¹⁴ See Patterson, *Urban Patronage*, 7-8 and Withington, 'Two Renaissances', 260 for these ideas.

Sir Matthew Stewart of Minto's rebellion against Sir George Elphinstone and his faction in 1606 was a direct response to policies introduced by the royal appointee as provost. For Laura Stewart, this was one of the 'electoral irregularities' that occurred in at least ten burghs during the first decade of the seventeenth century, which she suggested involved the unwelcome intrusion by local landowners into urban affairs.¹⁵ A different interpretation can be offered, however. Violence also broke out in Dundee during 1604-5, albeit for different reasons, but again the royal nominee for provost was the target, on that occasion Sir James Scrymgeour of Dudhope. Lynch has described the causes of that rebellion as 'complex' and related to issues as diverse as political rights for the craftsmen and burgesses' access to church property.¹⁶ MacDonald has also recently argued that Scrymgeour was *laissez-faire* in his attitude to the governance of Dundee,¹⁷ and therefore the precise opposite of a reforming provost like Sir George Elphinstone. Conflicts also broke out in Edinburgh, Perth, Dumfries, Annan, Brechin, Montrose, Haddington and Ayr during the first decade of the seventeenth century and it is likely that these were also rejections of royal policy.¹⁸ Precisely how these rebellions manifested themselves will have depended upon the nature of royal intervention in each town, and each unique pre-existing local political situation before that interference. A series of local studies would be required to properly uncover the nature of government involvement in the burghs, and its reception, during the reign of James VI.

Whether the royal involvement evident in other towns sparked similar civic reforms to those that Elphinstone oversaw in Glasgow will have to await further research. The appearance of new civic buildings, similar to Glasgow's tolbooth, in a number of burghs during the first three decades of the seventeenth century suggests that other urban administrations were also modernising at that time, against a backdrop of favourable economic conditions.¹⁹ Glasgow was particularly ripe for reform at the turn of the seventeenth century because of its under-developed system of civic administration prior to 1605 and the fact that, as an ecclesiastical burgh, it had become a property of the crown as a result of the 1587 annexation. It should be borne in mind that these were unique local

¹⁵ Stewart, 'Politics and Government', 438-9. The ten burghs were Edinburgh, Dundee, Perth, Dumfries, Annan, Glasgow, Brechin, Montrose, Haddington and Ayr.

¹⁶ Lynch, 'The crown and the burghs', 64.

¹⁷ MacDonald, 'Dundee and the Crown', 40-43.

¹⁸ Stewart, 'Politics and Government', 438-9.

¹⁹ Building work on tolbooths and other civic buildings, whether constructing them from scratch, rebuilding or repairing them, has been detected in Stonehaven (1600), Dunfermline (1607), Elgin (1607), Edinburgh (1610), Paisley (1610), Annan (1610), Rothesay (1614), Stirling (1616), Aberdeen (1616-30), Ayr (1615-7), Old Cullen (1618), Falkland (1618), Cellardyke (1624), Lochmarben (1625-7), Culross (1626), Kirkcudbright (1627-9) and Tain (1631), as well as the new Glasgow tolbooth of 1625-7. Similar building work was also carried out in the Canongate, Clackmannan, Crail, Dunbar, Dundee, Peterhead, Pittenweem, Renfrew and Rutherglen during the 1590s. See *Tolbooths and Town-houses*, 2, 24, 38, 51, 55-7, 64-7, 77, 82, 91, 98-101, 122, 140, 168, 177, 188, 193, 196, 202-5, 212.

conditions. Spottiswood's own individual and aggressive attitude to the pre-existing Presbyterian church system in and around Glasgow also suggests that the experience of the Kirk there after the re-creation of the episcopate may have been exceptional. Yet while the example of Glasgow reinforces the idea that each Scottish town was uniquely impacted by Scotland's Long Reformation and processes of state formation, broad patterns can perhaps be identified. Government involvement in other burghs will surely adhere, in some form, to a chronological pattern in which the Kirk first established itself thoroughly during the Reformation's 'radical phase' or period of expansion during the 1580s and 1590s, only to be met with royal intervention in both civic and ecclesiastical spheres during the first decade of the seventeenth century. In the case of Glasgow, these developments resulted in the comprehensive establishment of state authority in the town by the end of James VI's reign, but also the creation of a modernising urban administration that was seeking out new horizons and new ways to express its own authority.

