ECCLESIASTICAL ADMINISTRATION IN SCOTLAND: 1600 - 1638

by

Walter Roland Foster

Thesis presented for the Degree of Doctor of Philosophy of the University of Edinburgh in the Faculty of Arts.

October, 1963
# CONTENTS

## Preface

Preface

### List of Abbreviations

List of Abbreviations

## Chapters

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Real than Notional Bishops: 1597 - 1610</td>
<td>1</td>
</tr>
<tr>
<td>II</td>
<td>The Bishops of Scotland: 1611 - 1638</td>
<td>44</td>
</tr>
<tr>
<td>III</td>
<td>Kirk Sessions</td>
<td>116</td>
</tr>
<tr>
<td>IV</td>
<td>The Brethren of the Presbytery</td>
<td>162</td>
</tr>
<tr>
<td>V</td>
<td>The Senior Courts of the Church</td>
<td>222</td>
</tr>
<tr>
<td>VI</td>
<td>Admission to the Ministry</td>
<td>265</td>
</tr>
<tr>
<td>VII</td>
<td>Provision for the Ministry</td>
<td>300</td>
</tr>
<tr>
<td>VIII</td>
<td>Parish Life in Scotland</td>
<td>325</td>
</tr>
<tr>
<td>IX</td>
<td>Conclusions</td>
<td>366</td>
</tr>
</tbody>
</table>

## Appendices

<table>
<thead>
<tr>
<th>Appendix</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Stipends of ministers who opposed episcopacy</td>
<td>374</td>
</tr>
<tr>
<td>B</td>
<td>The Consecration of a Bishop</td>
<td>376</td>
</tr>
<tr>
<td>C</td>
<td>Ordination of a Minister</td>
<td>384</td>
</tr>
<tr>
<td>D</td>
<td>Collation granted by the Bishop of Moray</td>
<td>402</td>
</tr>
<tr>
<td>E</td>
<td>Decrees of the Commission for Plantation of Kirks: 1618</td>
<td>405</td>
</tr>
<tr>
<td>F</td>
<td>Testaments of Ministers</td>
<td>407</td>
</tr>
</tbody>
</table>

## Bibliography

Bibliography

415
The decision of the Church of Scotland to deposit on loan a large number of its church records with the Scottish Record Office has made available a large and important body of historical material. Some of these records provide a vivid and contemporary picture of the actual practice of the Church in the early seventeenth century and enable a student to see at least the externals of the church's life at a period when many conflicting claims were made for the merits of episcopacy and presbytery.

My thanks are due especially to the staff of the Scottish Record Office whose courtesy and efficiency have made my two years in Edinburgh delightful and memorable ones. I also wish to thank my supervisors, Dr Gordon Donaldson and the Rev. A. C. Cheyne, without whose direction this thesis could not have been written; the Rev. William Turner who kindly allowed me to examine the seventeenth century 'Register of the Presbytery of Dunblane'; the staffs of the National Library of Scotland and the Library of the University of Edinburgh; the National Council of the Protestant Episcopal Church in the United States of America who granted me an extended furlough of two years; and my wife who assisted with the typing.

Under the provisions of Regulation 13 of the Ph.D. Regulations of the University of Edinburgh, and with the permission of my supervisor, Dr Gordon Donaldson, a paper was read to the Scottish Church History Society on 26 March, 1963 on 'The
Operation of Presbyteries in Scotland: 1600 - 1638'. This paper was a summary of much of the material contained in Chapter Four of this thesis. The paper has not been published, but I understand it may be published in the Records of the Society in 1964.

W.R.F.
LIST OF ABBREVIATIONS

A.P.S. Acts of the Parliaments of Scotland.
Fasti Hew Scott, Fasti Ecclesiae Scoticanae.
K.S. Kirk Session
Presb. Presbytery
R.M.S. Registrum Magni Sigilli Regum Scotorum. H.M.S.O.
R.P.C. Register of the Privy Council of Scotland. H.M.S.O.
R.S.S. Registrum Secreti Sigilli.
Reg. Pres. Register of Presentations to Benefices
Chapter One
REAL THAN NOTIONAL BISHOPS, 1597-1610

In 1606 the Archbishop of St Andrews protested to King James VI that a proposed financial measure would reduce episcopacy to 'notionall than reall Bischopes'. No phrase could more aptly describe the state of episcopacy in Scotland during the last decade of the sixteenth century. After 1586 jurisdiction over presentations and discipline was gradually transferred from bishops and superintendents to presbyteries. The Act of Annexation of 1587 further deprived bishops of their temporalities. A contemporary historian and future archbishop, John Spottiswood, described the depressed state of Scottish episcopacy in 1600.

Aberdeen and Argyle had their own incumbents at the time, both actual preachers; St Andrews and Glasgow were in the hands of the Duke of Lennox; Murray possessed by the Lord Spynie; Orkney by the Earl of Orkney; Dunkeld, Brechin, and Dunblane had their own titulars, but these were not ordinary preachers; Galloway and the Isles were so dilapidated as scarce they were remembered to have been. Only in Ross and Caithness some provision was left.

Although episcopacy was little more than a façade by 1596, it had not disappeared entirely. Bishops were found as Lords

1 O.L. I, 54.
4 Spottiswood, History, III, 82.
of the Articles in the parliaments of 1593 and 1594, and both of these parliaments passed acts 'in favour of the bishop of abirdene' for 'recompence of the temporalitie of the bishops' \textsuperscript{2} In 1595 a presentation was directed to the bishop or commissioner of Argyll.\textsuperscript{3} Moreover, various agents of the church continued to exercise oversight, and their work provided a precedent for a revival of episcopacy after 1600.

Perhaps the most important precedent was the appointment of commissioners for visitation of kirks. The General Assembly of 1593 declared that 'the visitatioun of the Presbitries universallie throughout the haill realme, is thocht ane thing verry necessar',\textsuperscript{4} and assemblies regularly appointed 'Commissioners and Visiters of the Kirk', giving them authority over large areas of Scotland and power to 'viset and try the doctrine, lyfe and conversation, deligence and fidelitie of the Pastouris'.\textsuperscript{5} The authority of these temporary commissioners was considerable. In 1593 Mr Robert Pont, the distinguished minister of St Cuthbert's and visitor of Orkney and Shetland, was reported to have 'great deligence visit be him...and speciallie in

\textsuperscript{1} A.P.S. IV, 7, 56.
\textsuperscript{2} A.P.S. IV, 32-3, 77.
\textsuperscript{3} R.S.S. LXVII, 184, cited in G. Donaldson, Scottish Reformation, 221.
\textsuperscript{4} B.U.K. III, 800 (Calderwood, V, 246).
\textsuperscript{5} B.U.K. III, 800-801 (Calderwood, V, 246). For commissions in 1595, see B.U.K. III, 848-9 (Calderwood, V, 371-3), and in 1596, B.U.K. III, 862-4 (Calderwood, V, 419-20).
deposing of the persons not making residence'.¹ Nor was their authority limited to areas where presbyteries were unorganized for they were ordered in 1596 to try pastors 'within the Presbytries, where they are established already' joining to themselves 'such brethren of the Presbytrie...as they think most zealous, sincere, and best affected'.² Considering the authority of these visitors, one need not be surprised to find bishops in the early seventeenth century being appointed commissioners for visitation.

The practice of some general assemblies of appointing interim commissions to meet in Edinburgh and conduct general business was also used by the crown for its own purposes after 1596. The Assembly of 1588 'appointed certan Commissioners and brethren to meet every week [in Edinburgh] to consult upon affaires pertaining to the weill of the Kirk in so dangerous a time',³ and subsequent appointments, either for general affaires or specific projects were made as well.⁴ During the tense final months of 1596, commissioners of the General Assembly 'thought expedient that an ordinarie number of commissioners...viz., one out of everie quarter, sall have an ordinarie residence at Edinburgh, to conveene everie day with a number

¹ B.U.K. III, 812.
² B.U.K. III, 862-3 (Calderwood, V, 419).
³ B.U.K. II, 742 (Calderwood, V, 3-4).
of the Presbyterie of Edinburgh'. This commission has been described as a 'council of war' for the presbyterian party. A record of their vigorous and ultimately unsuccessful opposition to the king is fully preserved in the minutes of their meetings. It is not surprising, therefore, that a contemporary presbyterian historian should have described the pro-royal commissioners appointed the following year 'as a wedge taikin out of the kirk, to rent her with her owne forces'.

Finally, there was a considerable body of conservative opinion to which James could appeal for his episcopal policy. It is difficult to estimate the extent of this opinion, but there are many signs of its existence. The north was well known for its conservative views, and James made certain that this section of the church was better represented in the general assemblies which met after 1596. Approval by the General Assembly of 1586 of a compromise plan which retained a moderate episcopacy as well as presbyteries indicated that support for episcopacy was still substantial at that date. Veteran reformers such as John Craig, Erskine of Dun, and David

1 Calderwood, V, 447.
2 W. L. Mathieson, Politics and Religion, I, 274.
4 Calderwood, V, 644.
5 See below, 36-7.
6 G. Donaldson, Scottish Reformation, 216.
Lindsay continued to support a moderate episcopal policy,¹ and their influence was far from negligible. It was significant that the first synod to accept its 'constant moderator' in 1607 was the Synod of Angus where Erskine of Dun had been a vigorous superintendent for many years.²

The years following the tumult in Edinburgh on 17 December, 1596 saw a steady and even spectacular growth of royal authority -- an authority which was further strengthened by James' removal to London and the power of the English throne. Assertion of royal authority over all aspects of national life meant of course authority over the government of the church as well -- the doctrine that the king 'is the onelye laurchfull supreme governour of this realme, alsweill in maters spirituall and ecclesiasticall as in thingis temporall'.³ Nor could there be any doubt about James' views on church government. In 1599 he described the doctrine of parity as 'the mother of confusion and enemie to Unitie' and urged the advancement of godlie, learnid, & modest men of the ministrie, quhom of god be praised their lakis not a reasonable nomber & be thair praeferrament to bishoprikkes & benefices ...ye shall not onlie banishe thair paritie, quhilke can not agree uith a monarchie, but ye also sall

¹ G. Donaldson, Scottish Reformation, 214.
² Calderwood, VI, 677.
³ A.P.S. IV, 470. The Glasgow Assembly of 1610 retained an older version going back to 1572 and the Scots Confession of 1560 which attributed to princes 'the conservatioun and purgatioun of religioum'. Parliament in 1612 followed the stronger English wording. (Calderwood, II, 36, III, 184; Source Book of Scottish History, III, 13.)
reestablish the aulde institution of three estates in parliament. 1

It seems likely that these were views reached by James well before 1599, nor was his preference for episcopal authority difficult to understand. Bishops dependent upon the crown would make the doctrine of royal supremacy a reality, and a strong first estate might well serve as a counterweight to the nobility as well.

The variety, persistence, and even unscrupulousness with which James pursued his ecclesiastical policy have often been described. 2 Less well known is the effect which this policy had upon bishops. What were bishops expected to do, and what did they do between 1597 and 1610?

The General Assembly of May, 1597 approved the king's request that a commission of ministers be appointed 'generally to give their advyce to his Majestie in all affaires concerning the weill of the Kirk', 3 a body commonly known as Commissioners of the General Assembly. Calderwood later described these commissioners as 'the verie needle which drew in the threed of bishops', 4 and this was a fair judgement. Commissions had been granted by assemblies before, but it soon became

1 Basilicon Doron, I, 79-80.

2 There is a convenient summary by A. Ian Dunlop, 'The Polity of the Scottish Church, 1600-1637', Records of the Scottish Church History Society, XII, 161-5. However, James began to manipulate the date of General Assemblies in 1597, not in 1601. See below, 241-2.

3 B.U.K. III, 928 (Calderwood, V, 646).

4 Calderwood, V, 644.
evident that the authority of these commissioners was steadily to increase. The same assembly which authorized the first commissioners remitted the trial and possible deposition of a minister to them.¹ The next assembly authorized the commissioners 'to plant sufficient Ministers in the principall burghes within this realme', and cautiously gave them authority to try any minister with whom 'his Majestie find himselfe greivit'.² In October, 1597 two commissioners of the general assembly appeared at the Synod of Aberdeen and approved erection of a new presbytery before going 'north to entreat and travill with possessors of tyndis'.³ In 1604 the Presbytery of Paisley, which had struggled for some months with an undisciplined minister, 'being informit that the commissionaris of the generall assemblie ar to convene in Glasgow at the nixt Synod and understanding that the saids commissionars ar maist competent judges to depoiss Mr George Sempill fra the ministrie' submitted the case to them.⁴ Occasionally presentations to benefices were directed to the Commissioners of Assembly.⁵ In fact, the Commissioners of the General Assembly appear to have become a kind of central executive or 'Ecclesiastic

² B.U.K. III, 942-4 (Calderwood, V, 691-3).
³ Ellon Presb. 14 Oct. 1597; see below, 167.
⁴ Paisley Presb. 15 March, 1604.
⁵ See below, 28.
Counsall', 1 meeting between the now irregular general assemblies, and exercising broad administrative and judicial authority.

Moreover, those who were appointed commissioners -- or at least a majority of them -- could certainly be described as sympathetic to royal views on church polity. Of the first fourteen commissioners appointed, of whom seven were a quorum, five were destined to become bishops.2 Leaders of the presbyterian party, such as James Melville, were willing to serve as commissioners at the beginning; but within a year Melville had 'smeld out the purpose of erectioun of Bischopes againe' and resigned.3 Subsequent assemblies saw the appointment of more men who were soon to be bishops: four at Dundee in March, 1597/8,4 four at Montrose in 1600,5 and one at Holyrood in

1 Melville, Diary, 417.
2 George Gladstanes, Bishop of Caithness in 1600; David Lindsay, Bishop of Ross in 1600; Alexander Douglas, Bishop of Moray in 1602; James Nicolson, Bishop of Dunkeld in 1607, William Cowper, Bishop of Galloway in 1612. B.U.K. III, 928 (Calderwood, V, 645).
3 Melville, Diary, 433-4. At least by June, 1598 the presbyterian party realized what was happening. In that month Alexander Douglas warned James that some of the commissioners 'specialie thay of Sanctandrois' intended either to boycott meetings 'or els gif thay keip dyett...to sett thame selffis altogider aganis your Majesties intentioun'. (Warrender Papers, II, 356-7.)
4 Peter Blackburn, Bishop of Aberdeen in 1600; Andrew Knox, Bishop of the Isles in 1605; Gavin Hamilton, Bishop of Galloway in 1605; Alexander Lindsay, Bishop of Dunkeld in 1607. B.U.K. III, 943 (Calderwood, V, 692).
5 John Spottiswood, Archbishop of Glasgow in 1603; Alexander Forbes, Bishop of Caithness in 1604; James Law, Bishop of
The appointment of commissioners by the General Assembly at Linlithgow in 1608 -- the last time commissioners were appointed -- was a significant indication of how far episcopacy had progressed. The 1608 commissioners included two archbishops and nine bishops, all addressed for the first time by episcopal titles.  

However, it was not the work of commissioners, but the issue of clerical representation in parliament which provided the immediate occasion for a revival of episcopacy. The need for representatives of the church in parliament had been discussed intermittently by churchmen and assemblies since 1580. The government's solution of the issue was embodied in an Act of Parliament in December, 1597 -- an act which was to be cited by presentations to bishoprics for many years. The Act ordered that 'sick Pastoures and Ministers...as at any time his Majestie sall please to provide to the office...of ane Bishop, Abbot, or vther Prelate, sall at all time hereafter haue vote in Parliament', and further required that bishoprics 'salbe onelie disposed be his Majestie to actual Preachers and Ministers in the Kirk'. Finally, the Act remitted 'the office

---

1 Andrew Boyd, Bishop of Argyll in 1613. The commissioners now included four bishops and seven men who would become bishops. B.U.K. III, 996 (Calderwood, VI, 177).

2 Only the Bishops of Argyll and Dunblane were not included. B.U.K. III, 1058 (Calderwood, VI, 770-1).

3 Melville, Diary, 118-9; Calderwood, IV, 260-1, V, 430-1; B.U.K. II, 527, 787 (Calderwood III, 578, V, 157).
of the saidis...bishoprikis in their spirituall policie and guernament' in the Kirk -- that is, their duties in the church -- to the king and general assembly.¹

A General Assembly in March 1597/8 approved the principle that 'the Ministrie, as the thrid Estate of this realme, in name of the Kirk, have vote in Parliament',² but two years later an Assembly at Montrose proposed an alternative to the king's episcopal policy by sanctioning the appointment of ministers as parliamentary commissioners.³

The acts of Montrose, which did not even allow the use of the word 'bishop', could hardly have pleased the king. Although he threatened to appoint bishops simply by letters patent, presentations when they began were not simply civil decisions. The speed with which the first presentation was made -- that of Peter Blackburn to Aberdeen -- was a fair indication of James' determination that such ministerial episcopacy as existed should not lapse. David Cunningham, Bishop of Aberdeen, died on 30 August, 1600. Three days later the presentation of Mr Peter Blackburn, minister of Aberdeen, was directed to 'the ministeris of the generall asseiablie and thair commissioneris' who were charged 'to try and examinat the learning, etc' of Mr Blackburn.⁴ In October, at a meeting of

---

1 A.P.S. IV, 130-1
2 B.U.K. III, 945-6 (Calderwood V, 696).
3 B.U.K. III, 954-6 (Calderwood VI, 17-20).
commissioners from synods 'the king, with his commissioners, and the ministers there convened, nominated and chose three bishops... and appointed them to vote at the next parliament in name of the kirk';¹ and royal presentations (including a confirmation of Blackburn's earlier presentation) were issued on November 5th.²

Later controversialists were often to see episcopacy in simple black or white terms. However, for some the issue may not have seemed quite so clear at the time. Peter Blackburn was reported to have told Mr Patrick Simpson, minister of Stirling, that the king 'had offered the bishoprick of Aberdeen to him, assureing him if he would not take it for his own benefit and the benefit of his brethren, to prove them better, he would dispose it to a courteour'. Two prominent ministers, Robert Bruce and Andrew Melville, 'counsel him to take the benefice, and let the Generall Assemblie proveyde kirkis therewith'; and the Presbytery of Stirling likewise advised him to accept the appointment and at the next general assembly 'lay the benefice down at their feet'. However, the king 'at the nixt Assemblie... stayed any resolution of that kynd to be put in execution'.³

No further presentations to bishoprics were made until November, 1602. An Assembly at Holyrood in that month gave

---

¹ The three were David Lindsay, Bishop of Ross, Peter Blackburn, Bishop of Aberdeen, and George Gladstanes, Bishop of Caithness. (Calderwood, VI, 96.)


³ Row, History, 204.
implicit approval to crown appointments when it 'thocht expedient to adjoyne and nominat vthers...to be adjoynit to these, qhilk were nominat be Commissioners of Provinces conveneinit at Halierudehous, the 15 of October 1600'. Twenty-five ministers were nominated 'out of the qhilk number his [Majestie] sould make choise of such as he sould present to the benefices vacand',¹ and at the end of the month a fourth bishop was appointed.² Thereafter, presentations were regularly made, until by 1608 all sees were filled with men who were 'actual Preachers and Ministers in the Kirk'.

Not only were ministers appointed as 'parliamentary bishops' between 1600 and 1608, but much was also done to restore episcopal authority both within the state and the church. One significant step was to restore episcopal temporalities. Temporalities or lands of bishops had been annexed to the crown in 1587, although the act did not annex spiritualities or the principal castles and 'yairdis' of bishoprics.³ The restoration of episcopal temporalities had long been a goal of James,⁴ and crown presentations soon reflected James' policy. Appointments in 1600 or 1602 did not mention temporalities, but the first appointment which James signed 'at Hamptoun Court' showed his determination not to minimize the exceptions.

---

¹ B.U.K. III, 1000 (Calderwood VI, 179).
² Alexander Douglas, minister at Elgin, was presented to the Bishopric of Moray on 30 November, 1602. (Reg. Pres. III, 65-6.)
³ A.F.S. III, 433.
⁴ Basilikon Doron, I, 79.
allowed by the Act of Annexation. On 20 July, 1603 John Spottiswood was presented to the Archbishopric of Glasgow with

all maner places castellis touris fortalices housses bigingis orcheardis yeardis and dowcottis asweill within the wallis and precinct of the bishopis place ...as els quhair...in ony pairt within the realme of Scotland...notwithstanding the act of annexation.