Appendix: Tables - Glasgow's civic leaders, 1585-1625

Chapter 1: Burgh Politics and the Ruling Elite in Glasgow, c. 1585-1625

TABLE 1.1: Provosts of Glasgow, 1586-1632

Years	Provost
1586-1600	Sir Matthew Stewart of Minto Sir George Elphinstone of Blythwood
1600-1606	No provost by order of James VI John Houston of Houston
1606-1607	James Inglis
1607-1609	James Stewart of Flock
1609-1612	James Hamilton
1613-1614	James Stewart of Flock
1614-1616	James Inglis
1617-1618	James Hamilton
1619-1620	Gabriel Cunningham
1621-1622	James Inglis
1623-1624	James Hamilton
	Gabriel Cunningham

Source: Marwick, *Extracts from the Records of the Burgh of Glasgow*, i, 118, 144, 157, 170, 181, 197, 213, 226, 235, 255-6; J. Anderson, *The Provosts of Glasgow from 1609 to 1832*, ed., J. Gourlay (Glasgow, 1942), 1, 5, 7, 9.

TABLE 1.2: Elite bailies and town councillors in Glasgow active for six years or more, 1574-86

Councillor	Highest position	Years in office as bailie	Years in office as councillor	Death or date of testament if known
William Cunningham	bailie	7	5	Jun 1598
George Elphinstone	bailie	6	3	Apr 1585
Robert Stewart	bailie	5	6	Feb 1599
Adam Wallace	bailie	4	9	
Robert Rowat	bailie	4	5	
John Graham	bailie	3	5	
Andrew Baillie	bailie	1	12	Sept 1611
Archibald Lyon	bailie	1	11	Nov 1587
David Lindsay	bailie	1	7	
Hector Stewart	bailie	1	5	Nov 1597
John Wilson	bailie	1	5	
George Herbertson	councillor	0	11	Jun 1586
Robert Adam	councillor	0	10	Jun 1611
James Fleming	councillor	0	10	Feb 1593
John Lindsay	councillor	0	8	Aug 1588
John Clerk	councillor	0	8	
George Burrell	councillor	0	7	
Gavin Graham	councillor	0	7	Jan 1594
James Lyon	councillor	0	7	Aug 1613
Robert Muir	councillor	0	7	Nov 1587
Matthew Wilson	councillor	0	7	
John Anderson	councillor	0	6	
John Fleming	councillor	0	6	
David Hall	councillor	0	6	May 1612

Source: J. McGrath, 'The Administration of the Burgh of Glasgow' (University of Glasgow PhD thesis, 1986), ii, 84, 133-4, 216-8.

TABLE 1.3: Elite town councillors, 1588-1606

Councillor	Highest position	Years in office as bailie	Years in office as councillor	Date of death or testament
Robert Rowat	bailie	8	2	Mar 1628
William Cunningham	bailie	4	1	Jun 1598
James Stewart	bailie	3	2	Dec 1622
Hector Stewart	bailie	2	3	Nov 1597
Matthew Trumble	bailie	2	5	Jan 1624?
Thomas Mure	bailie	2	3	Dec 1611
John Anderson	bailie	1	7	Feb 1617
James Forrett	bailie	1	6	
James Tempill	bailie	1	5	
Robert Chirnside	bailie	1	4	Mar 1608
Thomas Glen	bailie	1	2	
William Anderson	bailie	1	2	Jan 1611
James Fleming	bailie	1	1	Feb 1593
Alexander Baillie	bailie	1	1	Jul 1631
James Lyon	councillor	0	9	Apr 1618
James Braidwood	councillor	0	6	May 1631
David Hall	councillor	0	6	Dec 1613
Robert Adam	councillor	0	6	Jun 1611
James Bell	councillor	0 -----	6	Aug 1617-
John Weddrop	councillor	0	4	Aug 1625
Adam Wallace	councillor	0	2	
Peter Low	councillor	0	2	Feb 1611
Matthew Fleming	councillor	0	2	
John Rowat	councillor	0	1	Mar 1631

Source: GCA, Glasgow Town Council Minutes, C1/1/3, fo. 1; C1/1/4, fos. 1, 73, 129; C1/1/5, fos. 48-50, 103-4, 157; C1/1/6, fos. 21-22, 114-5.

Chapter 3: Civic Reform: The Letter of Guildry and the Merchant Guild, 1605-1625

TABLE 3.1: Commissioners for negotiating the Letter of Guildry, 1604-1605

Commissioners for the Merchants	Commissioners for the Crafts
(B) = Bailie	
William Anderson (B)	John Anderson (B)
Thomas Mure (B)	Robert Rowat
Matthew Trumble	Peter Low
William Stirling	Duncan Sempill
George Mure	Robert Hamilton
Archibald Faullis	John Mure
John Dickson	James Braidwood
Thomas Brown	Gavin Hamilton
James Inglis	James Fischer
Robert Adam	John Scot
James Bell	Thomas Fawside
James Fleming	David Shearer
	William Mure

Source: 'Letter of Guildry and Relative Documents', J. Marwick (ed.), *Charters and other Documents relating to the City of Glasgow 1175-1707*, 3 vols (Glasgow, 1896-1906), i, dcv-dcvii.

TABLE 3.2: Glasgow's Dean of Guild and his council in February 1605

Dean of Guild	Merchants	Craftsmen	Clerk
Matthew Trumble	Archibald Faulis, William Stirling, George Mure, James Bell	Robert Rowat, John Mure, Peter Low, James Braidwood	Archibald Hegate

Source: A. Ewing (ed.), *View of the Merchants House of Glasgow* (Glasgow, 1866), 89.

TABLE 3.3: Glasgow's Magistracy and Town Council in February 1605

Provost	Bailies	Town Council
Sir George Elphinstone of Blythswood James Elphinstone of Woodside is also named here.	William Anderson, Thomas Mure, John Anderson	William Fleming, John Rowat, John Weddrop, James Lyon, Duncan Sempill, James Fischer, John Ritchie, Mr John Ross, Umphra Cunningham, John Galbraith, Robert Adam, William Robeson, John Dick, John Scot, William Wallace, William Wilson, treasurer, Thomas Pettigrew, master of work.

Source: A. Ewing (ed.), *View of the Merchants House of Glasgow* (Glasgow, 1866), 89.

Chapter 4: The Return of the Archbishop: Politics and Religion in Glasgow, 1605-1625

TABLE 4.1: Named Supporters of Sir George Elphinstone of Blythswood and Sir Matthew Stewart of Minto, Privy Council Records, August 1606

Named supporters of Sir George Elphinstone	Named supporters of Sir Matthew Stewart of Minto
Sir George Elphinstone of Blythswood	Sir Matthew Patrick Bar
James Elphinstone	Stewart of Minto James Bar
Mr John Elphinstone	Sir Walter Stewart William Lindsay
James Forrett	James Braidwood Edward Bowie
Archibald Mure	(DG) George Sherilaw
Robert Rowat	Ninian Anderson Andrew Mure
William Anderson	(D) John Gemmill
Matthew Trumble, named as bailies of the town – ‘The provost, bailies and council thereof’	William Mure (D) Robert Gemmill
John Galbraith	James Lightbody Robert Douglas
Thomas Pettigrew	Thomas Fawside Walter Douglas
Thomas Patterson, ‘servitor to Sir George’	(D) John Scot
Thomas Hamilton, ‘servitor to Sir George’	Archibald Paterson James Watson
	(D) George Brown
	Alexander William Wilson
	Cauldwell (D) Arthur Fischer
	John Anderson John Mune
	Mr John Ross John Duncan
	James Stewart Archibald Paterson
	William Symmer Gilbert Weddrop
	James Fischer Thomas Clogie
	Simon Stewart John Clogie
	John Fleming Umphra McCapen
	Thomas Kincaid Robert Matthew
	Andrew Symmer (OB)
	Andrew Stark George Gray (OB)
	Alexander Stewart William Hereot
	William Stobo Patrick Gemmill
	John Bunten William Younger
	Gabriel Corbet of Mr James Corbet
	Hardgray George Brown
	Robert Napier of William Watson
	Blackyards John Robeson
	James Inglis Alexander Logan
	James Hamilton Adam Neil
	Alexander Stewart William Wilson
	John Stewart Andrew Parker
	David Hall William
	Mr John Horner Lymburner
	George Bogill Ninian Stewart
	Robert Hamilton William Neilson
	Robert Kneeland Alexander Nicoll
	William Kirkland Mr Robert Allason