A presentation of Gladstanes to St Andrews in October, 1604 was even more ample, as was that of Alexander Forbes to Caithness the following month. However, in December, 1604 the Bishop of Ross was confirmed in his benefice by a presentation using language which certainly envisaged the restoration of temporalities. The bishop was presented to all

...touris, fortalices maner places yairdis orchyairdis medois woddis fischingis mylnes mylnes landis multuris landis houss brughis of Regalities...together with all and haill the superioritie and Lordschip of regalitie thairof...notwithstanding of the act of annexation of the temporalitie of prelaceis.

A presentation of Andrew Knox to the Isles on 12 February, 1605 used similar language. And the presentations of James Law to Orkney on 28 February, 1605, and of Gavin Hamilton to Galloway a week later, left no doubt whatever about the intentions of the king. Both men were presented to all the privileges of their bishoprics 'alsweill of the temporalitie as spiritualitie'. An act for 'The Restitution of the estate of

bishops' passed by Parliament in 1606, which 'annullis the foirsaid act of annexatioun of the temporalitie of benefices' restored to all bishoprics that which had already been achieved in a few. Although purely civil and financial in its effect, the 1606 act was an important step in the restoration of material power and prestige -- adjuncts which seem to have been universally regarded in the seventeenth century as a necessary part of episcopacy. Nor did James' efforts to restore the estate of bishops cease with the Act of Restitution. Parliament in 1606 annexed the parsonage and vicarage of Glasgow to the archbishopric; the next year the kirk of Meigle was given to Dunkeld, and the Bishopric of Ross received the income of the Abbey of Fern in 1609.

The decade after 1598 also saw bishops take a more active part in national affairs and as agents of the government. In August, 1598 David Cunningham, Bishop of Aberdeen, and Sir Peter Young were sent as royal ambassadors to the King of Denmark and neighbouring princes of the Holy Roman Empire to enlist their support of his 'undoubted right to the realm of England' -- a mission which might be described as moderately

Douglas to Moray had presented him to the 'spiritualitie as temporality' of the bishopric (Reg. Pres. III, 112). The language of these three presentations was the same as that used in 1607, after the Act of Restitution. See e.g. Reg. Pres. IV, 4-5, 12-13, 16.

1 A.P.S. IV, 281-4.
2 A.P.S. IV, 330.
3 A.P.S. IV, 372.
4 A.P.S. IV, 446.
In 1600 David Lindsay, the veteran minister of Leith and now Bishop of Ross, was admitted to the Privy Council and proved to be a very faithful member of that body.\(^2\) Gladstanes, Bishop of Caithness, joined the council in 1602,\(^3\) as did Spottiswood, Archbishop of Glasgow, in 1605.\(^4\) By 1607 the entire bench of bishops were members of the Council, although only Gladstanes, Spottiswood, and Lindsay attended very frequently.\(^5\) In the Parliament of 1604, and thereafter, the names of bishops appeared with increasing frequency on that crucial committee, the Lords of the Articles.\(^6\) Following a royal letter, bishops rode in state with the rest of the nobility to parliament in 1606 and again in 1607,\(^7\) although one, 'Mr Peter Blekburne, Bishop of Aberdeene, thought it not beseeming the simplicitie of a minister to ryde that way in pompe; therefore, he went on foote to the parliament hous'.\(^8\)

Three bishops were among the Commissioners for the Union

\(^1\) Warrender Papers, II, 358-30.
\(^2\) R.P.C. VI, 187, xxxi.
\(^3\) R.P.C. VI, 484.
\(^4\) R.P.C. VII, 52.
\(^5\) R.P.C. VIII, xxii.
\(^6\) A.P.S. IV, 260, 280, 365, 413.
\(^7\) Calderwood, VI, 493, 669; O.L. I, 382*.
\(^8\) Calderwood, VI, 493-4. Robert Leighton, the saintly bishop of Dunblane followed a similar course in 1662. (W.R. Foster, Bishop and Presbytery, 12.)
appointed by parliament in 1604, and bishops were among the lords who first tried the Blackness prisoners — ministers who were arrested after an abortive assembly at Aberdeen in 1605.

A further indication of the growing civil prominence of bishops was the restoration to the Archbishop of Glasgow in 1607 of his ancient right to appoint the provost and bailies of Glasgow. Although no bishop at this time was an officer of state, bishops were certainly among the leading citizens of the nation by 1608 and were to take an increasingly important part in the activities of the government.

James might restore the estate of bishops, and even give them an important share in the government as well; but the crucial issue was their authority within the church. As has been seen, the increasing prominence of bishops as commissioners of general assembly was the first method used by the crown. Commissioners for visitation offered a further opportunity. General assemblies after 1596 continued to appoint visitors, evidently with undiminished authority. James Melville described his work as a visitor of Aberdeen, Moray, and Ross in 1598. "At ther Synods and Presbyteries we tryed the Ministers, particularlie in doctrine, knawlage, and lyff: Sum we deposit; sum we admonished; sum we encouragits manie we

1 A.P.S. IV, 263-4.
2 Calderwood, VI, 444.
4 B.U.K. III, 949-50, 961 (Calderwood, VI, 22-3).
helped in ther gleibs, manses, and leivings.\(^1\) Leaders of the episcopal party first began to be appointed as visitors at the Assembly of 1601. In that year the Bishop of Caithness was appointed visitor of his diocese,\(^2\) the Bishop of Ross became one of the visitors of Clydesdaill, and five future bishops were made visitors as well.\(^3\) Moreover, James took care to have these appointments confirmed by the Privy Council.\(^4\) At the Assembly of 1602 the Bishop of Ross was assigned as visitor to his diocese, the Bishop of Aberdeen was appointed to visit Moray,\(^5\) and a comprehensive 'form and subject of visitation of kirks' was approved.\(^6\) No further visitors were appointed for six years, although James rather ominously reminded the church in 1607 that he had replaced those who, since 1602 'are either deseased, exiled, or confined'.\(^7\)

\(^1\) Melville, *Diary*, 433.

\(^2\) It has been said that Gladstanes probably never visited his diocese, but at least he got as far north as Elgin where, on Sunday afternoon 'Mr. George Gladstanis, bishop of Kaitnes, preachit 5 ca. Zath'. (Craven, *History of the Church in Caithness*, 47; Elgin K.S. 105.)

\(^3\) B.U.K. III, 973 (Calderwood, VI, 123). The five were Alexander Douglas, John Spottiswood, Gavin Hamilton, Andrew Knox, and James Nicolson.

\(^4\) R.P.C. VI, 379-80.

\(^5\) B.U.K. III, 986-7 (Calderwood, VI, 168-70).

\(^6\) B.U.K. III, 991-4 (Calderwood, VI, 170-3).

\(^7\) B.U.K. III, 1043 (Calderwood VI, 683).
Apparently these visitors were not too active; the king complained that they were grossly negligent.¹ James Law, now Bishop of Orkney, made a visitation in April-May, 1608 to the Presbyteries of Melrose, Kelso, and Jedburgh, although the last one, at least, was not very successful.² Calderwood charged the visitors with using their authority to select amenable commissioners to a forthcoming general assembly,³ and this was likely enough.

Bishops might have important commissions, but this did not give them any technical authority within the church by virtue of their office. No doubt an ordinary parishioner would not always comprehend the careful distinction between an authority which a man exercised because he was a bishop, because he was a visitor, or because he was a commissioner of the general assembly — especially so since many bishops held all three positions. Yet there is remarkably little evidence that bishops exercised any direct, episcopal oversight in their dioceses prior to 1607. Not many records from this period have survived, but even in the Presbyteries of Ellon and Aberdeen, where the episcopal tradition was stronger than in many areas, the Bishop of Aberdeen in 1607 was little more than a prominent minister of the church.

There was one remarkable exception in 1601, when Bishop

---

¹ B.U.K. III, 1043 (Calderwood, VI, 683). His complaint was not new. Cf. a General Assembly report for 1600. (B.U.K. III, 949 [Calderwood, VI, 22].)
² Jedburgh Presb. 13 April, 27 April, 1608, O.L. I, 199-200, R.P.C. VIII, 509-10, 103, 126.
³ Calderwood, VI, 684, 705-6.
Blackburn attempted to intervene in a disciplinary case. The results must not have been very encouraging for the proponents of episcopacy. The case began when Janet Stuart challenged the proclamation of banns of marriage of Walter Wood, claiming that he had made a prior promise to marry her; and the Presbytery of Ellon summoned Janet to prove her charge. However, she

comperit not...bot a letter [was] sent be the bishop off Aberdeen shawing that he was informit off a promise mad to the said Janet be the said Walter and thairupon that the proclamation of banns suld stay. It being testifed be famous witnes the same day that the said Janet was infamous and had na certain residence that a letter suld be sent...to the bishop informing him forder in the mater and of her non comperence...that in caise he had any forder he wald inform the presbytery and until that tyme that the proclamatioun off banns suld proceid."

Nothing further was heard of the case, and it was many years before the Bishop of Aberdeen made any similar attempt to regulate presbyterial discipline.

Thereafter Peter Blackburn appeared occasionally in the minutes of Ellon Presbytery; but no more frequently, and with no greater prominence, than other distinguished ministers. Sometimes he assisted in difficult visitations, but other ministers assisted as regularly.2

Most presbytery registers have no occasion to mention any bishop at this time. Indeed, until 1606, most bishops

1 Ellon Presb. 16 Dec. 1601.

2 See, for example, two difficult visitations at Slains and Udny in 1605. Blackburn was one of the commissioners present at Udny, but other ministers were sent to Slains. (Ellon Presb. 23 May, 30 May, 1605.)
continued to hold parochial charges and to attend presbytery
meetings as ordinary members of that body. This was certain-
ly the position of Blackburn, Bishop and minister of Aberdeen,
and of Andrew Knox, Bishop of the Isles and minister of
Paisley. Alexander Douglas continued to moderate the Kirk
Session of Elgin after he became Bishop of Moray; and George
Graham, Bishop of Dunblane in 1603, was still listed as minis-
ter of Scone, and drawing the stipend thereof, in 1607 and
1608. 2

The Assembly at Linlithgow in December, 1606 marked a
decisive point in the development of Scottish episcopacy. This
assembly gave bishops certain rights within the church by
virtue of their episcopal office. Bishops were now to be
moderators of presbyteries where they resided, and -- at least
as the assembly minutes were altered by James -- of synods as
well. Both proclamations of the privy council and royal
commissioners were necessary to enforce these acts, but by July,
1608 presbyteries and synods seem to have accepted their
constant moderators. 3

Clerical stipends began to be influenced by bishops in
1607. Manipulation of stipends was a frequent device both
before and after the Reformation to encourage ministers to
conform. 4 Row wrote that in 1607 'the King appoynting that the

3 For synods, see below, 224-6. For presbyteries,
see below, 175-8.
4 For example, in 1584, R.P.C. III, 701-4, or in 1596,
Calendar of Scottish Papers, XII, No. 320.
modification of ministers stipends should be in the hands of Bishops...many poore, many corrupt, and ill-principled ministers begouth to acknowledge them'.

A year later Calderwood reported that 'the modificatioun of ministers' stipends for this yeere was committed whollie to the bishops. By augmentatioun they allured, by diminutioun they weakened and discouraged, a number of the ministrie.'

A letter from the Archbishop of St Andrews to the king confirmed this accusation, although the archbishop complained that his authority was not very effective for 'albeit a great number hes nocht receaved any testimoniall of ws as your Maiestie directed, yit they tak up thair stipendis peciablie'.

The Register of Assignment and Modification of Stipends also suggests that the ability of bishops to reduce stipends was limited, even in the case of well-known opponents. Only portions of the register have survived, but modifications of stipends for most presbyteries for the years 1599, 1601, 1607, and 1608 do exist. An examination of the stipends of fourteen ministers, all of whom had in one way or another opposed royal policy and been warded in their parishes as a consequence, shows little significant change in the assigned or modified stipend of these men. Six stipends dropped slightly, one rose considerably, and seven

---

1 Row, History, 245.
2 Calderwood, VI, 705, cf. 688; Melville, Diary, 749-50.
3 O.L. I, 130.
remained the same.\textsuperscript{1}

Of more permanent significance was the work of bishops on a Commission for Modification of Stipends established by parliament in 1606.\textsuperscript{2} A commission of noblemen, bishops, and ministers were to assign 'sufficient and competent stipendis' to all impropriated churches 'quhairof the patronages ar disponit be our said souerane lord in this present parliament in the e-rectionis of temporall lordschippis and baroneis'. The achievements of this important commission are recorded in many charters and presentations.\textsuperscript{3} One of the warded ministers mentioned above, Mr Robert Wallace of Tranent, had his stipend raised from 195 merks to 500 merks as a result of the work of this commission.\textsuperscript{4}

By the end of 1608 controversy appears to be dying down. At an Assembly in July of that year, a bishop was elected moderator for the first time since 1575.\textsuperscript{5} The Assembly itself

\begin{itemize}
\item \textsuperscript{1} Appendix A. Row, Hog, Smyth, Ramsey, Carmichael, and Calderwood had their stipends reduced sometime between 1601 and 1608. Not all of these reductions were necessarily due to episcopal interference, of course. The remaining records are too scanty to permit comparison of figures on other warded ministers. For ministers' stipends in general at this period, see below, Chapter Seven.

\item \textsuperscript{2} \textit{A.P.S.} IV, 299-300.

\item \textsuperscript{3} See below, 304-6.

\item \textsuperscript{4} Reg. Assig. Stipends, Haddington, 1607, 1608; \textit{R.M.S.} 1593-1608, 2004. Tranent was annexed to Holyrood, which was erected into a temporal lordship in 1606 (\textit{A.P.S.} IV, 330-2).

\item \textsuperscript{5} At the Assembly at Edinburgh on March 7, 1574/5 James Boyd, Archbishop of Glasgow, was moderator. (\textit{B.U.K.} I, 314
\end{itemize}
had little to say about episcopacy, although it did continue the full bench of bishops as commissioners of assembly. One act requested bishops and other commissioners 'to apprehend traffiqueing Papists, Jesuites, and Seminarie Priests that does haunt within their bounds'. The assembly further requested the government to require tutors who were going abroad with the sons of noblemen to secure presbyterial licences before leaving the country. This request was approved in 1609, although one need not be surprised to learn that parliament preferred the licence of a bishop to that of a presbytery.

In 1609 Calderwood wrote, 'As they [the bishops] growed in greatnesse...numbers of the ministrie fell to them', and another leader of the presbyterian party was equally discouraged. In a letter to James Melville, John Carmichael wrote, 'Manie tyme my heart is cast doun and freatteth, to see the universall defectioun of all. There is no man now to speeke a word in seasoun', that is, against episcopacy. And there was good reason for their pessimism. In October, 1608 the Presbytery of Jedburgh, a center of resistance to

---

[Calderwood, III, 339.] At the Assembly at Linlithgow on 26 July, 1608 James Law, Bishop of Orkney, was moderator. (B.U.K. III, 1046 [Calderwood, VI, 751].) In 1608 the choice of Law 'passit hardlie aneuch, for be caryit it be thrie onlie fra Mr Patrik Symson'. (O.L. I, 145)

1 B.U.K. III, 1053-4 (Calderwood, VI, 765).
2 B.U.K. III, 1054 (Calderwood, VI, 766).
3 A.P.S. IV, 428.
4 Calderwood, VII, 46-7.
episcopacy, submitted peacefully enough to an episcopal visitation. The presbytery clerk wrote, 'Thair wes no tryall that day becaus Mr James Law [Bishop of Orkney] had tryed them and had the tryall in his owne scrools'. Open resistance, at least, was at an end.

Parliament in 1609 passed a series of acts favouring episcopacy, the most important of which was an act for the restoration of the bishops' consistorial jurisdiction. Commissary courts had been set up for confirmation of wills and had jurisdiction over marriage and divorce cases, small debt cases, and suits concerning teinds, testaments, and slander, as well as being courts of record. The four commissaries of Edinburgh were a court of appeal from other commissaries on certain matters. The right of the Lords of Session to appoint commissaries was ratified by letters patent in 1581 and by parliament in 1592. The act of 1609 restored to bishops the right to appoint commissaries, their deputies, and other officers of the court. However, it did not revive the pre-Reformation right of appeal to archiepiscopal courts, but retained the practice of appeals to four commissaries of Edinburgh, who were to be appointed by the two archbishops. Furthermore, the Act

1 See below, 176-8.
2 Jedburgh Presb. 5 October, 1608.
3 A.P.S. IV, 430-1.
4 Much of the material in this section is taken from Gordon Donaldson, 'The Church Courts', Introduction to Scottish Legal History, Stair Society.
provided for a system of appeals from the commissaries of Edinburgh to the Court of Session. The procedure and jurisdiction of commissary courts were not altered by the Act, but the right of bishops to appoint the officers of those courts was an important step in the restoration of episcopal authority.

It was also in 1609 that Archbishop Spottiswood received a royal warrant to visit the Borders to 'tak ordour with the repairing of the kirkis...for planting of the same with ministeris, and for uniting of kirks togidder'. In the course of his visitation he also apprehended two notorious Roman Catholic leaders and seized some vestments and other sacred articles.¹

The same year Bishop Andrew Knox made an even more extraordinary and successful expedition to the Isles. The previous year the bishop had accompanied Lord Ochiltree on a military expedition to the Isles which had secured the submission of many of the leading Island chiefs. In July, 1609, however, the Bishop himself was the head of a more peaceful expedition. The mission culminated in a court held at Iona between 'ane Reverend Father in God, Andro, Bischop of the Illis' and many of the chiefs. On August 23rd a series of statutes were agreed upon and a solemn band entered into on the following day. The Statutes of Iona did not 'attempt to alter the social structure of the clans; instead, abuses were to be checked and there was to be reformation through religion and

¹ R.P.C. VIII, 266-7, 564-5, 584-5, 301. The Bishop of Galloway received a similar commission in January, 1610. (R.P.C. VIII, 616, 433.)
education. The first article of the Statutes concerned establishment of the church. The chiefs agreed

that the ministeris alswele plantit as to be plantit within the parrochynis of the saidis Illandis salte reverentlie obeyit, their stipendis dwtifullie payit thame, the ruynous kirkis with reasonable diligence repairit, the sabothis solemnlie keipit, adultereis, fornicationis, incest, and sic uther vyle sklanderis seveirlie punist.²

In 1610 the Bishop was given a Commission of Justiciary over the Isles,³ and he established his headquarters at the Castle of Dunivaig in Islay. The editor of the Privy Council Register concluded:

[By 1613] it is pretty evident that the Council had retained the chiefs of the Icolmkill contract satisfactorily within their grasp, and that, though there may have been no very great progress in the work of introducing into the Western Islands the social and economic reforms promised in the Statutes of Icolmkill, Bishop Knox's stewardship of these Islands had been very prudent and successful.⁴

At the end of 1609 the Archbishop of Glasgow wrote that 'the king by his letters was now daily urging the Bishops to take upon them the administration of all Church affairs'; and the prelate concluded, 'an Assembly to this effect was

---

1 Source Book of Scottish History, III, 265.
2 R.P.C. IX, 27.
3 R.P.C. IX, 30-1.
4 R.P.C. IX, xxxii. The bishop was less successful in 1614 when the Castle of Dunivaig was captured by the Macdonalds. Knox led an expedition against the rebels, but was cut off, had his own boats burned and was forced to leave his son as a hostage. The castle was eventually recaptured by the Laird of Caddell, and sometime between 1614 and 1618 Bishop Knox left for Ireland. (R.P.C. X, 264, 267, 279n.; xxxvi-xxxix, O.L. II, 272-5; Memoirs of the Maxwells, II, 73-4.)
appointed to hold at Glasgow'. The Glasgow Assembly of 1610 was only the most notable of a series of events in that year which sought to establish episcopal authority on a secure and permanent basis.

On January 30th Archbishop Spottiswood was made an extraordinary Lord of Session in place of the Earl of Lothian. On February 15th the establishment of two courts of high commission was publicly proclaimed. The work of these courts will be considered later, but the proclamation itself made it clear that the courts were to exercise a wide jurisdiction. Composed of laymen, bishops, and ministers, and presided over by an archbishop, each court had jurisdiction over an archiepiscopal province and broad powers of enforcement, being authorized 'to fyne at their discretiouns, imprisoun, or warde'. The competence of the courts was likewise broad. They could try 'anie person or persons dwelling...within their provinces...being offenders ather in life or religiou', any 'minister, preacher, or teacher...whose speeches in publict have beene impertinent, and against the established order of the kirk', and could exercise appellate jurisdiction over all other ecclesiastical courts with power 'to take tryell and cognitioun thereof unto themselves, and to discharge the said judicatour of all farther proceeding'.

About the same time presentations to benefices ceased to

1 Spottiswood, History, III, 205.
2 Brunton and Haig, Senators of the College of Justice, 251.
3 Calderwood, VII, 57-62.
be sent to presbyteries and were directed to bishops instead. Although most presentations before 1610 were directed to presbyteries, some presentations continued to mention bishops, commissioners, superintendents, or the Commissioners of the General Assembly. Between 1597 and 1609 eight presentations mentioned bishops, four were directed to the Commissioners of the General Assembly, twenty-four were directed to either commissioners or presbyteries, and sixteen mentioned only commissioners or superintendents. Although it might not be surprising to find presentations directed to 'the bishop of Argyll or commissioneris over the kirkis thairof', or to 'the Bishop or Commissioner of the dyocie of Cathnes and presbiterie of Sutherland', it is more surprising to find commissioners mentioned in Lanark, Duns, Glasgow, Jedburgh, Brechin, Stirling, and East Lothian.

However, a radical change occurred in 1610, months before the Glasgow Assembly. On January 2nd a presentation was directed to 'the moderator and presbiterie of Hadingtoun'.

1 Reg. Pres. III, 51, 1042; IV, 10-11, 14, 27, 31.
2 Reg. Pres. III, 53, 93; IV, 14, 34.
5 Reg. Pres. III, 51; IV, 10-11.
7 Reg. Pres. IV, 36.
On January 20th five presentations were registered: one 'to the moderatour and presbiterie of Aberbrothok [Arbroath]', three to 'the archbischope of Sanctandrois or the presbiterie of Sanctandrois', and one to 'the archbishop of St Androis'.

The next presentation on March 3rd was directed to 'the maist reverend father in God, George, archbischope of Sanctandrois', and thereafter all presentations without exception were directed to bishops or archbishops. The transfer of crown presentations from presbyteries to bishops was far more abrupt and universal than was the reverse trend in the 1580's.

Long before the Glasgow Assembly ever met, it is clear that much had been done to restore 'reall bischopes'. A leader of the antiepiscopal party summarized the status of bishops immediately before the assembly.

When the bishops became lords in parliament, counsell, checker, sessioun, lords of temporall lands and regaliteis, patrons of benefices, commissioners in the king's high commissioun, and consequentlie, great and terrible to the ministrie...then was it thought fitt tyme to convocat a Generall Assemblie.

And even this list failed to mention that bishops now possessed commissariat jurisdiction and were receiving presentations to

---

1 Reg. Pres. IV, 39.
2 Reg. Pres. IV, 37, 38, 40.
3 Reg. Pres. IV, 37. The same presentation of Mr James Fardin to Ferry-Fort-on-Craig had been directed on 1 November, 1609 to 'the presbiterie of Sanctandrois' (Ibid. 34).
5 G. Donaldson, Scottish Reformation, 210, 218.
6 Calderwood, VII, 90.
benefices as well. A local example of the kind of jurisdiction bishops were exercising in the months before the Glasgow Assembly was a letter which the Presbytery of Ellon received on January 31st 'fra Mr Peter Blackburn bishop of Aberdene in favor of the commiss[ary] beiring in effect that the ministrie haid not heirtofoir gevin up the names of the defuncts of the severall paroches' and the presbytery ordered names to be brought at the next meeting.¹

However, the Glasgow Assembly which met in June, 1610 was a decisive turning point for Jacobean episcopacy; and the conclusions of that Assembly, duly modified by parliament two years later, established the limits of ecclesiastical jurisdiction within which episcopacy was to operate until 1638. The Assembly granted to bishops four broad types of jurisdiction.² First, bishops were to moderate presbyteries or to appoint moderators of presbyteries. Bishops were to be moderators of synods as well, and parliament added that a bishop could appoint a minister to be moderator of a synod if he were absent.

Second, bishops were given considerable authority over the discipline of laymen by virtue of their right to approve, or withhold, the final sentence of excommunication. The Assembly provision that episcopal action would be subject to review by general assemblies was dropped in the act of parliament.

¹ Ellon Presb. 31 Jan. 1610.
Bishops were also responsible for the discipline of ministers, being given the right to try and to depose ministers 'associating to himselfe the Ministrie of these bounds quher the delinquent served', i.e. the presbytery. Parliament added that the same procedure was to be used in suspending ministers.

Third, the rights of bishops to make regular visitations of their dioceses were restored, although if necessary each bishop was allowed 'to appoint some worthie man to be visitour in his place'.

Fourth, presentations to benefices were to be directed to bishops who were to give collation and, after examination by 'the Ministers of these bounds quher he is to serve', the bishop 'being assisted be such of the Ministrie of the bounds quher he is to serve as he will assume to himselfe' was 'to perfyte the haill act of ordinatioun'. Parliament also confirmed the rights of patrons to have 'any qualifieit Minister' admitted whom they might present.

The most important modification introduced by parliament was its refusal to ratify the Assembly act that 'Bischops salbe subiect, in all things....to the censures of the Generall Assemblie'.

Although there were Reformation precedents for the conclusions of the Glasgow Assembly, yet the achievements of the past twelve years were certainly remarkable enough. Primarily, they were due to the persistence and determination of the king, and to the growing power of the throne which made it possible for James to exert so powerful an influence. But
James was also able to retain the support of the nobility, or at least forestall their active opposition to his ecclesiastical policies. By 1597 the presbyterian leaders had lost almost all support from the nobility. In that year an anonymous letter to James by a member of the Melvillian party complained of 'your Majestie's nobilitie... of whom, some are enemeis, some professors, some neutralls. The enemeis yitt are about you...the professors, some ly by, some kythe [i.e. manifest] themselves. As for neutralls, a small part of preferment will make them plaine enemeis.'

Clearly the author believed that he could appeal to only a small number of the nobility.

A report to Elizabeth in 1597 showed just how little support the presbyterian leaders did have. There were in Scotland 'a number of professors of the Word such as noblemen, gentlemen, burgesses and townsmen whereof never one will assist their ministry against the King so long as he remains... [even] if it were but by outward show, professor of their religion'. And the report concluded that 'the present estate of that realm is such that never a nobleman will countenance the ministry, such excepted as has private quarrels to debate'.

Nor could support be expected from the newer nobility created after 1600, most of whom were endowed with abbey lands, for a Melvillian policy which sought to recover those lands for

---

1 Calderwood, V, 549

2 Calendar of Scottish Papers, XII, No. 452.
the use of the church. Lack of support from the nobility was fatal to the cause of the presbyterian leaders. A slightly later contemporary wrote that by 1597 assistance from the nobility was disappearing, 'and without them, it was well known they [i.e. the presbyterian leaders] could effectuate nothing'.

Although the nobility might not support radical presbyterianism, yet their support for episcopacy was by no means certain. An observer in 1598 saw the real problem. 'In case the ministers should yield freely unto the King for the setting up again of bishops, in my opinion the greatest "ple" would be between the King and nobility who have the bishops' lands in their hands and will be [loth?] to leave them.'

The prediction was accurate, and the government met opposition when it attempted to restore episcopal lands in the Parliament of 1606. The act for the 'Restitution of the estate of bishops' passed, however, with much less difficulty than was expected, undoubtedly because James was also willing to allow the erection of numerous abbey lands into temporal lordships, thereby giving hereditary rights to noblemen who had previously held their lands only as commendators.

After this compromise, there was almost unqualified support

---

1 Guthrie, Memoirs, 7.
2 Calendar of Scottish Papers, XIII (1), No. 135.
3 Melrose Papers, I, 16-17.
4 In the Parliament of 1606 there were twelve erections and five confirmations of erections.
from the nobility, not only in the Parliament of 1612, but also in the General Assemblies of 1608 and 1610.\(^1\)

The attitude of the ministers was less unanimous. James' determination to restore episcopacy was probably strengthened by the extreme independence of presbyterian leaders before 1596. R.S. Rait in his basic work on the Scottish parliament wrote, 'In the confusion of the early years of the active rule of James VI, it [i.e. the General Assembly] intervened in matters which naturally belong to the Executive, and it attacked the government in the manner of a parliamentary opposition'.\(^2\) In 1593 the General Assembly attempted to prevent trade between Spain and Scotland.\(^3\) An Assembly in March 1595/6 not only spoke very bluntly about some personal habits of the King and Queen,\(^4\) but also 'proceeded to discuss arrangements for the training of a militia in every parish and for its equipment with suitable armour, to be purchased from abroad'.\(^5\) Mr Rait concluded: although 'every question of policy involved religious considerations and affected the safety of the Reformed Church...[yet] the Assembly exercised, at times, a remarkable control over the

\(^{1}\) Calderwood, VI, 751; VII, 104, 107.

\(^{2}\) R.S. Rait, The Parliaments of Scotland, 16.

\(^{3}\) B.U.K. III, 817-8 (Calderwood, V, 249).

\(^{4}\) B.U.K. III, 873 (Calderwood, V, 408-9).

\(^{5}\) R.S. Rait, op. cit. 17; B.U.K. III, 860 (Calderwood, V, 400).
Some individual ministers were also quite outspoken. In 1596 the English ambassador indignantly reported that creditable witnesses heard Mr David Black, minister of St Andrews, declare in his sermons that Queen Elizabeth 'was an atheist and that the religion that was professed there was but a show of religion guided and directed by bishops' injunctions'. In January, 1596/7, shortly after the tumult in Edinburgh, a report was sent to England that

the ministers cease not to take liberty in their sermons to inveigh against these present proceedings in regard they think thereby the religion and person of the King shall be endangered, or else that the Spanish course shall be advanced.

It is hardly surprising that the English ambassador should have described the ministers as 'preachers of the blessed Word and some of them thought to be more insolent than their calling will afford'.

The effect which such practices had upon the king was recognized by an observer in 1598. There had been a temporary lull of a few months in the conflict over church matters when a new cause for dispute broke out. George Nicolson described

---

1 R.S. Rait, op. cit. 17.
2 Calendar of Scottish Papers, XII, No. 288.
3 Calendar of Scottish Papers, XII, No. 334.
4 Ibid. XII, No. 452.
5 In April, 1598 Roger Aston reported 'our ministers of Edinburgh are well settled, both the old and the new. The King and Kirk are like to settle all things very well.' (Calendar of Scottish Papers, XIII [I] No. 137.)
the incident for Sir Robert Cecil.

On Sunday last the minister at Stirling preaching upon the second commandment (I hear) inveighed against idolatry and touch against the restoring of the Bishop of Glasgow, &c., whereat the King being offended replied that his reproving was against the Act of the General Assembly and Parliament,...and some other words as if he intended yet to shorten their liberty. Which is like to make the King more resolute anent the establishing of bishops now at Falkland and the infringing of the ministers' ampleness.

The establishing of bishops was of course resolutely opposed by some of the ministers. However, the opinion of the ministers as a whole is more difficult to determine. A report to Lord Burghley in May, 1597 probably expressed a widely held position. A rumour had been circulated that the king would not restore three ministers of Edinburgh who had been suspended after the tumult there. 'This kind of proceedings...is not generally approved by the ministers in this realm. Nevertheless it is received with hope that the peace in the Church shall be best preserved and established by the same.'

James' policies were usually supported by ministers from the conservative north. The northern sections of the church appear to have been poorly represented in the assemblies of the late sixteenth century. There are few sedentaries for general assemblies; but if the Assembly of 1590 is typical, representation was almost entirely from the south. One hundred and sixty-six ministers and laymen attended this assembly. Fifteen were from Angus, and only six from north of Angus. The

---

1 Calendar of Scottish Papers, XIII (I) No. 177.

2 Calendar of Scottish Papers, XII, No. 454.
largest representation was from Fife with thirty-four commissioners, and from Lothian with eighteen.¹ In 1597 and thereafter presbyterian historians noted with dismay both the arrival of more commissioners from the north and their conservative sentiments.²

However, by a variety of methods, not excluding bribery and threats, James was able to build up a substantial body of support from ministers over the entire country. Bribery was certainly used at the Glasgow Assembly of 1610 and commissioners from presbyteries were nominated as well;³ but these practices alone are probably not sufficient to explain the overwhelming majority who voted for the acts favouring episcopacy. Of 126 ministers present at the Assembly, 'only five of the whole number voted against the Conclusions'.⁴

Regardless of private opinions which ministers may have held, James' policy was at least acceptable to the vast majority; and most of them continued as ministers of the church. Archbishop Gladstanes may have been too sanguine when he wrote in 1610 that 'the great multitude of the Ministerie ar desyrous that Presbitries sall stand, bot directed and gouerned be the Bishops'.⁵ However, most of the ministers were at least willing to serve in a church governed by 'presbitries' and

2 Calderwood, V, 606, 682.
3 See below, 245.
4 Calderwood, VII, 104–7, VIII, 72.
5 O.I. I, 245.
'bishops'. Presbytery records make it clear that most ministers continued in their parishes without interruption. The point had not yet been reached in Scottish history when changes in ecclesiastical polity would be accompanied by numerous deprivations.

Finally, there were earlier Reformation precedents for the Glasgow Acts, precedents which did not go unnoticed in the seventeenth century. The conclusions of the Convention of Leith in 1572 have sometimes been regarded as the major reformation precedent for the Glasgow Assembly,¹ and it is true that the conclusions at Leith were cited in 1610.² However, there were striking differences between the conclusions of the two assemblies. The Convention of Leith was concerned almost entirely with financial matters, providing machinery acceptable to both church and government whereby reformed ministers could receive the endowments of bishoprics. Much attention was paid to the appointment of bishops, but almost nothing was said about their duties in the church, except that they were to 'exerce na farther iurisdiction in spirittuall function nor the superintendentis hes and presently exerces'.³

By 1610 the question of episcopal endowments had been settled, and the Glasgow Assembly had nothing to say on that

---

¹ See, e.g. G. Campbell Wadsworth's Ph.D. thesis 'The General Assembly of 1610'.


matter. Nor was anything said in 1610 about the appointment of bishops. The 1610 acts were concerned with the ecclesiastical duties of bishops and their authority within the life of the church. The real precedents for the Glasgow Acts are to be found in the work of numerous bishops, superintendents, and commissioners during the entire reformation period, and more especially before 1580. The circular letter sent in 1561 by John Spottiswood, Superintendent of Lothian and father of Archbishop Spottiswood, to the parishes of his jurisdiction announcing his plans 'to visi the kirkis for establissing of ane uniforme and godlie ordour in the same' was much more in the 1610 tradition of episcopal jurisdiction than were the financial decisions of the Convention of Leith.

The events of 1610 were brought to an appropriate conclusion when three Scottish bishops were summoned to London for consecration. There was one bishop in Scotland, Neil Campbell of Argyll, who may have been consecrated according to the 1572 Leith formulary, and who was probably alive in 1610. Perhaps James had Bishop Campbell in mind when he explained to the three Scots that he summoned them to London because 'in Scotland there was not a sufficient number to enter them to

---

1 Considerable research has been done on this subject recently. See G. Donaldson, Scottish Reformation, Chapter Five; J.W. Frugh, 'The Theory and Practice of Discipline in the Scottish Reformation', 225-37; Duncan Shaw, 'The Origin and Development of the General Assembly', 141-61.

2 The letter is printed in G. Donaldson, Scottish Reformation, 227.
their charge by consecration'.

On October 21 the three Scottish bishops were consecrated by the Bishops of London, Ely, and Bath. Neither of the English archbishops took part in the consecration to avoid any appearance of 'a sort of subjection to the church of England'; and the Scottish bishops were not first ordained presbyters by English bishops, because, as the Archbishop of Canterbury argued, 'there was no necessity, seeing where bishops could not be had, the ordination given by the presbyters must be esteemed lawful; otherwise that it might be doubted if there were any lawful vocation in most of the reformed Churches'.

No discussion of Scottish episcopacy in the early seventeenth century would be complete without a thorough recognition of the royal absolutism under which it existed. This

1 Spottiswood, History, III, 209.

2 Ibid. Peter Heylyn (born 1600) wrote that Dr Neale, Bishop of Rochester also participated in the consecration (Aerius Redivivus [1670], 387). Cf. Balfour, Works, II, 35-6 for a third list.

3 Spottiswood, History, III, 209. According to Peter Heylyn, however, Bancroft's reason was an appeal to the catholic practice of consecration per saltum. The Archbishop argued that 'Episcopal Consecrations might be given without it; [i.e. ordination to the priesthood] as might have been exemplified in the cases of Ambrose and Nectarius; of which, the first was made Arch-bishop of Millain; and the other, Patriarch of Constantinople, without receiving any intermediate Orders, whether of Priest, Deacon, or any other (if there were any other) at that time in the Church'. (Aerius Redivivus, 387-8; cf. Leonel L. Mitchell, 'Episcopal Ordinations in the Church of Scotland, 1610-1688', 143-4.) At least Spottiswood's version is the record of one who was there at the time.
was one point at least upon which members of all parties could agree. A protestation against episcopacy in 1606 declared that the bishops

have their lordship and living, their honour and estimation...of the king...The king may set them up and cast them down, give them and take from them, putt them in and out at his pleasure. And, therefore, they must be at his directioun, to doe what liketh him...But with other estats he cannot doe so, they having...heritable standing in their rooms by the fundamentall lawes.5

In 1612 the Archbishop of St Andrews wrote to the king that 'no Estate can say that they ar your Maiesties creatures as we [i.e. the bishops] may say, so there is none whose standing is so slipperie when your Maiestie shall frowne, as we, for at your Maiesties nodd we either most stand or fall'.2 Nor were these sentiments merely theoretical. In 1607 the Bishop of Aberdeen violated an act of the General Assembly by installing a minister in Aberdeen without obtaining royal approval, and the Bishop was threatened with imprisonment by the King.3 Two years later Archbishop Gladstanes, who had irritated James over some customs duties, was warned that 'howevir we haif bene cairfull to...establishe the estate of bischoppis,...yitt wes it never our intentioun to communicat with theme ony pairt of oure royall pouer, prerogratve, or previledge'.4

1 Calderwood, VI, 530-1.
2 O.L. I, 295.
It is significant that parliament refused to ratify the 1610 act that 'Bishops salbe subiect, in all things...to the censures of the Generall Assemblie'. Bishops were not to be subject to general assemblies, they were to be subject to the crown. According to James 'the bishops must rule the ministers, and the king rule both, in matters indifferent and not repugnant to the Word of God'. And although Charles often preferred to rebuke Scottish bishops through letters sent by the Archbishop of Canterbury, he had no less exalted a view of his royal prerogative.

Whatever may be thought of royal supremacy today, it was not regarded as a liability by many in the early seventeenth century. Shakespeare's Richard II expressed a widely held conviction in Scotland as well as England.

Not all the water in the rough rude sea Can wash the balm off from an anointed King. The breath of worldly men cannot depose The deputy elected by the Lord.

And Archbishop Spottiswood expressed the same conviction more plainly. 'It is nowhere permitted to subjects to call their princes in question, or to make insurrections against them, God having reserved the punishment of princes to himself.'

The revival of episcopacy between 1597 and 1610 may be

1 Spottiswood, History, III, 241.
3 Richard II, III, 2.
4 Spottiswood, History, I, 302.
compared to the reintroduction of episcopacy in 1661-2. Although there was support for bishops at the Restoration, episcopacy was restored purely on the authority of crown and parliament. No attempt was made to secure even the pretense of approval by a general assembly. 'The ancient government of the church by archbishops and bishops' was restored swiftly and completely. ¹ At the beginning of the century, however, restoration of episcopacy was a much longer process and was completed with at least the nominal approval of general assemblies. James might manipulate assemblies, but he never ignored them completely.

The sixteenth century reformation had seen the development of two rival systems of ecclesiastical oversight — bishops, commissioners, and superintendents, or presbyteries. By 1610 both of these systems were widespread and flourishing. The revival of episcopacy was not accompanied by the suppression of presbyteries,² and in subsequent decades a serious attempt was made to integrate two systems which have too often been regarded as mutually incompatible.

1 W.R. Foster, Bishop and Presbytery, 4.
2 See below, Chapter Four.
Chapter Two

THE BISHOPS OF SCOTLAND: 1611 - 1638

I

Bishops and the State

The Glasgow Assembly of 1610 had no effect upon the civil status of bishops. As members of the spiritual and first estate, bishops continued to be present at the Parliaments of 1612, 1617, 1621, and 1633;¹ and a number were also present at the less formal conventions of estates called by James and Charles.² Even more important was episcopal membership on the Committee of the Articles. By 1612 the Committee of the Articles was in effect in control of Parliament. No measure could be introduced which had not passed the Articles, and Parliament became little more than a 'registrar of conclusions reached elsewhere'.³ One-fifth of the regular members of this crucial committee were bishops; and by 1621, and perhaps earlier, the crown was able to use episcopal membership to control the choice of other members. Calderwood described the method of election in 1621.