Gabriel Liston	George Herron
Robert Farie	Gabriel Liston
Andrew Farie	Alexander Pollock
John Young	Thomas Blair
Thomas Glen	John Napier
Thomas Richie	
James Mure	
John Clerk	
Walter Sherilaw	
Matthew Ker	
David Andrew	
John Padie	
William Lufe	

DG= Deacon General/ Deacon Convenor; D=Craft Deacon; OB=Officer of the Barony
Source: Privy Council Records, *RPC*, first ser., vii, 141-2, 230-1, 234-5, 240-47, 249.

Chapter 5: Civic Administration, 1605-1625

TABLE 5.1: Elite town councillors, 1607-1613

(c) = craftsmen * = James Inglis was Glasgow's provost every year between 1609 and 1613.

Councillor	Highest position	Years in office as bailie	Years in office as councillor	Death
Matthew Trumble	bailie	6	0	Jan 1624
James Braidwood (c)	bailie	5	1	May 1631
James Stewart	bailie	3	2	Dec 1622
Robert Rowat (c)	bailie	1	5	Mar 1628
George Mure	bailie	1	5	Feb 1637
Thomas Mure	bailie	1	3	Dec 1611
James Inglis*	provost	1	1	
James Hamilton	councillor	0	6	
Thomas Pettigrew	councillor	0	6	Aug 1619
Allan Cunningham	councillor	0	6	Oct 1623
Matthew Fleming	councillor	0	6	
Duncan Sempill (c)	councillor	0	6	
William Symmer	councillor	0	5	Sep 1615
James Bell	councillor	0	5	Aug 1617
John Anderson (c)	councillor	0	5	Mar 1619
Alexander Caldwell (c)	councillor	0	5	
James Fischer (c)	councillor	0	5	
Walter Douglas (c)	councillor	0	5	

Patrick Maxwell (c)	councillor	0	5	
Ninian Anderson (c)	councillor	0	5	
Archibald Faulis	councillor	0	4	Aug 1620
William Wemyss		0	4	
John Bornis	councillor	0	4	Jan 1619
George Lyon	councillor	0	2	Dec 1610
John Rowat	councillor	0	1	Mar 1631
Umphra Cunningham	councillor	0	1	Jun 1629

Source: GCA, Glasgow Town Council minutes, C1/1/6, fos. 155, 236; C1/1/7, fos. 1, 13, 53, 98.

TABLE 5.2: Provosts and Bailies of Glasgow, 1613-28

(c) = craftsmen

Date of appointment	Provost	Bailies
5 October 1613	James Stewart of Flock	Matthew Trumble James Hamilton John Anderson (c)
4 October 1614	James Hamilton	James Bell Colin Campbell James Braidwood (c)
3 October 1615	James Hamilton	James Bell Colin Campbell James Braidwood (c)
1 October 1616	James Hamilton	Matthew Trumble James Bell Robert Rowat (c)
30 September 1617	James Stewart of Flock	Gabriel Cunningham William Wemyss Robert Rowat (c)
6 October 1618	James Stewart of Flock	Gabriel Cunningham William Stewart James Braidwood (c)
5 October 1619	James Inglis	Matthew Trumble Robert Fleming

		Patrick Maxwell (c)
3 October 1620	James Inglis	Matthew Trumble William Stewart Patrick Maxwell (c)
2 October 1621	James Hamilton	Gabriel Cunningham Robert Fleming Thomas Moreson (c)
6 October 1622	James Hamilton	Gabriel Cunningham John Rowat Thomas Moreson (c)
30 September 1623	Gabriel Cunningham	John Rowat John Cunningham Walter Douglas (c)
1 October 1624	Gabriel Cunningham	William Stewart George Barclay George Peadie (c)
4 October 1625	James Inglis	George Barclay Patrick Bell John Peadie (c)
3 October 1626	James Inglis	Patrick Bell James Stewart of Flock yr William Neilson (c)
2 October 1627	James Hamilton	James Stewart of Flock yr George Barclay William Neilson (c)
30 September 1628	James Hamilton	Colin Campbell George Barclay John Peadie (c)

Source: J. Anderson, *Index to the Bailies of Glasgow*, GCA, Special Collections (shelfmark 920.04), 13-14.