The bishops chose eight of the nobilitie...These chose eight bishops...and these together chose eight barons and eight burgesses.⁴

¹ A.P.S. IV, 466, 524, 592; V, 7.
² A.P.S. IV, 581, 589; V, 166.
³ Source Book of Scottish History, III, 234-5.
⁴ Calderwood, VII, 490.
The same method was used in 1633. Since bishops could always find eight noblemen who supported the king, and the nobility could hardly find a bishop who did not, this method of election gave bishops a vital part in the maintenance of royal authority over parliament. It was inevitable that any attempt to reject royal control would also mean a rejection of the bishops who helped to maintain it.

In 1610 the Privy Council was reorganized, and the number of bishops who remained as members of the Council was reduced from thirteen to three. Throughout the rest of James' reign there were always three to six bishops on the council, although only the two archbishops were at all active, and even they were never among those who attended frequently. Indeed, at no time before 1635 did bishops have a prominent place on the council.

After 1610 bishops were sometimes given routine administrative tasks, usually as members of a special committee. In 1612 Archbishop Spottiswood was appointed to a small committee to hear disputes between 'the justices of peace to landward and those of burghs'. In 1623 the two archbishops were members of an advisory Commission on Grievances which was to consider abuses arising out of commercial monopolies and to report its

---

1 A.P.S. V, 9.
2 R.P.C. IX, vi-vii.
3 R.P.C. IX, 237-8; X, 319, 381; XI, cl, 438; XIII, 406, xi.
4 R.P.C. IX, 503-4.
recommendations to the council. In 1627 Bishop Patrick Forbes and some laymen in Aberdeen were ordered to supervise the erection of beacons 'whairby notice may be givin to the subjects of anie foraine...invasioun' which was then expected. In 1633 two bishops were members of a committee 'to try what priviledges are dew to William, Erle of Erroll, Lord High Constable of this kingdome, at the tyme of his Majesteis coronatioun'.

Sometimes bishops were able to use their civil authority to secure better order in the church. In 1611 the Bishop of Caithness was admitted to the council and authorized as a privy counsellor to plant 'painefull ministeris and weele affected civile magistratis amangis...Caithnes, Sutherland and Strathnaver'. In 1616 Spottiswood sent a very strong letter to John Grant of Freuchie, the Laird of Grant. After noting the 'desolatioun of the kirkis of Strathspey' he condemned the laird's wickit cours, I mean of abstractinge the rentis of the kirk from the right use and applying them to your privat. It is somehat tolerable qhair a part is bestowit vpon Godis ministeris, so mucho as may gif than maintenance to attend thair callingis; but to withhold the qhole and gif no portioun for intertayning the exercisin of Godis worschip in a kirk and setted estate, is planly vnsufferable.

---

1 R.P.C. XIII, 219-23; I (Second Series), liii-liv.
2 R.P.C. II (Second Series), 54.
3 R.P.C. V (Second Series), 107.
He urged the Laird to provide for the ministers with the advice of the Bishop of Moray and some ministers. The archbishop concluded with a threat. 'If this sal tak no more efect...you sal then hold me excusit if, according to the power giffin me by God and his Majestie, I keep a more strict and rigorous dealinge with yow, and cal yow qhair yow must bothe answer and mak redresse.'

Probably the most important civil duty of bishops before 1625 was their work on the Commissions for Plantation of Kirks in 1617 and again in 1621. These important commissions did much to improve inadequate stipends, and bishops had a prominent part in their activities.

The bishops of Orkney and Shetland had a unique place in the civil government of their diocese. In November 1608 Bishop Law sent a complaint to King James that the people of Orkney and Shetland were 'manifoldlie and grevouslie oppressed' by Earl Patrick. The next year the Earl was summoned to Edinburgh and warded in the castle there; and in January, 1610 the king sent 'ane ample and large commissioun' to Law to repair to 'the boundis of his diocey, that als weele he may tak ordour for a goode reule in the Churche thair as for the quietnes of the cuntrey itselff'. In June 1611 a proclama-

1 William Fraser, The Chiefs of Grant, II, 41.
2 A.P.S. IV, 531-4, 605-9.
3 For the work of these commissions, see pp. 308-12, Appendix E.
5 R.P.C. VIII, 615, 406, 408, 413.
tion announced that "James, Bishop of Orkney, and Sir John Arnot of Birswark, Knight" were constituted His Majesty's Sheriffs and Commissioners' in Orkney and Shetland,¹ and a year later a court was held 'in templo Sancti Magni' by 'ane reverend father in God, James, bishop of Orknay, his majesteis commissioner, schiref and justice within the bowndis of Orknay and Yetland, sittand in judgement.'² In October the lands of the Earl of Orkney were permanently annexed to the crown and Law was given 'ane large and ample commissioun to...uplift his Majesteis hail dewteis...[and] lykwise to administrat, use, and exerce the officeis of schirefship, justiciarie, and fowdrie of the said Erldome'.³ Subsequent courts were held in Orkney and Shetland by the bishop or his deputy throughout 1612 and 1613.

Meanwhile Robert Stewart, a natural son of Earl Patrick, attempted to revolt; and in 1614 the Earl of Caithness led a successful expedition to suppress the revolt. In the attack upon the rebels, the Bishop of Orkney was clearly the right-hand man of the Earl. The Bishop wrote letters seconding the Earl's request for more funds and describing the progress of the final siege. He took an active part in negotiating the surrender of the rebels and in paying and disbanding the army

¹ J.B. Craven, History of the Church in Orkney, 1558-1662, 94.
² R.S. Barclay, The Court Book of Orkney and Shetland, p. 17.
³ R.P.C. IX, 460.
after the battle was over.\textsuperscript{1} It was, as Lord Binning wrote to Patrick Hamilton, the 'expedition of the Erle of Caithnes and Bischop of Orknayes busines'.\textsuperscript{2} At one point 'the Earle of Cathynes went about to demolish and throw down the church [the Cathedral], but he was with great difficultie hindered by the Bishope of Orkney, who did not suffer him to throw it doune'.\textsuperscript{3}

In 1614 the episcopal lands of his bishopric were redvided, and thereafter the bishop had complete jurisdiction in civil affairs over those lands. A month after the rebellion was settled, Law began to hold courts again.\textsuperscript{4} During his episcopate 'Law disjoined Firth and Stenness which had been united to Orphir. John Swentoun, the Archdeacon's son, was placed as minister.' He also was able to raise the stipends of the clergy of his diocese.\textsuperscript{5}

Law's successor, George Graham, was translated from Dunblane in August, 1615. In July, 1616 a court was held 'in presence of George bischop of Orkney, schiref principall of the bischoprik thairof'.\textsuperscript{6} Occasionally the bishop's deputy held the court, but between 1618 and 1636 most of the courts were held 'in presence of ane Reverend father in God George bischop of

\textsuperscript{1} Melrose Papers, I, 145-7, 151-4; O.L. II, 370-2, 378-82.
\textsuperscript{2} Melrose Papers, I, 153.
\textsuperscript{3} J.B. Craven, \underline{History of the Church in Orkney, 1558-1662}, 100.
\textsuperscript{4} Court Book of the Bishopric of Orkney, 1614-38, 20 Nov. 1614, and subsequent entries.
\textsuperscript{5} J.B. Craven, \underline{op. cit.} 107, 111, 229-30.
\textsuperscript{6} Court Book of the Bishopric of Orkney, 1614-38, 26 July, 1616.
Orknay and Zetland'.

Bishops did not usually hold such prominent civil offices before the death of King James. As has been seen, Spottiswood was made an Extraordinary Lord of Session in 1610, and Archbishop Gladstanes urged the appointment of other bishops to the court 'quhilk will both repaire the decay of our livings and patrimonies, and procure the dependance of the rest of the ministrie, who have their fortunes and estaits subject to the pleasure of that Judicatory'. However, his advice was ignored, and even Spottiswood resigned his position on the Court of Session in 1622.

In 1626 Charles attempted to give bishops a more prominent place in the civil government. In March he ordered the establishment of a Commission on the Exchequer which consolidated all previous revenue offices in one new body. Archbishop Spottiswood was made president of the Commission. At the same time Charles ordered the reorganization of the Commission on Grievances. The new commission was no longer merely advisory, but was a 'full judicatory' with power to try not only 'all usuararis, transportaris of money, and all such personis' but also anyone who 'speake or write of ony purposi tending to the reproche' of the government. Archbishop Spottiswood was made

1 Ibid. passim.
2 O.L. I, 230.
3 Brunton and Haig, Senators of the College of Justice, 266.
president of this Commission also.\textsuperscript{1} In June Patrick Lindsay, Bishop of Ross, was appointed an Extraordinary Lord of Session.\textsuperscript{2} And in July Charles 'commandes that the Archbishope of St. Andrewes...may haue the place of praecedencey befor the Lord Chanceler of Scotland'.\textsuperscript{3}

None of these appointments were very effective. The Commission on the Exchequer was apparently inactive. As for the reorganized Commission on Grievances,

the wyssest and best-sighted...did see that this new commissional courte wes nothing els bot the star-chamber courte of England wnder ane other name, come doune heir to play the tyrant...Bot after muche debait betuix the nobility then at courte and his Maiesty...it euanished in itselffe.\textsuperscript{4}

In 1628 Bishop Lindsay was superseded on the Court of Session,\textsuperscript{5} and Spottiswood was never able to have a 'place of praecedencey' before Lord Chancellor Hay. In 1633 Charles requested the Chancellor to take second place on the day of his coronation. Balfour declared that he personally returned the Chancellor's answer. 'Since it was his royall will he should enjoy it [i.e. the chancellorship] with the knowen praeuilidges of the same, neuer a ston'd preist in Scotland should sett a foote befor him so long as his blood wes hotte.'\textsuperscript{6}

\textsuperscript{1} R.P.C. I, liii-liv, 263-5.
\textsuperscript{2} Brunton and Haig, Senators of the College of Justice, 276.
\textsuperscript{3} Balfour, Works, II, 141.
\textsuperscript{4} Balfour, Works, II, 131.
\textsuperscript{5} Brunton and Haig, Senators of the College of Justice, 276.
\textsuperscript{6} Balfour, Works, II, 141-2.
Although the episcopal appointments in 1626 had little permanent significance, except as an indication of Charles' intentions, the appointment of bishops to the Commission on Teinds in January, 1627 was a very different matter. This important Commission was responsible for putting into operation Charles' plan to settle the teind issue and to provide an adequate endowment for the church. Nine of the sixty-six members of the commission were bishops. Almost at once trouble began between the bishops and the nobility. Even that staunch supporter of royal policy, the Earl of Melrose, wrote in March of the 'ignorance and impertinences' uttered on the Commission by the Bishop of Ross; and the Earl added ominously, 'It is still believed by many that their [i.e. the bishops] chief aim is to destroy the erections granted by blessed King James'.

A few weeks later the Earl returned to the same theme and was more specific about the intentions of bishops on the Commission.

[If] the clergie be permitted to reteane more power to vse teinds of heritors lands in what sort they please, or if they get withgate [i.e. the advantage] to encrease the burdigs of noblemen and gentlemen having right to teinds by divison of one parochin in two or thrie and appointing of liberall stipends to euerie one of them vpon other mens charges to ministers, readers, clerks, schooles, and musicions, as they professelie intend, and that they be permitted to disioyne churches vnited by parlement,...they will...make the commissioners exercise turne to passionat contention, stirre vp dislikes, and...dissolue the commission.3

1 R.P.C. I, clxxxi-clxxxiv, 509-11. For the work of this Commission, see below, 314-6.
2 Memorials of the Earls of Haddington, II, 149.
3 Ibid. II, 151-2.
Charles probably never intended to suppress erections granted by his father. However, the erections were fundamental to the alliance James had sought to establish between the nobility and the bishops, and even a rumour that bishops hoped 'to destroy the erections' might have dangerous consequences.

Nor did relations between the bishops and the nobility improve. Henry Guthrie, who was a contemporary, wrote that in 1633

that which advantaged them [a reviving presbyterian party] more, was the turning of certain noblemen to their side; for besides that the generality of the nobility was malecontented, there were by this time observed to be ad-vowed owners of their interest, in Fife the earl of Rothes and lord Lindsay, in Lothian the earls of Lothian and Balmerino, and in the west the earls of Cassils and Eglin-ton, and lord Loudon, which accession rendered them very considerable. 1

And a protest to the king in 1634 by 'a great number of the nobility and other commissioners in the late parliament' made its anti-episcopal sentiments plain enough. Among other griev-ances, the authors protested against the use of bishops to control the Lords of the Articles, which 'may seem against the constitution of a free parliament'. Moreover, when the bishops elect noblemen for the Articles they 'cull and single out such noblemen either popishly affected in religion or of little experience in our laws, as having had their breeding abroad, and so none of the ablest to be upon our Articles, but fittest only for the clergy's mystical ends'. 2

---

1 Guthrie, Memoirs, 10.
2 Source Book of Scottish History, III, 84.
About this time Charles revived his policy of placing bishops in prominent civil posts. In 1633 Bishop Maxwell of Ross was made an Extraordinary Lord of Session,¹ and in 1635 the Archbishop of St Andrews was made 'High Chancellor of this Kingdome'.² This was the first time since the Reformation that a bishop had become the highest officer of state in Scotland. The number of bishops on the privy council was also rising. There were six bishops on the council between 1625 and 1631. In 1631 the number rose to seven, in 1636 to nine, and in 1637 to ten.³ More significant was an increase in the frequency with which bishops attended meetings of the council. The following table shows the number of meetings attended by some prominent bishops in the 1630's.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Adam Bellenden⁴</td>
<td>132</td>
<td>131</td>
<td>95</td>
</tr>
<tr>
<td>(Dunblane and Aberdeen)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alexander Lindsay⁵</td>
<td>66</td>
<td>15</td>
<td>0</td>
</tr>
<tr>
<td>(Dunkeld)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>David Lindsay⁶</td>
<td>-</td>
<td>32</td>
<td>142</td>
</tr>
<tr>
<td>(Edinburgh)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Patrick Lindsay⁷</td>
<td>27</td>
<td>88</td>
<td>135</td>
</tr>
<tr>
<td>(Ross and Glasgow)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

¹ Brunton and Haig, Senators of the College of Justice, 293.
² R.P.C. V, 452-3.
³ R.P.C. IV, vii, 209; V, vi; VI, 253, 359, 549.
⁴ R.P.C. IV, 723, V, 714, VI, 760, 719.
⁵ R.P.C. IV, 724, V, 716, VI, 761.
⁶ R.P.C. V, 717, VI, 762.
In 1636 the Bishop of Ross was apparently expecting to be the next treasurer of Scotland. 'At the word of Mortoun's dismissal [as treasurer], Rosse thought himself sure of that office, and so did we all; but the Duke and the Marqueiss...did concurr to stirr up Traquhair...to make meins for that place, that he might...be a barr to hinder the inundatione of our impetuous Clergie.'

Extravagant rumours were being spread about the intentions of the bishops. In 1635 Sir William Brereton wrote of his visit to Scotland.

The clergy of late extend their authority and revenues... I was informed by some intelligent gentlemen, it is here thought and conceived that they will recover so much of that land and revenues belonging formerly to the Abbeys, as that they will in a short time possess themselves of the third part of the kingdom.

The Commission on Teinds was still attempting to meet in 1636; and it was probably this commission which Archibald Campbell

<table>
<thead>
<tr>
<th>John Maxwell 1 (Ross)</th>
<th>John Spottiswood 2 (St Andrews)</th>
<th>Walter Whitford 3 (Brechin)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug. 1630 to Dec. 1632</td>
<td>25 Apr. 1635 to Dec. 1637</td>
<td>49 1635 to Dec. 1637</td>
</tr>
<tr>
<td>49 1635 to Dec. 1637</td>
<td>186 Dec. 1637</td>
<td>81</td>
</tr>
</tbody>
</table>

1 R.P.C. V, 818, VI, 852.
2 R.P.C. IV, 813, V, 821, VI, 855.
3 R.P.C. VI, 733.
5 Brereton, Travels, 100; cf. Row, History, 389.
6 R.P.C. VI, 192.
had in mind when he wrote in December, 1636 'the Bischopis be the mens of the Bishopis off Ingland his moved his Majestie to writt home a letter to the commissioun willing them to grant a committie to a few number of thair awin chusing to reull all the bissnes, quhich the commissioun refusis to do'.

Baillie wrote, 'Last year [1636], our Bishops guided all our estate, and became verie terrible to our whole countrie: They are now a little lower'. They were to become lower still. Although the Prayer Book of 1637 was enjoined by act of council, the primary responsibility for introducing both the Prayer Book and the Canons remained with the bishops. Presbyteries received letters from their bishops requiring each minister to purchase and use two service books. Even after the riot in Edinburgh in July, 1637 some bishops continued to urge the use of the service book.

---

1 Breadalbane Letters, 663.
5 Ibid. I, 19-20, 41. The 'Canterburian bishops' were especially persistent. In November 1637 Archibald Campbell wrote from Edinburgh, 'The Bischoipe of St Androis came heire on Saturday last and hes givun warrand ffor reading prayers at morne and evining according to the accustomeit forme used heire of befor, whiche praysit be God is ane gud begin¬nings. Ane Sunday weik aucht dayes the Bishope of Brechine [Walter Whitford] went on to reid the new service buiks, all the people fell upon hime (Breadalbane Letters, 703). As late as March, 1638 Bishop Maxwell of Ross 'stayed at home and keipes up the service buik in his cathedral but I feare sall not be able long' (Breadalbane Letters, 718).
The attempt to impose the service book was the last effective action of bishops in Scotland. Opposition to the Liturgy soon turned to bishops — first as authors of the book¹ and later to episcopacy itself.² In March, 1638 David Mitchell, a minister of Edinburgh and a staunch supporter of episcopacy, wrote, 'Thair is nothing expected but civill warr. Thair is no meiting of counsell. The Chancellar may not attend it with saftie nor any bischope. The verie name is more odious among young and old than the divell.'³

The rejection of episcopacy by the Glasgow Assembly of 1638 was part of a much larger movement. A powerful opposition had formed and opposed many of the policies of Charles I. Bishops of 'His Majesty's foundation' had no place in a revolutionary Scotland, and the Glasgow Assembly succeeded in expunging bishops completely from the life of the Church of Scotland for the first time in more than a thousand years.

Between 1600 and 1637 the first estate consisted of men who exercised cure of souls and were not merely lay titulars. The Glasgow Assembly of 1610 had little effect upon the civil status of bishops. Although royal policy did dominate the

---

2 Ibid. 82-3; Wariston, Diary, I, 332. In May, 1638 Johnston wrote, 'The Lord hes led us hitherto by the hand fra step to step...and, instead of thos cautions and limitations of praelats nou conteined in our articles, suffer us not to settle til we speak plaine treuth according to the will of God, that is the utter overthrou and ruyne of Episcopacie, that great grandmother of al our corruptions' (Ibid. 347).
3 Breadalbane Letters, 718.
episcopate on all major issues both before and after 1610, in the ordinary civil structure of society, the authority and influence of bishops were considerable. Their membership in parliament and on the privy council, their control of commissary courts and the Court of High Commission, and their influence as great citizens of the kingdom made clear the reality of the 'spiritual and first estate'.

II
Bishops and the Church

With the revival of episcopacy, the thirteen medieval dioceses of Scotland became once again basic ecclesiastical units of the nation. The dioceses of Aberdeen, Brechin, Caithness, Dunblane, Dunkeld, Moray, Orkney, Ross, and St Andrews formed the Province of St Andrews; and the dioceses of Argyll, Galloway, Glasgow, and the Isles formed the Province of Glasgow. 'The Metropolitane of North-Britane', as the Archbishop of St Andrews once called himself, was primate. The first Book of Discipline had proposed to remedy the irrational boundaries and eliminate the detached portions of medieval dioceses by redividing the country into ten districts for superintendents; but the proposal was never put into operation, and the Convention of Leith in 1572

1 Q.L. I, 53.
2 J. Knox, History of the Reformation, II (Dickinson), 292. Comparative maps of the two schemes are in G. Donaldson, Scottish Reformation, 112-3.
decided 'in consideratioun of the present state, that...the boundes of the Dioceis [are not to be] confoundit; bot to stand and continew'. In 1610 James sent instructions that detached portions of dioceses were to be eliminated by exchanging 'the churches one with another, that all the dioceses may lie contigue', and he also ordered that very small dioceses 'scarce deserving the title of a diocese' be given churches from nearby dioceses. However, there is no evidence that these instructions were followed. Spottiswood hoped to create a new diocese in Nithsdale, but this reform was also never carried out.

One change did take place in 1633 when the diocese of Edinburgh was erected from the southern portion of the huge diocese of St Andrews. The establishment of an additional diocese south of the Forth would no doubt improve the efficiency of church administration; but the almost bankrupt city fathers of Edinburgh, who had to refurnish St Giles as a cathedral and to build a new parish church, the Tron, must have found it difficult to see the advantages of a new diocese.

Elaborate machinery for appointment of bishops had been

---

3 In 1636 the Presbytery of Kirkcaldy still had to request permission from the Bishop of Dunkeld to visit two of its parishes in the heart of Fife—Leslie, and Auchertool (Kirkcaldy Presb. 113).
4 W. Fraser, Memoirs of the Maxwells, II, 56.
5 Source Book of Scottish History, III, 84-6.
agreed upon at the 1572 Convention of Leith; but this machinery was not revived in 1600, and bishops were appointed upon simple crown presentation followed by a charter under the Great Seal. The first presentation in 1600 instructed the Commissioners of the General Assembly 'to try and examinat the learned, etc.' of the candidate. However, this instruction was not repeated in any subsequent presentation, and approval from the church was assumed because the candidate was 'an actual minister and speciallie recommendit to his maiestie be the Generall Assemble of the kirk'. In 1610 James ordered 'that the election of bishops shall in time coming be made according to the conference anno 1571'. However, no attempt was made to put these instructions into operation, and until 1617 bishops continued to be appointed by a crown presentation, based upon the Act of 1597, and a charter under the Great Seal.

In 1617 however, Parliament reorganized the entire procedure for election of bishops. The first step was to reaffirm the rights of cathedral chapters. Chapters had never been completely extinguished, although after the annexation of episcopal temporalities in 1587 chapters had little to do. Even between 1587 and 1606 occasional refer-

---

4 Spottiswood, History, III, 211.
ences to chapters are found in the Register of the Great Seal. ¹ After the restoration of episcopal temporalities in 1606 there are numerous instances of chapters granting charters of lands or tacks of teinds. ² In 1607 the Chapter of St Andrews was reorganized, ³ and by 1614 efforts were being made to restrict chapters to ministers. The Synod of Fife declared that it was 'ane intollerable corruptioun that laik persons, having no calling or functioun in the Kirk, sould brook [i.e. enjoy] the places of chanons, and ecclesiastick dignities in Bishops chaptoures'. ⁴ And in 1617 Parliament ordered 'Deanis and vtheris memberis of the Chapteries...restoired to thair Mansses, glebes, rentes and vtheris patrimonie belonging to thame'. In other words, the temporalities which had been annexed to the crown in 1587 were restored and were to be 'injoyed and peciablie possessed by the ministeris that ar and heirefter salbe provydit thairto', although many reservations were made in favour of present possessors. ⁵

The same Parliament revived the procedure agreed upon at Leith for the election of bishops. ⁶ A bishop was to be

---

1 R.M.S. 1580-93, 1922, 2180. I am endebted to Dr Donaldson for the references in this footnote and the next.


3 Calderwood, IV, 670-1; A.P.S. IV, 324-5.

4 Fife Synod, 168.

5 A.P.S. IV, 529-30.

6 A.P.S. IV, 529.
elected by the dean and chapter of his diocese, after a royal mandate authorizing an election had been issued. The chapter also was to receive the name of the royal nominee, 'he alwayis being ane actuali minister of the Kirk'. Unlike 1572, when the chapter could find the nominee 'not qualifeit in the haill or part of the qualities requirit in a bischop', the 1617 act required the chapter to 'chuse the persoun quhome his maiestie pleased to nominat and recommend'. After election, a royal assent granted under the Great Seal admitted the candidate to the spirituality of his benefice, and a royal mandate was issued to consecrate the nominee 'be the rites and ordoure accustomed'. A final presentation to the temporalities of the see, issued under the Great Seal, was followed by the new bishop's act of homage. Archbishops were to be elected by the bishops of a province and certain selected ministers. The first election to take place under the new act was that of Patrick Forbes to Aberdeen, and subsequent elections followed the same procedure.2

The election of David Lindsay by the dean and chapter of Brechin in 1619 shows the care with which elections were conducted. Notice of the election was announced to 'the chapter and all that pretend to have voice in the said election to be present the fyift of October in the Chapter House'. On


the day of the election, summons was again given at the door of the church to 'ony persone or persons whiche of right or custome used in this Cathedrall Churche at ony tyme bygone may, will, or ought to be present at this instant election'. The procedure was similar to that used at the institution of a minister into his benefice, and in both cases served to emphasize the fact that a man was being admitted into a spiritual cure and not merely into a temporal office.

Henry Guthrie, minister of Guthrie in 1625 wrote that 'it had been king James's custom, when a bishopric fell void, to appoint the archbishop of St. Andrews to convene the rest, and name three or four well qualified,...and then out of that list that king pitched upon one, whom he preferred'. The author's main point, that James presented men to bishoprics who were nominated by leading churchmen in Scotland, is partially confirmed by other sources.

In 1605 and again in 1606 Commissioners of the General Assembly recommended to James 'the preferment off James Nicolsone to the Bischoprik of Dunkeld', and a royal

---

1 Dalhousie Muniments 13/328. The same procedure was used at the election of Patrick Forbes to Aberdeen (Snow, **Patrick Forbes**, 68). The licence for the election of Thomas Knox to the Isles in 1628 was not as clear, but apparently the same procedure was followed. Advance notice of the election was to be made at the church door in time of divine service on Sunday (R.S.S. CI, 28-9).

2 See below, 277.

3 Guthrie, **Memoirs**, 16.

4 O.L. I, 10-11, 36-7.
presentation followed in 1607. Patrick Forbes believed the bishops 'had moved his Majestie to lay vpon me' the heavy burden of the see of Aberdeen.

However, Archbishop Spottiswood was unable to secure the appointment of his candidate, Andrew Boyd, to the see of Glasgow in 1612. In a letter to the court he wrote,

If Mr. William Cowper do accept it, [i.e. Galloway] I rest...But that that suld be ony so impudent as to questioun Master Andro Boydis fitnes, I suld wonder... Mr. Boyd is...without comparision beyond ony that is named; and Mr. Cowper...hes ben puritanly affectit, qhiche the other wes never. If my opinioun had been resavit, I wold half answerit for the choys...But it is more then reason that al opinionis gif place to his Maiestie's gud pleasure.

Prominent members of the nobility also sought to influence appointments of bishops. In 1615 the Secretary, Lord Binning, wrote to London that the Archbishop of St Andrews was very ill and urged that 'Glasgow [Spottiswood] and Orknay [Law] wer advanced to the first places in the clergie'. Both appointments were made after Archbishop Gladstanes' death. There is little evidence about the appointment of Jacobean bishops, but it would seem that Scottish bishops were not the only ones who had the ear of the king.

'But King Charles followed another way', Mr Guthrie

---

1 Reg. Pres. IV, 8-9.
3 W. Fraser, Memoirs of the Maxwells, II, 59 (italics added).
4 Melrose Papers, I, 196; Cf. O.L. II, 412-3.
wrote, 'and without any consultation had with the bishops, preferred men by moyen at court; so upon Buckingham's commendation, Dr. Lesley was made bishop of the Isles,...by the archbishop of Canterbury's Moyen, Mr. Thomas Sydeserfe was made bishop of Brechin, and Dr. Wedderburn bishop of Dunblain; and when Sydeserfe was removed from Brechin to Galloway, Mr. Walter Whitford was made bishop of Brechin, by the moyen of the earl of Stirling'.

However, if two elections in 1633 and 1637 were at all typical, leading Scottish voices, both lay and clerical, continued to influence the choice of some bishops. In October, 1632 the Bishop of Argyll, Andrew Boyd, wrote the Earl of Morton urging him to 'extend credite in favoures of Mr Nile Campbell of Ederling...for the bischopric of Iles; The gentilman of old is descended of my Lords nobil hous, learned and wyse, and expart in the Irisch toung most necesser for these pairts'; and two months later he again urged the Earl 'to acquent the Bischope of London [Laud] and crave his assistence'. Evidently, Laud was not willing to support Mr Campbell. A report, or at least a rumour, was circulated at the Parliament of 1633 that 'the Bishoprik of the Iles is not disposit vpon, but it is thocht Mr. James Hanna, minister of

1 Guthrie, Memoirs, 16.
the Cannygat, wil be preferrit be the bishop of Londoune's moyen'.¹ By September, however, Mr Hannay's chances were fading. Lord Lorne wrote from court that there was no news 'except concerning the bischoprik of the Ils quhiche I am now confident to carre for our cusin Mr Neill Campbell'.² His confidence was not misplaced; the next month Neil Campbell was nominated to the see.

An even more spirited contest took place over the choice of a successor to Bishop Boyd of Argyll. The bishop died on 22 December, 1636; and on the 27th Archibald Campbell wrote from Edinburgh that 'thair is great contest maid heire for the bishipricke of Argyll, yit I ame hoipfull that Mr Harie Rollock sall prevail'.³ A letter by the Earl of Traquair on January 1st revealed the nature of the contest.

I was a sutter to sume of my Lords of the Clergie for ane Mr James Fairlie...but I was not only refused the concurrence of sume, but my Lord St Androis...did be himself alone mak up ane leat only of threi, and sent the same over to the Archbishop of Glasgow, reuyrning him...to procure the handes of the rest of the Lords of the Clergie quho ware in toune...but all of them have refused except Glasgow himself and Edinburgh.

Moreover, in a letter 'to my Lord Canteburrie' the Archbishop 'concludes that no man is to be thought upon but Mr Henry

---

¹ W. Fraser, Memoirs of the Maxwells, II, 232.
² Breadalbane Letters, 513.
³ Breadalbane Letters, 664.
Rollok'. However, the Earl had also learned 'that since my wryting to my Lord Canteburrie contemng this purpose, the archbishop of St Androis hes recalled the forsaid leat... untill he sei quhat effect thes utheres letters writtin in favores of Mr James Fairlie takes'. ¹ A month later the Earl was more confident. 'The clergy', he wrote 'are to meat about the establishing of the service book the 20 of Februaire [1637], at quhich meating they are leikwayes re¬solved to sein up a new leat, quhair I persuade myself Mr James Fairlie will not be forgott'. ² On 10 July, 1637 James Fairlie was provided to the see of Argyll. The evidence is fragmentary, but James and his son do not seem to have used radically different procedures in the selection of some of their bishops.

However, a small group of bishops who were appointed after 1633 probably owed their promotion to the influence of Charles' English advisors, especially William Laud. Both by theological outlook and family ties, the 'Canterburian' bishops formed a distinctive group, and there were probably few in Scotland who favoured their advancement.³

Little is known about the consecration of bishops in Scotland after 1610. No doubt the English Ordinal, that

¹ Dalhousie Muniments, 14/14(ii).
² Dalhousie Muniments, 14/14(iv).
³ See below, 109-12.
is the Ordinal of 1552 reissued in the Prayer Books of 1559 and 1604, was used at the consecrations in London. Peter Heylyn wrote that the consecrations were 'according to the Rules of the English Ordination;'\(^1\) although James Melville's addition that the Scots were 'consecrat with annoynting of oyle and uther ceremonies, just according to the Inglish faschioun and Pontificall Papistis' is scarcely credible.\(^2\)

There is less evidence about consecrations in Scotland. Calderwood implied that an adapted version of the English Ordinal was used.

In the moneth of December, [1610] the thrie consecrated bishops returned home to Scotland, and consecrated the Archbishope of St Androes, &c., after the same maner that they were consecrat themselfs, als neere as they could imitate.\(^3\)

And apparently the same was true for subsequent consecrations.

Upon the Lord's day, the 23d of Januar, some of the bishops were consecrat by these who were consecrat before...Some, as was alledgit, sturred at the forme and order of the consecration; yit afterward...these who were not consecrat before...were consecrat in Leith.\(^4\)

It may be more than a coincidence that 'The Form and Maner of Consecrating ane Archbishope, or Bishope' published

---

1 Peter Heylyn, *Aerius Redivivus*, 387.

2 Melville, Diary, 803-4. It is unlikely that Dr Abbot, the Puritan-minded Bishop of London, would have used 'annoynting of oyle and uther ceremonies...[of the] Pontificall Papistis'.

3 Calderwood, VII, 152. According to another seventeenth century manuscript Gladstanes 'was consecrat in St. Andrews, conform to the order...He was consecrat in the paroche Kirke of St. Andrews, the penult of December, and with him the Bischope of Orkney: thei war consecrat be the Archbishope of Glasgow, the Bischopis of Galloway and Brichen' (James Maidment, *Analecta Scotica*, II, 10).

4 Calderwood, VII, 154.
in Scotland in 1620\(^1\) could best be described as the English Ordinal adapted for use in Scotland. There is some evidence that the 1620 form for the ordination of ministers did reflect general Scottish practice between 1610 and 1636,\(^2\) and the same may also have been true for the consecration of bishops. Both the structure and the contents of the 1620 rite of consecration were taken almost entirely from the Book of Common Prayer. However, numerous adaptations were made to conform to Scottish practice. The tradition of the public edict was added, the litany and other responses were eliminated,\(^3\) separate collects were combined into one long prayer in the tradition of prayers in Knox's Liturgy, and the sentence of ordination was made more explicit about the duties and authority of a bishop.\(^4\)

There is no known seventeenth century reference to the use of this Ordinal in a Scottish consecration, but it is quite possible that the Ordinal did describe the usual Scottish tradition of consecrations after 1610.

Whatever the rite may have been, consecrations clearly did take place. In May, 1611 Archbishop Gladstanes re-

---

1 The Ordinal was reprinted in Wodrow, *Miscellany, I*, 597-615.

2 See below, 284-90.


4 Appendix B.
ported to James.

All the Bischopps in my Province ar now consecrated; for efter that I had performed that work, so, in Leith and Edinburgh, that the verie Precysiances, quho hed caried preiidice about that purpois, wer fullie satis-
feilt. Being informit that those of the North (quho benorth my Dyocie ar moir vnrewlie then any in the South) spak calumniously, both in public and privat, of that consecration, I thocht meitt thair alswa to pracitze that actiou; and thairvpone have consecrated the Bischopps of Abyrdein and Cathnes, in the Cathedrall Kirk of Breichine, being assisted with the Bischopps of Dunkeld and Breichine, in the sight of such ane multi-
tude of people as I never saw in such a bounds.

Royal mandates to consecrate were issued after 1617, and these make it clear that consecrations were performed by three bishops. The mandate for the consecration of Patrick Forbes required

ane Richt Reverend Father in God Johne Archbischope of Sanctandrois with any tua Bischoppes of his province quhome he sail think fitt to meit and conveine them-
selfis at sum ordinar tyme and plaice with the first and best expeditiou and ressave enter and admitt the said Patrick Forbes of Corss in and to the office and chairge of the said Bischoprik with all solemnities and ceremognes...neidfull as they will answer to his maiestie.2

And Forbes was consecrated by the Archbishop of St Andrews and the Bishops of Dunkeld and Brechin.3

Much had been done by 1610 to restore episcopal en-
dowments, and some further steps were taken throughout the

---

1 O.L. I, 270.

2 R.S.S. LXXXVII, 97. For subsequent mandates see R.S.S. LXXXVII, 236, XCIIV, 206-7.

3 Funerals of Patrick Forbes, 214-6; cf. Snow, Patrick Forbes, 70.
period. Occasional acts were passed by parliament which augmented the endowments of particular bishoprics. The real income of bishops between 1600 and 1638 still awaits investigation, but testaments left by bishops give some indication of their financial resources. Seven episcopal testaments are extant. Net assets or 'frie geir' range from a low of £3,052 left by David Cunningham, Bishop of Aberdeen from 1577 to 1600, to a high of £22,278 left by Gavin Hamilton, Bishop of Galloway. These figures would be very misleading by themselves, however, for a large part of the assets left by every bishop consisted of 'debts awin to the deid'. Thus Bishop Hamilton's enormous estate consisted of £19,789 in debts due him (much of it in unpaid teinds or rents) and £2,489 in goods and victuals. The following table shows the high proportion in every testament of outstanding debts.

<table>
<thead>
<tr>
<th>Date of death</th>
<th>Name and Diocese</th>
<th>Value of Debts and movables owed by the dead</th>
<th>Debts owed to assets</th>
<th>Net assets</th>
</tr>
</thead>
<tbody>
<tr>
<td>1600</td>
<td>David Cunningham² (Aberdeen)</td>
<td>£1,342 £1,038</td>
<td>£2,748</td>
<td>£3,052</td>
</tr>
<tr>
<td>1607</td>
<td>James Nicolson³ (Dunkeld)</td>
<td>£553 -</td>
<td>£2,367</td>
<td>£3,420</td>
</tr>
</tbody>
</table>

1 A.P.S. IV, 551, 552, 553, 554, 649, 651.
2 Edinburgh Testaments, 24 Nov. 1600, 35. All figures have been rounded off to the nearest pound (Scots).
3 Edinburgh Testaments, 4 June, 1608, 44, 8-9.
<table>
<thead>
<tr>
<th>Date of death</th>
<th>Name and Diocese</th>
<th>Value of movables owed by the dead</th>
<th>Debts owed to assets</th>
<th>Net assets</th>
</tr>
</thead>
<tbody>
<tr>
<td>1612</td>
<td>Gavin Hamilton (Galloway)</td>
<td>£2,489</td>
<td>£19,789</td>
<td>£22,278</td>
</tr>
<tr>
<td>1613</td>
<td>David Lindsay (Ross)</td>
<td>£816</td>
<td>£3,974</td>
<td>£4,691</td>
</tr>
<tr>
<td>1615</td>
<td>George Gladstanes (St Andrews)</td>
<td>£2,000</td>
<td>£14,209</td>
<td>£15,104</td>
</tr>
<tr>
<td>1632</td>
<td>James Law (Glasgow)</td>
<td>£933</td>
<td>£14,737</td>
<td>£13,096</td>
</tr>
<tr>
<td>1634</td>
<td>William Forbes (Edinburgh)</td>
<td>£3,133</td>
<td>£5,384</td>
<td>£8,184</td>
</tr>
</tbody>
</table>

Moreover, a high proportion of outstanding debts very probably meant that bishops were often involved in court actions. In 1615 the new Bishop of Galloway, William Cowper, complained to London that 'Neither is my dewtie, nor the dewtie of the Ministers, thankfullie paied, so that I am forced to seeke myne owne be the law'. The records of the Court of Session have not been indexed or studied for this period. However, even an examination of occasional volumes shows a large number of cases in which ministers were trying to recover their unpaid stipends, and it seems

---

1 Hamilton & Campsie Testaments, 16 June, 1612, 2(1), 243-4.
3 St Andrews Testaments, 1 Feb. 1616, 6.
4 Glasgow Testaments, 6 Sept. 1633, 24.
5 Edinburgh Testaments, 7 March, 1635, 57, 74-6.
7 See below, 306.
likely that Bishop Lamb's attempt in 1619 to recover rents which had been unpaid for three years was typical enough. ¹

In spite of outstanding debts, however, the estate left by bishops was substantial for Scotland and could be matched only by the wealthier clergy of such centres as Edinburgh. ²

In 1610 James sent instructions that 'every archbishop and bishop should make his residence at the cathedral church of his diocese'. ³ Calderwood wrote that as early as 1607 some 'bishops tooke occasioun to desert their flockes...to make residence at the cheefe kirk of their benefice, or the old cathedrall seate'. He added, however, that other bishops 'to this houre have not made residence so muche as within the bounds of the diocis'. ⁴

In four dioceses, Caithness, Dunkeld, Galloway, and Ross, bishops were clearly not resident for most of the period. John Abernethy, Bishop of Caithness from 1616 to 1638 was minister of Jedburgh and resident there. In 1630 'the provest and bailyes of Jedburgh' reported a rumour that 'the bishop of Caithness thair ordinar pastor was to be

---

¹ Register of Acts and Decrets of the Lords of Session, 330, 44-5.
² For a comparison of bishops' and ministers' testa¬ments, see below, 317-8.
⁴ Calderwood, VI, 626-7. Calderwood's observation was probably written in 1627 (VIII, 4).
removed from thaim'. However, two years later he was still seeking another royal licence allowing him 'to stay frome my residence' in Caithness; and there is no definite evidence that he was living in his diocese until 1638 when he was reported to be 'dwelling there in his own house'.