TABLE 5.3: Commissioners for Glasgow to Parliament and Conventions of Estates, 1585-1633

Parliament or Convention	Commissioner for Glasgow	Representative on the Lords of the Articles
(p)= Parliament; (c) = Conventions of estates		
July 1585 (c)	Robert Rowat	
Dec 1585 (p)	Robert Rowat	Robert Rowat
Sept 1586 (c)	Archibald Hegate	
July 1587 (p)	No commissioner: possibly Robert Lord Boyd	
April-June 1592 (p)	William Cunningham	William Cunningham
July 1593 (p)	Robert Chirnside James Stewart	James Stewart Sir Matthew Stewart of Minto
Sept 1593 (c)	Glasgow represented but commissioner unknown	
Jan 1594 (c)	Robert Chirnside	
May-June 1594 (p)	Sir Matthew Stewart of Minto	Sir Matthew Stewart of Minto
Sept 1594 (c)	Robert Rowat	
March 1597 (c)	James Bell	
June 1598 (c)	Master John Ross	
Nov 1600 (p)	James Forrett	James Forrett
July 1604 (p)	James Forrett	James Forrett
June 1605 (c)	James Forrett	
July 1606 (p)	James Forrett	James Forrett
Aug 1607 (p)	James Forrett	James Forrett
June 1609 (p)	James Inglis	James Inglis
Oct 1612 (p)	James Inglis	James Inglis
March 1617 (c)	James Inglis	
June 1617 (p)	James Hamilton of Aikinhead	James Hamilton of Aikinhead
Jan 1621 (c)	No representative	
Jun-Aug 1621 (p)	James Inglis	James Inglis
July 1630 (c)	Gabriel Cunningham	
Jun 1633 (p)	Gabriel Cunningham	Gabriel Cunningham

Sources: M. Young, *The Parliaments of Scotland: Burgh and Shire Commissioners*, 2 vols (Edinburgh 1993); K. Brown et al (eds), *The Records of the Parliaments of Scotland to 1707* (St Andrews 2007-2016).

TABLE 5.4: *Glasgow's Deans of Guild and their councils, 1605-1625*

Year	Dean of Guild	Merchants	Craftsmen
1605	Matthew Trumble	Archibald Faulis, William Stirling, George Mure, James Bell	Robert Rowat, John Mure Peter Low James Braidwood
1605-6	Archibald Faulis	Thomas Mure, George Mure, James Bell, Allan Cunningham, Thomas Pettigrew	John Anderson, Peter Low, John Mure, Duncan Sempill
1606-7	unknown	unknown	unknown
1607-8	William Symmer	William Anderson, Archibald Faulis, James Bell, Thomas Mure	Robert Rowat, John Anderson, James Lightbody, Thomas Fawside
1608-9	George Mure	Archibald Faulis, James Bell, John Lawson, John Bornis	John Mure, James Fischer, Thomas Moreson, Thomas Fawside
1609-10	James Bell	Thomas Mure, Thomas Brown, Archibald Faulis, John Lawson	John Anderson, Ninian Anderson, James Fischer, Alexander Caldwell
1610-11	James Bell	Thomas Mure, John Lawson, Thomas Pettigrew	John Anderson, Ninian Anderson, Patrick Maxwell, John Scott
1611-12	William Wemyss	James Bell, Thomas Brown, Thomas Pettigrew, John Lawson	Thomas Moreson, John Anderson, John Scot, Alexander Caldwell
1612-13	James Bell	John Lawson, Thomas Brown, Thomas Pettigrew, William Wemyss	John Anderson, Ninian Anderson, William Howie, Alexander Caldwell
1613-14	James Bell	George Mure, Archibald Faulis, Allan Cunningham, John Lawson	Robert Rowat, James Braidwood, Ninian Anderson, Thomas Moreson
1614-15	John Lawson	Archibald Faulis, Allan Cunningham, Thomas Brown, John Dickson	Robert Rowat, James Fischer, Thomas Moreson, Ninian Anderson
1615-16	John Lawson	John Dickson, John Rowat, Archibald Anderson, Matthew Marshall	Robert Rowat, Patrick Maxwell, Thomas Moreson, Ninian Anderson
1616-17	John Rowat	Colin Campbell, John Lawson,	James Fischer, Patrick Maxwell,