Alexander Lindsay, Bishop of Dunkeld from 1607 until 1638 was minister of St Madoes throughout the period. He regularly appeared in the Presbytery of Perth as the minister of St Madoes, and he was allowed by the General Assembly of 1638 to continue as minister there after renouncing episcopacy. William Cowper, Bishop of Galloway from 1612 until 1619 certainly resided in the Canongate as Dean of the Chapel Royal, and it was reported that his successor 'Mr Andrew Lamb, for the most part maketh his residence in Edinburgh and Leith'. David Lindsay, the veteran minister

1 Jedburgh Presb. 21 April, 1630; cf. Calderwood, VI, 627, VII, 1-2.

2 Letter from John Abernethy to Sir Robert Ker, Newbattle Portfolio, xiii/72. The bishop had sought a similar licence in 1623 (Newbattle Portfolio, xiii/32). The excuse which Abernethy gave in 1623 that 'the rent of that benefice is so small...that it wold not sustaine me and my familie there scarclie half a year...beside that I haue no resident place there, neither darre I hazard under the feet and tyrannie of the earle of Cathnes and his sone' was confirmed by letters from the archbishops to James in the same year (O.L. II, 708, 710-11).

3 Chronicle of the Frasers, 261.

4 Perth Presb. passim.

5 A. Peterkin, Records of the Kirk of Scotland, 28.

6 O.L. II, 466; cf. Calderwood, VI, 627; Row, History, 258.

7 Calderwood, VI, 627.
of Leith and Bishop of Ross from 1600 until 1613, continued to live in Leith.\(^1\) His successor, Patrick Lindsay, was reported to reside 'about Dundie'.\(^2\)

The bishops of Dunblane did not reside in their diocese for part of the period. George Graham, Bishop from 1603 until 1615, probably remained at Scone as minister there for some years.\(^3\) His successor, Adam Bellenden, appeared regularly at meetings of the Presbytery of Dunblane between 1616 and 1619. He probably moved to Edinburgh shortly thereafter where he was described in 1632 as an 'indueller' there.\(^4\)

In the other dioceses bishops appear to have resided at least for much of the time. Peter Blackburn and Patrick Forbes certainly lived in Aberdeen;\(^5\) and both Alexander Douglas and John Guthrie officiated as ministers at Elgin during the time they were Bishops of Moray.\(^6\) James Law

---

1. He regularly attended meetings of the Privy Council between 1600 and 1613 (R.P.C. VI, xxxi, 1037, VII, xxii, 906, VIII, 995, IX, 879-80).

2. Calderwood, VI, 627.

3. In 1608 Graham was receiving his stipend as minister of Scone (Reg. Assig. Stipends, Scone [Perth], 1607-8). As late as 1618, after his translation to Orkney, he was still occasionally moderator of the Presbytery of Perth (Perth Presb. 22 April, 6 May, 1618).

4. Dunblane Presb. passim; Newbattle Portfolio XIII/72; cf. Calderwood, VI, 627, where he was described as living 'in the Cannongate'.


may have lived in Orkney after the arrest of Earl Patrick,\(^1\) and his successor, George Graham, certainly resided there with his family.\(^2\) Andrew Knox lived in the Isles after 1609,\(^3\) and it seems likely that the bishops of Argyll were also resident.\(^4\) Both archbishops had residence in their dioceses, and William Forbes was resident in Edinburgh during the few months that he was bishop of that new diocese.\(^5\)

Little is known about the bishops of Brechin, but none of them were ever accused by their enemies of being nonresident and Angus would not be a difficult place for a bishop to reside. Although some bishops were nonresident, yet in nine dioceses bishops were resident for the most part. Much would probably depend on whether a bishop had family connections in his diocese and a suitable house in which to live.

One important responsibility of bishops was their work on the Court of High Commission. Two courts were probably

\(^1\) R.S. Barclay, *The Court Book of Orkney and Shetland*, 17-32.


\(^3\) R.P.C. IX, xxxii-xxxiii; O.L. II, 372-5.

\(^4\) Spottiswood, *History*, III, 82. However, James Fairlie Bishop of Argyll in 1637 was not (James Gordon, *History of Scots Affairs*, II, 141-2).

\(^5\) He attended council meetings frequently after his admission in February 1634 (R.P.C. V, [Second Series] 717). So did his successor (See above, p. 54).
established in 1610 to give Archbishop Spottiswood of Glasgow separate jurisdiction, since the Archbishop of St Andrews was in disfavour. A few months after Spottiswood's translation to St Andrews in 1615 the two courts were united into one. ¹ Although bishops probably dominated the court,² both ministers and prominent laymen were appointed with bishops. In 1611 one of the courts was moved from St Andrews to Edinburgh so that, as James wrote, 'not onlie some of you of Oure Preuie Counsale and Sessioun may resciert thairunto, bot lykewyse that you Oure Chancellair may at every first sitting doun thairof, and uther occasionis requisite, be personaly present thairat'.³ According to contemporary descriptions, bishops, some ministers, and a few laymen were usually present at sessions of the court.⁴

Nevertheless, the court was not popular with the nobility. Archbishop Spottiswood wrote that the court was erected 'to the great discontent of those that ruled the estate; for that they took it to be a restraint of their authority in matters ecclesiastical, nor did they like to

---

¹ Spottiswood was translated to St Andrews on 6 August, 1615. On 21 December, 1615 the two courts were united (Cald-erwood, VII, 204-10).

² Calderwood, VII, 177.

³ O.L. I, 436*-438*.

⁴ Calderwood, VII, 259, 366-7, 370, 388, 414, 442, 519. Occasionally only bishops were present (Ibid. 534).
see clergymen invested with such a power'.¹ In 1624 the Privy Council attempted to countermand an order of the High Commission, which as Spottiswood wrote to the king, 'is in effect a subjecting of our decreitis to thair judicatorie, and the disanulling of the Commissioun, and authoritie of it'.² In 1619 the High Commission was renewed by the king because 'it has beene complained...that advocations and suspensions are frequentlie granted by the Lords of Council and Session'.³

But the High Commission was too valuable an instrument to be allowed to lapse. Not only did the Court receive support from James and Charles, but bishops were urged to use its power more vigorously. After the Parliament of 1621 approved the Perth Articles, James wrote the bishops:

> The sword is now putt into your hands: goe on therefore to use it; and let it roust noe longer till ye have perfitted the service trusted to you, or otherwise we must use it both against you and them.⁴

The Court of High Commission is best known for its activities against ministers, especially ministers who opposed episcopacy or who refused to conform to the Perth Articles. No records of the Court are known to have

---

¹ Spottiswood, History, III, 212.
² O.J.I. II, 769-70.
³ Calderwood, VII, 384.
⁴ Calderwood, VII, 508.
survived, and information about the trial of ministers especially after 1625 is meagre. Between 1610 and 1625, however, fuller records have been preserved by Calderwood and it is possible to form an estimate of the work of the High Commission against ministers who opposed the Jacobean settlement. Between 1610 and 1625 twenty-three ministers were summoned before the Court, admonished, and dismissed. 1 The minister of Dunino was confined to Angus and two other ministers were confined to their own parishes. 2 Seventeen ministers were summoned and deprived, although there was sometimes difficulty in enforcing the sentence. Three of these men were forced to go abroad, 3 five apparently secured no other benefice in Scotland, 4


2 William Erskine, David Mearnes, John Row (Calderwood, VII, 442, 519, 543).

3 David Calderwood, who escaped to Holland (Calderwood, VII, 259, VIII, Life of David Calderwood, xxxv); Andrew Duncan who was forced to retire to Berwick-upon-Tweed (Calderwood, VII, 364, 377-8, 443; O.L. II, 654-5, 669-70, 698-700, 703-4; Fasti, V, 192); George Dunbar, who became a minister in Ireland (Calderwood, VII, 534; O.L. II, 762-3; Fasti, III, 7-8).

4 Peter Hewat, minister at Edinburgh (Calderwood, VII, 259; Fasti, I, 64); Thomas Hog, minister at Dysart. He was restored by the Synod of Fife in 1628, but apparently he did not secure a benefice until 1640 (Calderwood, VII, 365-77; Fasti, V, 88, 91; Fife Synod, 299-300). George Johnston, minister at Ancrum (Calderwood, VII, 549-53; Fasti, II, 98); John Moray, minister at Dunfermline (Calderwood, VII, 519-20, 543, 614); John Scrymgeour, minister at Kinghorn (Calderwood, VII, 414-24; Fasti, V, 93-4).
three did obtain new cures in Scotland, \(^1\) and six were soon re-
stored to their own parishes. \(^2\) Indeed, if the behaviour of Mr
John Row, the historian, was at all typical, the Court was some-
times remarkably tolerant. Writing of himself in 1619, Row said

he continuallie did preach agains Prelacie as an anti-
christian office, agains the five Articles...and agains
the rest of the acts of the sixe pretended null Assem-
blies...His censure [by the High Commission] was con-
fyning within his awin pariosh. But after some few years
confyning, [through the influence of powerful friends]
...he was liberat of his confyning, yet not licentiat
to preach anywhere except in his awin pulpit; but he
litell regarded that, never refusing to preache where
he had ane call from neighbour ministers. \(^3\)

However, the High Commission by no means limited itself
to cases of recalcitrant ministers. James sent instructions
in 1610

that every particular matter should not be brought at
first before the high commission...except the same was
appealed unto, or complained by one of the bishops as
a thing that could not be rectified in their dioceses. \(^4\)

---

1 David Barclay, minister of St Andrews, who became
minister of Dairsie (Calderwood, VII, 442; Fasti, V, 148); Henry Blyth, minister of the Canongate, who was warded in
Inverness and then became minister at Eccles (Calderwood, VII, 388-9; O.J. II, 639-40; R.S. Wright, The Kirk in the
Canongate, 63; Fasti, II, 12); David Forrester, minister at
North Leith, who became minister of Rathven (Calderwood,
VII, 388-9; Fasti, VI, 294).

2 William Cranston, minister at Kettle (Calderwood,
VII, 443; Fasti, V, 158); David Dickson, minister at Irving
(Calderwood, VII, 530-42; Fasti, III, 98); John Fergusson,
minister at Ochiltree (Calderwood, VII, 428-33; Fasti, III,
61); William Livingston, minister at Lanark (Calderwood, VII
427-8, 433; Fasti, III, 306-7); James Porteous, minister at
Lasswade (Calderwood, VII, 424; Fasti, I, 329, 331); Archi-
bald Simson, minister at Dalkeith (Calderwood, VII, 257-61,
286-7, 444; Fasti, I, 314-5).

3 Row, History, 325-6.

And a wide variety of offences were referred to the High Commission after 1610. A visitation by a bishop and presbytery at Newburgh in 1611 ordered an obstinate adulterer to be 'summoned to compeir befoir the Lords of the High Commissioun to hold in Perth upon Thursday next'.

In 1613 the Synod of Fife 'dilated David Fotheringham...who...upon the 15 day of August lastbypast, past to mercatt, being the Saboth day and...sold his wyff...For the foirsaidis filthie crymes he is to be charged to the High Commissioun'.

In 1614 the same synod received a report of an adulterous couple whose case had been heard by the High Commission 'convenit at Edinburgh upon the tent day of June...having fyned tham in the sowme of fiftie merks money'.

In 1623 the High Commission authorized an excommunication in Elgin during a vacancy in the see of Moray, and in 1613 they dealt with a fornicator at Logie 'seing thair is no minister for the present at the Kirk of Logie'. Disputes over kirk seats were sometimes violent, and serious cases came before the High Commission. In 1613

---

1 Fife Synod, 56.
2 Fife Synod, 135.
3 Fife Synod, 174.
4 Elgin K.S. 179. Bishop Douglas died on May 11th, and his successor was not appointed until August.
5 Fife Synod, 145.
the 'Hie Commissioun halding at Glasgow' decided that the Laird of Dreghorne's kirk seat had been unlawfully removed by the Laird of Caprington 'or att lest be the Lady Capri- 
toun', and ordered the seat restored. Those suspected of popery were sometimes summoned to the High Commission. In 1612 the Archbishop of St Andrews reported to the Synod of Fife 'that Mungo Murray being conveyed befor the Lordis of the High Commissioun for papistrie wes confyned within Dunfermline and had found cautione under paine of fyve hundreth merks either to satisfie...or else at Candlemes next to remoive himself'. The following year the High Commission tried a suspected papist in Edinburgh 'being assisted with the balliues judiciallie'. In 1615 the Earl of Home was fined £1000 for popery, and in 1624 the Presbytery of Ellon ordered all 'recepters of Jesuitts to be given up to the bishop that thai may be sommondit afoir the hie commissioun'.

In 1632 'Mr Patrik Rynd minister at the Kirk of Drone [was] apoynted to be summondit befor the High Commission for

1 Dundonald K.S. 237.
2 Fife Synod, 107. Earlier, the Synod of Fife requested Archbishop Gladstanes to discipline him (Ibid. 87).
3 W. Fraser, Memoirs of the Maxwells, II, 68.
5 Ellon Presb. 22 Sept. 1624.
sum offences', 1 perhaps because he 'wes a verie prophane and dissolute man, given to drunkenness'. 2 Those who assaulted a minister also had to face the High Commission. In 1632 the Presbytery of Perth heard the case of a man who had quarreled with his minister and 'threatened to put a dirke throw his cheekes'. The offender was summoned 'to the Lords of His Majesties High Commission'. Apparently the action was effective for a few months later the offender appeared before the presbytery and accepted his censure in sackcloth. 3 In 1618 the Presbytery of Jedburgh received a penitent 'reportit from the hie commissioun to satisfie for abusing his minister'. 4

Moreover, the High Commission had a reputation for prompt action. In 1628 a justice of the peace wrote that a 'citation before the hie commissione or befor his majesties secret counsell is upon the first summonds without any forder delay...and not lyke the summonds befor the commissar or session quhilk is with continuation of dayis'. 5

The jurisdiction which the High Commission exercised was wide and apparently effective. Its powers of enforce-

1 Fife Synod, 331.
2 Row, History, 457.
3 Perth Presb. 20 June, 12 Sept. 1632, 15 May, 1633. For a similar case in this presbytery, see 13 Sept. 1620.
4 Jedburgh Presb. 18 March, 1618.
5 Lord Forbes Papers, I/2.
ment enabled it to deal with cases which could not be satisfactorily handled in ordinary ecclesiastical courts. Parliament in 1639 may well have had in mind the many types of cases heard by the High Commission when it ordered the repeal of all sentences passed by the Court against ministers who had opposed bishops or the Perth Articles, 'and no farder'.

The High Commission was as much a civil court as an ecclesiastical one. However, within the church itself bishops had numerous administrative and pastoral responsibilities. In 1610 James sent instructions 'that all archbishops and bishops be careful in visitation of their dioceses, and every third year at least take inspection of the ministers, readers, and others serving cure within their bounds'. It is unlikely that this ideal was consistently maintained, but many episcopal visitations did take place. Only one complete record of visitation tours is extant, that of Archbishop Gladstanes between 1611 and 1614; but it shows considerable activity on the part of that prelate. During four summers the Archbishop made fifty-seven visitations, mostly in the northern half of his

1 A.P.S. V, 598.


3 Calderwood wrote in 1627, 'See we not that they [i.e. the bishops] use no other visitation of the particular kirks of their dioceis but upon rare occasiouns?' (VII, 109-10).
diocese. If he was equally vigorous south of the Forth, he left a remarkable record indeed. At every visitation the Archbishop was assisted by ministers of a presbytery and often by prominent laymen as well. Thus a visitation at St Vigeans was held 'be the Right Reverend Father in God George Archbishop of St Andrews assisted be the brethren of the Exercise of Arbroth, and Sir Peter Young of Seatoun Almoner to the Kings Majestie' and other laymen. The sederunts on some visitations illustrate the way in which ministers with very different views on ecclesiastical polity worked together. A visitation at Barrie was conducted 'be the Right Reverend Father in God Georg, Archbishop of Saint Androis assisted by Mrs Arthur Futhie [constant moderator of the Presbytery of Arbroth and a member of the Court of High Commission], Patrik Lyndesy [minister at St Vigeans and Bishop of Ross in 1613], Androw Clayhills [minister of Monifieth], Androw Drummond [a member of High Commission in 1619], Henrie Duncane [one of forty-two ministers who signed a protest against episcopacy in 1606], William Rait [another minister who had signed the same protest], David Williamsone [minister at Methie],

1 Fife Synod, folios 1-8, pp. 19-56, 75-81, 103-5, 127-36, 147-54, 169-70.

2 The dates of his visitations suggest that he may have been. Thus in 1611 he held ten visitations between April 10th and May 7th. No further visitations were held for seven weeks until a tour in Fife began again on June 30th.

3 Fife Synod, 75.
Alexander Kinninmonth [minister at Kirriemuir], John Guthrie, clerk [minister at Arbirlot, and Bishop of Moray in 1623], My Lord Rector of the University of St Androis and elders and deacons of the parochioners'.

Visitations were also made by other bishops. In 1634 'the Bishop of Murray, Mr. John Guthery, kept on his circular visitations of every church within the diocese, came up through all Strathspey, Badenoch, Stratharick, to Cilchummen in Abertarfe, through Glenmoriston, in to Kilmore S. Durstan in Urchart, and to Kilarlety, and thence to Kirkhill in Wardlaw parish, where he held a visitation, my Lord Lovat and his kinsmen of all ranks present, setting very good order and disciplin.' In 1616 Archbishop Spottiswood made a visitation at Dunfermline; two years later the Bishop and Presbytery of Dunblane held a thorough visitation at Kincardine-in-Menteith. In 1618 the Archbishop of Glasgow reported to James that the Bishop of Argyll 'hes all this last sommer travelled throw all the pairts of his diocie, visited and ordoured the churches therof'.

---

1 Fife Synod, 19.
2 Records of visitation, however, are more fragmentary. Separate visitation books (now lost) were kept in the Synod of Fife after 1615 and presumably in other synods as well (Fife Synod, 193).
3 Chronicles of the Frasers, 256.
4 Fife Synod, 192.
5 Dunblane Presb. 6 Jan. 1618.
6 W. Fraser, Memoirs of the Maxwells, II, 73.
Garden declared that Patrick Forbes 'had a custom of visiting all his parish churches, and this without a train of attendants... He would drive in the neighbourhood on Saturday without giving notice to anyone and would make his appearance in the parish church on Sunday, carefully noting what he saw and heard'. Bishop Forbes also held more normal visitations with the Presbytery of Ellon at parishes with difficult or unusual problems. Most visitations were held by presbyteries themselves, but visitations by a bishop and presbytery were not unknown.

Whether a bishop was present or not, the same procedure was followed. Ministers and elders were examined as was the fabric of the church and the state of church life. A visitation at Perth by the Archbishop and Presbytery of Perth removed an inefficient clerk of the kirk session, ordered elders and deacons punished who 'keep their meetings very rarely', settled a quarrel between an assistant minister and the town clerk, and urged that minister (Mr William Cowper, later Bishop of Galloway) not to resign seeing 'his people carry ane constant good affectioun toward him'.

An even more vigorous visitation was held by Bishop

2. Ellon Presb. 5 Sept. 6 Sept. 1620.
3. See below, 211-14.
Patrick Forbes at Tarves. In 1621 the heritors of Tarves formally promised to pay the stipend of a man who would be their schoolmaster, reader, and session clerk. A year later, however, the Presbytery of Ellon learned that the heritors had not fulfilled their promise and reported that fact to Bishop Forbes. Minutes of the Presbytery record the events of the morning when the Bishop visited Tarves.

Convenit the bishopp with sum of the ministrie of uther presbyteris togidder with the presbyterie of Ellon...The bishopp taucht Psal. 4: vs. 5 etc. The bishopp efter lang contestatioun with sum of the gentillmen and elders concerning the execution of the forsaidd act and finding na conformitie on thair pairt ordanes the minister to send south primo quoque tempore, and rais letters upon the forsaidd act and charge the elders and gentillmen heritors of the paroche to put the forsaidd act to execution and in the mein tymye to tak the haill commoun guid of thair kirk and allocat the same for the maintenence of the said clark reider and scuill maister as he will be comptablie to the nixt assemblie.

The Presbytery of Ellon sometimes requested the bishop to meet with them for difficult visitations, although there is no evidence that other presbyteries did the same.

In addition to regular visitations, bishops also visited parish churches to ordain ministers. Bishops were accused of neglecting this duty. 'Bishops doe admitt and ordaine, not in the bounds, [i.e. the presbytery] let be in the congregation where the persone...is to serve; but in

---

1 Ellon Presb. 14 June, 1621, 20 April, 25 July, 1622.
2 Ellon Presb. 14 Sept. 1620.
anie part of the diocie he pleaseth, and some tyme out of his diocie, and without assistance of the ministers of the bounds.' The accusation is partly justified. There is no evidence that Archbishop Spottiswood, after his translation to St Andrews, ever ordained a man in his parish church. In 1615 three men were ordained at the opening of a session of the Synod of Fife. In 1630 Mr Thomas Melville presented a letter to the Presbytery of Kirkcaldy 'from my Lord Archbishop of St Androis, schewing that he had given him ordinatioun to the kirk of Kinglessie, desyreeing the brethren' to institute him; and the Presbytery of Perth received a similar letter from the Archbishop 'declaring that upon sight of our testimonall he had geven Mr William Halyburton ordination' and requesting the brethren to institute him at Collace. In 1624 at Jedburgh 'the Bishop of Caithnes, Moderator in face of the congregation presently conveined with the assistance of the brethren of the presbiterie and having commission thereto of the Archbishop of Glasgow did solemelie admitt and inaugurat Mr Andrew Kirktoun to the office and function

1 Calderwood, VII, 112.
2 Fife Synod, 186-7.
3 Kirkcaldy Presb. 22. For a similar case in the same presbytery, see 59.
4 Perth Presb. 11 July, 1632.
of the ministerie at the kirk of Oxname'. In 1630 the Archbishop of Glasgow ordained the minister of Kilmacolme 'at Glasgow...with all due solemnitie', and the same procedure was followed for the ordination of ministers for Eastwood and Lesmahagow.

However, there are also many records of ordinations conducted by bishops and presbyteries in parish churches where ministers were to serve. At nine of the fifty-seven visitations which Archbishop Gladstanes made between 1611 and 1614, new ministers were ordained by the Archbishop and members of a presbytery. In 1633 a minister for Bedrule was ordained 'by the Bishop of Cathnes and Presbiterie of Jedburgh in the kirk of Badreul with consent of the gentlemen, elders and hail congregatioun'. The bishop of Dunkeld and Presbytery of Perth ordained three men in their parish churches between 1622 and 1624. In 1617 the Bishop and Presbytery of Dunblane met at Logie for the ordination of a new minister. The bishop preached upon a text from 'the first epistill of

1 Jedburgh Presb. 19 May, 1624.
2 Paisley Presb. 8 April, 1630.
3 Ibid. 22 April, 1630.
4 Lanark Presb. 17 Nov. 1631.
5 Fife Synod, f. 7 (20 Sept. 1611), 29, 33, 37, 43-4, 53, 75, 80-1, 103.
6 Jedburgh Presb. 30 Oct. 1633.
7 Perth Presb. 6 March, 1622, 29 Oct. 1623, 30 June, 1624.
Pauls to the Thessalonians quhairin the apostill schawis
the dew of the peopill to the pastor and the pastoris diewte
to thame' and then ordained the minister 'be laying on of
hands by the said reverend father' and ministers of the
presbytery. Three subsequent ordinations were also held in
parish churches. There are too few surviving records of
ordinations to justify any final conclusions, but existing
presbytery and synod records suggest that ordination by a
bishop and presbytery at the parish church where the new
minister was to serve was probably as common as, and perhaps
more common than any other practice.

Administration of discipline involved all of the courts
of the church, and bishops had their responsibilities in
that work. The Glasgow Acts of 1610 which required diocesan
 bishops to approve excommunications before they were pro-
nounced gave bishops final authority over the highest censure
of the church. However, bishops were sometimes involved in
disciplinary cases long before a process of excommunication
had been completed. The advice of a bishop might be sought in
an unusual case. The Synod of Aberdeen considered several
difficult cases of incest and ordered the cases 'given to
the bishop and that he acquent my Lord Archbishope thairof
requyring his best advyse'. In 1623 the Kirk Session of

---

1 Dunblane Presb. 14 April, 1617.
2 Dunblane Presb. 26 March, 1619, 31 July, 12 Nov. 1623.
For ordinations by presbyteries before 1610, see below, 279-81.
3 Ellon Presb. April, 1616.
Belhelvie dealt with a man who 'war delaitit for blaspheming the publict worship of God in our kirk...Quhairpoune the minister resolves to advyse with the bishopp anent the censure thairoff giff he be found giltie'. In 1633 the Synod of Moray learned 'that non of the Marques of Huntly his servants or houshold had takin the communion, hard the word or come to the kirk' and decided 'to shew and to regrate the same unto the archebishop'. The Presbytery of Kirkcaldy tried unsuccessfully to settle a quarrel at Kinghorn between the minister and the reader, and they finally advised 'Mr Alex. Scrimgeor [the minister] to goe to the Archbishop of St Androis, and deal with him to tak some guid courss for setling the confusions of the Kirk of Kinghorn'.

Occasionally, a process was begun at the direction of a bishop. The Presbytery of Strathbogie reported to their synod that 'thei haiff entered in process with uthers upon the last directioun quhilk thei receaved from the bishop'. More frequently episcopal authority was invoked to support or enforce an action initiated by a presbytery. In 1628 the Presbytery of Paisley 'thought it expedient to adverteis

1 Belhelvie K.S. 29 June, 1623.
2 Moray Synod, 64.
3 Kirkcaldy Presb. 12.
4 Moray Synod, 17.
the Bishop' that a minister had not pronounced sentence of excommunication against a papist. The offending minister was summoned to the synod; and when he still did not conform, the presbytery learned that 'it wes the Bishops will that the said Mr Andro shuld be suspended if he did not excommunicate Issobell Mowat'. Under threat of that sentence, the minister obeyed.¹

In 1630 the Presbytery of Lanark considered the case of a laird and his wife who were accused of 'contempt of the Word and railling against thair Pastor'. The laird probably appealed to the archbishop since the presbytery received a letter 'from the Bishop of Glasgow requyring information of us concerning that process, thairfoir the Brethren hes ordanit Mr James Hamilton to go and give information heirof to the Bishop'. The bishop was apparently satisfied since the process continued until the laird and his wife appeared before presbytery 'quha bothe promised to give obedience to the voice of the kirk as thay wer injoynit be the Bishop of Glasgow at the last synode'.²

The next archbishop of Glasgow, Patrick Lindsay, acted promptly to settle a difficult dispute at Carluke. There had been trouble at Carluke for some months over the selection of a new minister. The Laird of Calderwood had his own

¹ Paisley Presb. 27 March, 17 April, 22 May, 5 June, 10 July, 1628.
candidate and refused to allow temporary ministers sent by
the presbytery to preach there. A month after the new
archbishop's translation to Glasgow, he sent a letter to the
Presbytery of Lanark and requested them 'to send commissioners
to Glasgow against the 22 of Maii, first that they may see
the wrong repaired done to the presbiterie by...Calderwood
and his followers, nixt to gif advyse anent the presentation
of the kirk'. The presbytery recommended one of their own
expectants, and with the help of the bishop, he was tried,
given a new glebe, and settled at Carluke.¹

Sometimes episcopal authority sought to mitigate the
severity of a sentence imposed by church courts. The
Presbytery of Kirkcaldy was about to excommunicate a heritor
of Auchterderran when Archbishop Spottiswood requested them
to confer with the heritor once more.² A letter by the
same archbishop to an unnamed presbytery in 1628 was in the
same tradition. The case concerned the discipline of a
justice of the peace who, in the course of his duty,
accidentally killed a man 'who refused to obey him'.
Spottiswood recommended that he be gravely admonished once
before the congregation, but without sackcloth, and then
received. After referring to the first Book of Discipline
and pointing out that the civil courts had discharged the

¹ Lanark Presb. 3 Jan. 7 March, 16 May, 13 June, 29 Aug.
21 Nov. 1633, 20 Feb. 1634.
² Kirkcaldy Presb. 92.
justice, he continued. 'The dejectioun of a sinner in my mynd requyrs at our hands much tendernes in proceeding, and when we sie that, we should reverence Gods mercifull work with his creatur, which so far as man can judg I found in him at my conference with him.' And he concluded, 'I would entrait you to tak with him the calmest course that may be'.

This letter suggests that presbyteries were not unduly subservient to bishops, and many other cases confirm this view. Indeed, presbyteries showed a rather surprising freedom and independence in maintaining their own opinion of a disciplinary case when it conflicted with that of a bishop. A typical case was that of Mr William Spittell, assistant minister of Dysart in 1632, whose 'distressed and pitifulle estait' included not only the fact that he was in debt by 'aught hundredth merks' but also that his session had declared their 'unwillingnes thairof to have Mr William Spittell continued with them in his ministrie'.

In November the Archbishop sent a letter to the Presbytery of Kirkcaldy 'desyreing them to convene Mr William Spittell befoir them...and discharge him to preache any more within thair bownds'. Evidently, the desire was ignored for on 7 March, 1633 a second letter was received

from the Archbishop of St Androis desyreing the brethren to advys Mr William Spittell not to preache in Dysert, or if he will not be advysed, to discharge him to preache thair till some cours wer taken betwixt him and the towne for settling of some divisions...The brethren considering that the Bishop being informit

1 Dalhousie Muniments 14/792.
be one parte onlie, [i.e. the enemies of Spittell] hes written so, and thairfoir hes resolved to writt to the Bishope and to informe him further.

A week later a conciliatory letter was sent by the Archbishop 'desyreing the brethren to tak the best cours anent the settling of the matters of Dysert betwixt the said Mr William and the towne, and to send one of thair number to Dysert to preache thair...and to exort them to peace and unitie'.¹ The quarrel was eventually settled.

Disagreement over discipline was rare. In general relations between presbyteries and their bishop seem to have been friendly and cooperative. Presbyteries were much more accustomed to request support from their bishop than to quarrel with him.

Apart from disciplinary cases, bishops had a number of other administrative and pastoral duties. Fasts were announced by bishops.² Collections for such diverse purposes as 'the Harborie of Port Patrik', ransom for Scots captured by the Turks, or the distressed church in the Palatinate were commended by bishops.³ Bishops supported ministers whose stipend was unpaid or too small.⁴ In 1624 Spottiswood

¹ Kirkcaldy Presb. 57, 58, 60-1. For similar disagreements over excommunications, see below, 204-5.
² Jedburgh Presb. 15 May, 1622.
³ Kirkcaldy Presb. 92, 72-3, 62; Perth Presb. 29 March, 1620.
⁴ Airlie Muniments, 47/43 (12 May, 1629); Breadalbane Letters, 638. Cf, Jedburgh Presb. 3 July, 1611 when that presbytery threatened to request episcopal assistance if a stipend at Hawick was not augmented.
ordered a minister 'excuse from the taxation by reason of his poverty',¹ and the same year the Bishop of Dunkeld settled a dispute over the division of a stipend which had been 'submitted to me and some of our brethren with me'.² The Presbytery of Jedburgh sought to prevent disadvantageous tacks by requiring its members 'to confer with the Bischop... [before] the setting of the tacks of the teindscheavis'.³ Bishops recommended chaplains, private tutors,⁴ and ministers.⁵ In 1623 the minister of Kingussie was having 'many difficulties and oppositionis maid unto him in the building the kirk' and the Bishop of Moray was requested 'to speak the Marquis of Huntlie...for giving off his assistance'. Apparently, the Bishop's intercession was successful since a few months later a report was received that the Marquis 'hes givin directioun to his bailyis for holding hand to the said work conform to the quhilk the roof was alreddie knitt and bound'.⁶ In 1633 the Bishop of Orkney supported the separation of Hoy and Walls into two parishes and promised one hundred merks annually toward the stipend for a new minister.⁷

---

1 Airlie Muniments, 46/23.
2 Airlie Muniments, 47/43 (18 Nov. 1624).
3 Jedburgh Presb. 24 April, 1611, cf. 27 March, 1611.
4 Breadalbane Letters, 656, 690.
5 Morton Papers, 63, 19 May, 1628; O.L. I, 350.
6 Moray Synod, 1, 5. For a similar case at Urquhart, see Moray Synod, 6.
7 Craven Bequest, 9.
1638 the Bishop of Caithness 'with consent of the deane and chapter of the cathedrall kirk' and of the Lord of Reay, made plans to erect a new parish 'in the midst of the cuntrie in Kintaill' because of the 'wyde and spatious bounds' of the former parish with its 'montanes, rocks...creiknes and loches'.

James urged the Assembly at Aberdeen in 1616 to authorize a moderate form of confirmation, and the Assembly did pass an act 'that the Archbishops and Bishops...[or] the Minister of the paroch, make all young children of six yeirs of age be presentit befor them, and to give the Confessioun of Faith'. James was not pleased with the act, declaring it 'a mere hotch-potch, and not so clear as was requisite'.

A few months later he ordered the Privy Council to require all parents to bring their children 'to the Byshoppe of the Diaecese at euerie Visitation, to be tried and confirmed by him'. Although the Perth Articles of 1618 avoided the word 'confirmation' this was undoubtedly the intention of the fourth article which required bishops to 'cause...children to be presented before them, and bless them with prayer for increase of their knowledge, and continuance of Gods heavenly graces with every one of them'. However,

---

1 Reay Papers, 29/3.
2 B.U.K. III, 1127 (Calderwood, VII, 228).
3 Spottiswood, History, III, 236.
4 O.I. II, 811.
5 B.U.K. III, 1166.
confirmation was administered very rarely if at all, a fact which was admitted by the Aberdeen Doctors in their Duplies.¹

Some bishops were moderators of kirk sessions. In addition they were sometimes moderators of presbyteries as well. Alexander Lindsay, Bishop of Dunkeld and minister of St Madoes, regularly attended the Presbytery of Perth. He was usually moderator, although at times some other minister held that position even when 'Alexander, Bishop of Dunkeld' was present.² If absent without an excuse, the presbytery censured 'my Lord Bishop of Dunkeld and Mr Robert Murray... for their absence'.³ He was sent on special assignments like any other member of that presbytery. In 1623 the

---

1. Ministers from the south had written, 'If Confirmation also in your judgement, bee not indifferent, but necessarie, we desire to understand, with what conscience it hath been slighted, and utterly neglected by the Prelates these 20 yeeres past? (The Answeres of Some Brethren...to the Replies of the Ministers...in Aberdeen, 24 [1638].)

After quoting Calvin's approval of confirmation, the Aberdeen Doctors replied, 'What hath moved our most Reverend Prelates to abstaine hitherto from the practising of it, wee know not: they can themselves best satisfie you in this point'. (Duplies of the Ministers...of Aberdeen...concerning the Late Covenant, 77 [1638].)

2. Perth Presb. 23 June, 1619.

3. Perth Presb. 19 May, 1619. See also 9 June, 7 July, 28 July, 1619. After 1619 rebukes by the presbytery ceased, even when Bishop Lindsay was absent.
presbytery appointed 'Alexander, Bishop [of] Dunkeld and Mr David Williamsone, minister at Kilspindie' to conduct an official valuation of improvements made in a manse at Errol. Except for his title, and his place of precedence at ordinations, Bishop Lindsay appears to have been little more than a 'constant moderator' of the Presbytery of Perth.

John Abernethy, minister of Jedburgh and nonresident Bishop of Caithness, was admitted moderator of the Presbytery of Jedburgh in 1608, a position which he retained for over twenty years. Bishop Abernethy was always moderator of the Presbytery of Jedburgh, and he was not rebuked by that body for his absences. Otherwise, however, his position was very similar to that of Bishop Lindsay of Dunkeld.²

Both Lindsay and Abernethy were members of presbyteries outside their episcopal jurisdiction. The position of the Bishop of Dunblane in the Presbytery of Dunblane was quite different. Adam Bellenden was consecrated Bishop of Dunblane in 1615 or 1616. He attended meetings of the Presbytery of Dunblane regularly until 1619 and less frequently thereafter. Not only was the Bishop always moderator of that presbytery whenever present, but important matters were sometimes postponed until he could be present. In 1616 a questionable presentation was postponed 'to the Bischope his presence',³

1 Perth Presb. 26 Nov. 1623.
2 Jedburgh Presb. passim.
3 Dunblane Presb. 12 Dec. 1616.
and in 1617 another case involving the admission of a minister was delayed 'till the Bischop cum to this pairtis'.

In 1623 the Bishop was present, summoned two ministers who had often failed to attend presbytery meetings, and threatened to suspend them unless they improved. He often issued instructions about supplying a vacant parish or admitting a new minister.

The bishops of Aberdeen were moderators of the Kirk Session of Aberdeen, at least until 1622, and probably were also moderators of the Presbytery. The bishops of Moray normally presided over both the Kirk Session and Presbytery of Elgin. Bishop Douglas often administered the communion at Elgin, and in 1624 Bishop Guthrie rebuked the women of Elgin as any parish minister might have done.

My Lord Bischop publictly from the pulpeit inhibetit the women to hald and wear ther plaids about ther heids so uncumly in the kirk the tyme of sermone, siclyk that they sitt nocht with ther bakis to the pulpeit.

---

3 Dunblane Presb. 27 Feb. 20 March, 4 June, 31 July, 1623.
4 *Aberdeen K.S.* 78-9, 82, 89-92, 99.
5 In 1619 the Presbytery of Ellon had not met for several months because they 'for the maist pairt convenit at Aberdeen ilk meiting with the bischop and presbiterie thair' to settle a serious case (*Ellon Presb.* 22 Sept. 1619).
6 *Elgin K.S.* 182.
8 *Elgin K.S.* 183.
As in Dunblane, the Presbytery of Elgin sometimes postponed important decisions 'qhill the bishop come hame'. Possibly the Presbyteries of Orkney and Brechin also had bishops as their moderators.

A bishop who was moderator of a presbytery within his own jurisdiction certainly took a more active part in the ordinary business of a presbytery than was usual. However, bishops were present as moderators in only a few presbyteries or kirk sessions, and the absence of the Bishop of Dunblane from that presbytery after 1623 seems to have made little difference to the normal work of the brethren.

Between 1600 and 1638 thirty ministers became bishops in the Church of Scotland. Of the first generation of bishops, one had begun his ministry in the earliest days of the Reformation. David Lindsay, minister of Leith in 1560, was one of the more prominent of the early reformers. Commissioner of Kyle, Carrick, and Cunningham and a visitor for many parts of the country, he was moderator of six general assemblies and a member of numerous major committees. In the early years of the Reformation 'no minister's name appears more frequently than that of David Lindsay in the accounts of the General Assembly's proceedings.' He had supported episcopacy throughout the reformation period, and his acceptance of the bishopric of Ross in 1600 was a significant link between the Jacobean episcopate

---

1 Elgin K.S. 1 July, 1614.

2 G. Donaldson, 'David Lindsay', Fathers of the Kirk, 30. This paragraph is largely based on Dr Donaldson's chapter.
and the reformers of the 1560's.

Most of the other early seventeenth century bishops had begun their ministry during the 1580's. Both Alexander Douglas and James Nicolson were ministers in 1580,¹ Andrew Knox became minister of Lochwinnoch in 1581,² and Peter Blackburn was minister of Aberdeen in 1582.³ John Spottiswood succeeded his father at Calder in 1585,⁴ and James Law became minister of Kirkliston in the same year.⁵ George Gladstanes was minister of Ecclesgreig by 1587.⁶ Most of these men had begun their ministry during a period when presbyteries were first developing, and they were undoubtedly aware of the debate then taking place over the polity of the church.

Moreover, some of the new bishops had close connections with the sixteenth century episcopal tradition. Archbishop Spottiswood's father had been superintendent of Lothian since 1561, and, along with David Lindsay, had participated in the 'consecration' of John Douglas as Archbishop of St Andrews in 1572.⁷ John Campbell became Bishop of Argyll in 1608. His father, Neil Campbell, was Bishop of Argyll in 1580. Some scurrilous verses in 1609 described Neil Campbell as the only

¹ Fasti, VII, 351, 339.
² Fasti, VII, 348.
³ Fasti, VII, 329.
⁴ Fasti, I, 176.
⁵ Fasti, VII, 322.
⁶ Fasti, VII, 326.
⁷ G. Donaldson, Scottish Reformation, 163.
pious bishop in Scotland.

For light in doctrine they may all resigne it to Argile,
So faith has left the lowland cleane, gone to the hills awhile.¹

Peter Blackburn and David Cunningham, Bishops of Aberdeen, had both been ministers in Aberdeen since 1582. In 1596 Blackburn became an assistant to the aged Cunningham.²

The new bishops were charged by their opponents with hypocrisy and self-seeking because they accepted bishoprics after having served as ministers during the period of presbyterian dominance after 1586. The motives of men are exceedingly difficult to determine. However, some of the new bishops had known some outstanding representatives of the episcopal tradition in Scotland, and their support of episcopacy was probably not due to wholly cynical motives.