		William Wemyss, Matthew Marshall	Thomas Moreson, Ninian Anderson, William Bowie, James Braidwood
1617-18	Colin Campbell	John Rowat, Archibald Faulis, John Woodrope, George Glasgow	James Braidwood, Ninian Anderson, Thomas Moreson, John Crawford
1618-19	Colin Campbell	Archibald Faulis, John Rowat, John Lawson, George Glasgow	James Fischer, Thomas Moreson, Ninain Anderson, Walter Douglas
1619-20	John Rowat	Colin Campbell, John Lawson, Archibald Faulis, Patrick Bell	Walter Douglas, Ninian Anderson, Thomas Moreson and Thomas Acheson
1620-21	John Rowat	John Lawson, Patrick Bell, John Woodrope	Ninian Anderson, John Padie, David Shearer, James Fischer
1621-22	Colin Campbell	John Rowat, John Lawson, Patrick Bell, Archibald Anderson	Ninian Anderson, James Fischer, David Shearer, William Neilson
1622-23	Matthew Trumble	Colin Campbell, John Lawson, Patrick Bell, John Robeson	Patrick Maxwell, Ninian Anderson, James Fischer, John Padie
1623-24	Matthew Trumble	Colin Campbell, John Lawson, Patrick Bell, John Robeson	Thomas Moreson, Ninian Anderson, James Fisher, Gavin Neisbit
1624-25	Patrick Bell	Matthew Trumble, John Lawson, Colin Campbell, John Bornis	Walter Douglas, Thomas Moreson, William Neilson yr, John Anderson yr
1625-26	Matthew Trumble	Colin Campbell, John Lawson, John Bornis, John Robeson	Thomas Moreson, Ninian Anderson, William Howie, Patrick Colquhoun

Sources: GCA, B4/1/1 Dean of Guild Act Book, 1604-1622, fos. 1r, 21r-v, 27v-28r, 51v-52r, 68v-69r, 87v, 112r, 118v, 127r, 139r, 148r, 161r, 171v, 183r, 196r-v; GCA, B4/1/2, Dean of Guild Act Book, 1622-1638, 1v, 8v, 17v, 26v.

TABLE 5.5: Elite town councillors, 1623-1628

(c) = craftsmen

Councillor	Highest position	Years in office as bailie	Years in office as councillor	Date of Death or testament
Gabriel Cunningham	provost	2	4	5 Nov 1651
James Hamilton	provost	0	5	1 July 1634
James Inglis	provost	0	4	
Matthew Trumble	councillor	0	6	20 Jan 1624
Mr William Stewart	bailie	1	5	2 Jul 1644
James Stewart younger of Flock	bailie	3	4	5 May 1655
George Barclay	bailie	4	3	21 March 1645
John Padie (c)	bailie	3	3	
William Neilson yr (c)	bailie	2	3	
Colin Campbell	bailie	1	6	9 Jul 1640
John Rowatt	bailie	1	5	13 March 1631
Walter Douglas (c)	bailie	1	5	
John Cunningham	bailie	1	4	23 Jan 1630
George Mure	councillor	0	6	2 Feb 1637
William Neilson elder (c)	councillor	0	6	
John Bornis	councillor	0	5	
Gavin Nesbit elder (c)	councillor	0	5	
John Maxwell	councillor	0	5	26 Nov 1649

Thomas Moreson (c)	councillor	0	5	28 Jan 1654
John Anderson (c)	councillor	0	5	
Patrick Colquhoun (c)	councillor	0	5	
Henry Glen	councillor	0	5	
Robert Bar	councillor	0	4	8 Feb 1644
Ninian Anderson (c)	councillor	0	4	

Source: GCA, Glasgow Town Council minutes, C1/1/8, fos. 1, 9, 19, 46, 76, 98; NRS, CC 9/7 series, Register of Testaments, Glasgow Commissary Court.

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- C1/1/4, 5 October 1594-21 May 1597.
- C1/1/5, 21 November 1598-27 October 1601.
- C1/1/6, 13 June 1605-4 June 1610.
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