John Spottiswood, Archbishop of Glasgow and St Andrews, was the ecclesiastical leader of the church throughout the entire period. Never an exciting or dramatic figure, his administration, like his History of the Church of Scotland, was calm, judicious, and moderate. His letters, which are found in numerous family collections, testify to his extensive activity in both church and state. Dr Perry, in a Ph.D. thesis on the Archbishop, concluded that 'he was a capable administrator and conscientious servant in the royal government... His judgment was sound and his practical experience extensive, but his lack of originality kept him from achieving

¹ Calderwood, VII, 2.
² Fasti, VII, 329, VI, 1.
true greatness'.

George Gladstanes, Archbishop of St Andrews from 1604 to 1615, was much less competent. He was sharply rebuked by James in 1609, and probably lost the confidence of the king thereafter. In 1611 the two archbishops found it necessary to assure James that there was no 'schisme...amongs ws two', but a year later Spottiswood wrote to court that Gladstanes had made a proposal 'in his folly I may say it' which was so absurd 'ze wald not ken qhether to laughe or be angry'. One example of an ill-advised decision occurred in the Presbytery of Ellon in 1613. A couple were being tried for adultery, which they denied. 'Quhairfor seing the archibishop of santandros be his preparative haid takin away all aithis in the case of adulterie, quhilk the said parteis knew verie weill' the case was postponed indefinitely. One of Spottiswood's first acts after his translation to St Andrews was to restore to presbyteries their right to administer solemn oaths.

Of the bishops appointed by James after 1610, Patrick Forbes of Aberdeen was clearly outstanding. Robert Baron's description of him has been generally accepted. 'There was as great a variety of God's graces in him as in any laick or

---

1 John Perry, 'John Spottiswood', 239.
2 See above, 41.
3 W. Fraser, Memoirs of the Maxwells, II, 54-5, 57.
4 Ellon Presb. 8 Dec. 1613.
5 Ellon Presb. 19 June, 1616.
clergyman of this kingdom.'

He was a vigorous and effective administrator of his diocese and the 'second founder' of Kings College. Under his leadership, the Aberdeen Doctors developed a sober and learned theology which was to be the only serious theological alternative to the covenants. 'His spirit and his point of view...inspired the Episcopacy...of Leighton and the Scougalls and James and George Garden.'

William Cowper, Bishop of Galloway in 1612, was notable for the learning and piety of his sermons and commentaries. Not only did he quote freely from Greek and Latin fathers, but he used a number of vivid illustrations, some of them drawn from natural history. 'Prayer is a maruellous kinde of husbandry, it soweth seede in the heauen, and reapeth fruit in the earth and heauen also.' Or again: 'Our Prayer to Him is like the flowing of a little strand, but his answere to us is like the flowing of the Ocean'. Yet Bishop Cowper had signed a protestation in 1606 which declared that the 'pre-eminence of bishops is that Dagon which once alreadie fell before the arke of God in this land', and his opponents despised him


2 G.D. Henderson, op. cit. 59. A portrait of Bishop Forbes was reproduced as the frontispiece of Selections from Wodrow's Biographical Collections, New Spalding Club.


5 Calderwood, VI, 488, 491.
for accepting a bishopric.¹ Spottiswood declared that Bishop Cowper was 'an excellent and ready preacher...and a singular good man, but one that affected too much the applause of the popular'.² Cowper does appear to have been very sensitive about the charge of hypocrisy,³ but perhaps the bishop himself should be allowed the last word.

Say what they will, my workis shalbe witnesses for me: The planting of Preachers, the building of Kirks where neuer one hes bene, the repairing of others, shall testifie for me, that, after my weaknes, my cair hes bene to do the work of a Bishop there, to the glorie of God, your Highnes honor, and good of the countrey.⁴

Some of the bishops appointed by James had ties with landed and prominent Scottish families. Andrew Boyd, Bishop of Argyll in 1613, was a natural son of Lord Boyd of Kilmarnock.⁵ Neil Campbell, Bishop of the Isles in 1633, whose brother and father were also bishops, secured his appointment partly through the influence of his cousin, Lord Lorne, who later became the Marquis of Argyll.⁶ Adam Bellenden, Bishop of Dunblane in 1613, was the son of Sir John Bellenden of Auchnoull.⁷ Archbishop Spottiswood was probably descended

1 Calderwood, VII, 349-50.
2 Spottiswood, History, III, 258.
3 Cf. Cowper, Works, 6.
4 O.L. II, 426.
5 Scots Peerage, V, 167.
6 Breadalbane Letters, 513.
7 Scots Peerage, II, 66-7.
from the lairds of Spottiswood in the Merse. 1 Alexander Lindsay, Bishop of Dunkeld, was a kinsman of Sir Robert Ker of Ancrum. 2 David Lindsay, Bishop of Ross, was of the family of Lindsay of Edzell and was a nephew of David, ninth Earl of Crawford. 3 Although Archbishop Gladstanes was the son of a clerk and bailie of Dundee, 4 the marriage of his daughter to the son of John Lord Glamis in 1611 5 indicated his rising position. Patrick Forbes of Aberdeen was the Laird of Corse. 6 George Graham was a grandson of William, Lord Graham, first Earl of Montrose. 7

Mr Guthrie, in his Memoirs charged that Charles' bishops were very different from those appointed by his father. James appointed 'old bishops, who were prudent and humble men' while Charles appointed 'young bishops...[who] kept a fellowship among themselves apart, [and]...carried themselves... loftily'. 8 Some reservations should be made about Guthrie's judgement. Charles did not appoint noticeably young bishops. Twenty-two bishops were appointed by James. Their average age at election

2 Newbattle Portfolio, xiii/72.
3 G. Donaldson, 'David Lindsay', Fathers of the Kirk, 28.
4 Fasti, VII, 326.
5 Scots Peerage, VIII, 287.
6 W.G.S. Snow, Patrick Forbes, ch. II.
7 Scottish History Society Miscellany, II, 231.
8 Guthrie, Memoirs, 17.
was forty-five. Charles appointed eight bishops. Their average age at election was forty-eight.¹ And unlike the Arminians in England, Charles' bishops did not hold all the best sees. In 1636 five dioceses were held by men who had been promoted to the episcopate by Charles. The sees were all remote or minor ones: Brechin (Whitford), Dunblane (Wedderburn), Galloway (Sydserf), Isles (Campbell, and Ross (Maxwell). The other nine dioceses, including Glasgow and St Andrews, were held by men who had been bishops before 1625. Moreover generalizations about the radically different character of the two episcopates must take account of that fact that two of Charles' bishops renounced episcopacy after 1638,² and many of the 'old bishops' helped to prepare the Prayer Book of 1637, after some initial opposition.³

Nevertheless, five of the bishops appointed by Charles — William Forbes, John Maxwell, James Wedderburn, Thomas Sydserf, and Walter Whitford — do form a separate group, distinguishable from their colleagues both by their theological outlook and their family background. The most distinguished scholar of the Caroline bishops, and the most extreme in his theological views, was William Forbes, first Bishop of Edinburgh. Usually classified as one of the Aberdeen Doctors, he went far beyond his contemporaries in an attempt to reconcile the theological

¹ Fasti, VII, and articles in the D.N.B.
² Neil Campbell, Bishop of the Isles, and James Fairlie, Bishop of Argyll (Fasti, VII, 349, 333).
³ G. Donaldson, The Making of the Prayer Book of 1637, 82.
issues between 'Romans' and 'Protestants'. His major work, Considerationes Modestae, found little support in Scotland, but Dr Mathew rightly pointed out the charity and the profoundly irenical temper of his work. Forbes called upon all Christians to 'reverence the judgment of the Ancient Church', and he believed that both 'Romans' and 'Protestants' should re-examine their beliefs, recognize their errors, and discover the common truth which underlay their dispute. Thus, after a long discussion on purgatory, he concluded, 'To remove or at least to diminish this controversy, let the Romanists neither hold themselves as an article of faith, nor obtrude as such upon others, their opinion about a punitive purgatory.' Protestants, on the other hand, should approve 'the custom of praying and offering for the dead, which is most ancient, and thoroughly received in the universal Church of Christ almost from the very times of the Apostles'.

John Maxwell, Bishop of Ross in 1633, was one of the most competent of Charles' appointments. He was the leading figure in the preparation of the Prayer Book of 1637. It was probably typical of Maxwell that in the midst of negotiations over the Service Book in 1636 he made a trip north to secure timber for the repair of 'the cathedral church of Ross'.

---

1 David Mathew, Scotland under Charles I, 89.
2 Considerationes Modestae, II, 139.
3 Ibid.
4 William Fraser, The Chiefs of Grant, II, 58-9 (22 March, 1636).
wished to see him as his successor at St Andrews,¹ and even Mr Guthrie, who thoroughly disliked the 'young bishops', made an exception in the case of Bishop Maxwell.²

James Wedderburn spent much of his early ministry in England. According to Laud, Wedderburn was appointed to Dunblane so that he might enforce the full English liturgy in the chapel royal.³ And Wedderburn appears to have been the main author of the final, radical changes introduced into the Prayer Book of 1637 — changes which looked to the English Prayer Book of 1549 for their inspiration.⁴

Moreover, Maxwell and Whitford were the only 'Canterburians' who had any ties with prominent or ancient families. Bishop Maxwell was probably the son of William Maxwell, Laird of Cavens,⁵ and Bishop Whitford was the grandson of Sir James Somerville of Cambusnethan in Lanarkshire.⁶ However, William Forbes was the son of a burgess of Aberdeen,⁷ Thomas Sydserf was the son of a merchant in Edinburgh,⁸ and James Wedderburn was the

¹ Spottiswood, History, I, cxxxii-cxxxiii.
² Guthrie, Memoirs, 16-7.
⁵ Scots Peerage, III, 127.
⁷ Fasti, VII, 341.
⁸ Fasti, VII, 353.
son of a mariner and shipowner. Both by theological outlook and by family ties, the 'Canterburians' were ill-equipped to support the radical liturgical policy which Charles wished to introduce.

Episcopacy between 1600 and 1638 was in many ways similar to episcopacy as restored in 1661. The authority and jurisdiction of the two episcopates within the church were fundamentally the same. However, episcopacy in the early part of the century was somewhat more moderate. The bishops appointed by James VI did not license schoolmasters or readers, nor did they have a technical veto over decisions of their synods. Presbyteries and kirk sessions were not required to procure a licence from a bishop before meeting. Apart from these minor formal differences, a more moderate attitude toward nonconformity (that is, refusal to obey the Perth Articles) was typical of the first part of the century. This fact was recognized by the editor of Samuel Rutherford's letters in 1664:

Our late furious Prelats [i.e. the Restoration bishops] ...are a little more hot then their predecessors: It's true, these went so high in their persecution & drave so hard, that it was thought scarce possible, for any to out-doe them in persecuting...But Alas! The Church finds this day, that in respect of their successors, they were mere novices & had scarce served their Apprentiship in the blake Art.²

A more sober estimate was made by another presbyterian historian in 1676. Although the Perth Articles were urged in 1635, he wrote,

\[1\] Fasti, VII, 338.

\[2\] Samuel Rutherford, Letters, f. 06r. (1664).
yet the persecution then was nothing so hot and violent as now; for then the bishops (especially Spottiswood) were more moderate, and dealt with the King for moderation, and did strive to keep off innovations, such as surplice, liturgy &c., and did depose very few of the nonconformists; for in the province of Fife there were only two deposed; and then they never challenged deposed ministers for public preaching and assisting at the celebration of the communion. And that was the cause why in these times there were no meetings in the fields.

The bishops were almost openly unenthusiastic about the controversial Perth Articles when James proposed them, and there is no reason to doubt the sincerity of Spottiswood's opening sermon to the Perth Assembly.

The conueniencie of them [i.e. the proposed articles] for our Church is doubted of by many, but not without cause. They are new and vncoth; such things as we have not beene accustomed with...Had it beene in our power to haue dissuaded or declined them, most certainly wee would; and if any of you thinke otherwise, yee are greatly mistaken.2

In 1622 Calderwood declared that 'the bishop held a diocesan synod in St Androes the space of two houres. He rebuked some ministers that urged kneeling too much upon the people.'3 Bishops often did insist upon conformity, but unlike Restoration prelates, there is no suggestion that they would have continued to do so had an indulgence been granted by the crown.4 In fact, the very moderate accomodation granted to some ministers in 1626 may have been due to

---

1 William Row, The Life of Robert Blair, 137.
3 Calderwood, VII, 547.
4 For the attitude of Restoration bishops, see W.R. Foster, Bishop and Presbytery, 26-7. Nonconformity was of course much more serious during the Restoration.
Spottiswood's influence. ¹

The development of episcopacy in Scotland between 1600 and 1638 was not merely a revival of medieval prelacy, nor a copy of English episcopacy. The whole programme of confirmation tours well known in England had no parallel in Scotland. Indeed, confirmation by bishops in any form was conspicuously absent, in spite of attempts to introduce that practice. Scottish bishops did hold visitations in local parishes, although bishops were invariably assisted by members of a local presbytery, and sometimes by representatives from other presbyteries as well. However, both before and after 1610 most visitations were held by presbyteries alone.

In the ordination of clergy and consecration of bishops, the Scottish experiment followed somewhat more traditional lines. Presentations were directed to bishops after 1610. Presbyteries continued to examine candidates before ordination, usually upon warrant from a bishop after 1610. Between the Glasgow Assembly of 1610 and 1637 presbyteries also often assisted at ordinations, but the evidence for ordinations by presbyteries alone during these years is very slight.² A bishop was invariably present at an ordination, and he presided. Yet bishops did not ordain men to the diaconate³ and priesthood, but simply to the ministry. Bishops were

¹ R.P.C. I, 344n. For the 1626 Accomodation, see below, 353-4.

² See below, 293-5.

³ For the introduction of 'preaching deacons', see below, 292-3.
consecrated by bishops, and the ancient practice of at least three consecrators was retained.

The extensive administrative and pastoral work of Scottish bishops was in the usual Western tradition. Less common was a sharing of authority with the courts of the church in the administration of discipline. Kirk sessions, presbyteries, and synods were well-established by 1610. Bishops worked with those courts and often supported them in difficult disciplinary cases. An Englishman who visited Scotland during the Restoration wrote a description of Scottish episcopacy which could apply to bishops throughout the century.

Their Kirk-Sessions and Presbyteries savour of the Presbyterian Classes, and are, as one might conceive, derived from 'em, and follow 'em so close in the Methods of Governing the People, yet because they allow and respect the Name of Bishop, and give him an Account at their Six Months Synods of what they did in their Presbyteries and Parishes, because as Perpetual Moderator he influenced their Consultations, and had the Power of Mission and Ordination as with us; therefore this Government of their Church was called Episcopal, tho' hardly to be discern'd for such, by Travellers who have seen what Episcopacy is in other places.¹

Clearly Scottish episcopacy was not exactly 'what Episcopacy is in other places'. Episcopacy in early seventeenth century Scotland was an interesting and in some ways a unique development of the ancient office of bishop.

¹ Thomas Morer, *A Short Account of Scotland* (1702), 49.
Chapter Three
KIRK SESSIONS

I

Kirk sessions existed in the reformed Church of Scotland from the earliest years of the Reformation. By 1600, the kirk session was well-established as the lowest ecclesiastical court exercising jurisdiction over one, or in some cases over several parishes. However, kirk sessions did not exist everywhere. The second Book of Discipline recognized the difficulty of establishing sessions in rural parishes.

Quhen we speik of Elderis of particulare congregations, we meane not that euerie particulare parroche kirk can, or may haue thair awin particulare elderschip, esspeciall to landwart; bot we think three or four, ma or fewar, particulare kirkis may haue ane commoun elderschip to thame all, to judge thair ecclesiasticall causes.1

The Act of Parliament of 1592 referred to 'particulare kirkis, gif they be lauchfullie rewlit be sufficient ministeris and sessioun', 2 and an act of the General Assembly of 1596 also implied that sessions were not universal. That Assembly ordered every minister to 'have a Sessioun established of the meitest men in his congregatioun...and this to be ane universal ordour throughout the realme'.3

There is little information in early seventeenth century presbytery records about the establishment of kirk sessions,

1 B.U.K. II, 498 (Calderwood, III, 540).
2 A.P.S. III, 542.
3 B.U.K. III, 865 (Calderwood, V, 403-4).
probably because this matter was handled during visitations and entered in special visitation registers which are no longer extant. Fortunately, however, full records exist for the establishment of the Kirk Session of Udny in Aberdeenshire; and the struggles to establish discipline there must have been repeated with variations in many landward parishes.

The Parish of Udny was created by an act of parliament in December, 1597. The parish was formed from sections of four neighbouring parishes: Foveran, Ellon, Tarves, and Logie-Buchan. The newly established Presbytery of Ellon took no action at Udny until May, 1598: when 'the said day Robert Murray was licensed to reid the word at the Kirk off Udny til forder ordour be taken with that kirk'. About four months later further order was taken. The entire presbytery met at Udny and ordered that until 'a resident minister be planted,...[in order that] publict sclanderis may be removed, the personis [fol]lowing ar nominat to give up a dilatoun of publict offe[nders?] and to concur for removeing offences with sic ministers as salbe appointit to pas thair'. Nineteen 'eldairs and givers up of publict offendaris' were named including the most prominent parishioner of the parish, 'the Laird Udny'. The ministers of the presbytery were to take turns to 'cum to the Kirk of Udny and teache thair' and

1 See below, 213.
3 Ellon Presb. 3 May, 1598.
meet with the elders for 'the grand wark off disciplein'.

Within a few months, however, it was clear that the attempt to hold session meetings with a neighbouring minister as moderator was a failure. By January 1598/9 the presbytery learned that 'thair wes great dissolution within' Udny through lack of discipline, and a second scheme was instituted. The four ministers from whose parishes Udny had been formed were ordered to try offenders from their former sections and to return penalties they might receive back to Udny for 'the utilitie off the said kirk'.

The second system was no more satisfactory than the first, and six months later the Presbytery of Ellon itself took over the duties of administering discipline within Udny. At a visitation at Udny the Presbytery ordered that 'all guyltie personis within the bounds off the said parochin suld be summoned befoir the presbyterie' and the Presbytery promised that fines would be returned to Udny as before.

The third plan proved to be the most satisfactory and remained in force until a new minister was established at Udny in 1604. In June, 1600 the system was renewed and offenders at Udny were again to be cited to the presbytery. The Session of Udny continued to exist and to issue testimonials authorizing parishioners of Udny to be baptized or married by a neighbouring minister, but there is no suggestion that

---

1 Ellon Presb. 28 Aug. 1598.
3 Ellon Presb. 6 June, 1599.
discipline could be administered by the elders themselves. In July, 1601, the Presbytery ordered that 'a meting off the eldaris and deacons be every second sabbath at the kirk before the prayers at aucht houris'. Offenders were to be cited to the presbytery, and no minister was to give any parishioner of Udny 'any benefits off Baptism or marriage' without 'a testimonial fra [the] sessioun off Udny'.

Although there were complaints from Udny that discipline was not enforced, the Presbytery continued to handle a number of disciplinary cases from that parish. In 1604 a parishioner confessed his fornication and was 'ordanit to mak his publick repentance 2 sabbath dayis and pay 4 merks, quhilk he obeyit be delyvering the penaltie'. The Kirk Session of Udny does not appear to have tried any disciplinary cases until a regular minister, Mr Thomas Mitchell, was instituted there on 25 April, 1604. Thereafter, discipline was part of the regular work of the Session.

Clearly the 'plantation' of the Kirk of Udny with a regular minister, and the establishment of discipline by the kirk session were closely related. Nor was this true only at Udny. In 1614 the Synod of Fife ordered

1 Ellon Presb. 29 May, 1600.
2 Ellon Presb. 8 July, 1601.
3 Ellon Presb. 26 Jan. 1603.
4 Ellon Presb. 11 Jan. 1604.
5 Ellon Presb. 25 April, 1604.
6 E.g. 28 March, 1605.
Worshipped a kirk or chapell of St Michael [?Tarvit]... in respect the parochinars will gif no moyen for entertainment of any minister, it is thairfoir ordained that till further order be takin the Exercise of Coupar salbe to thame in place of sessioun before whose immediatlie sall thair slanderis come.¹

And when a new minister was finally settled at Abbotrule in 1610, the Presbytery of Jedburgh learned that he 'had no el- daris', although shortly thereafter the Kirk Session of Abbot-
rule was in operation.² It seems likely that the settlement of ministers in parishes which continued steadily throughout the early seventeenth century³ was a major factor in the estab-
ishment of fully functioning kirk sessions which could carry out 'the grand wark off disciplein'.

Where kirk sessions were established, both presbyteries and bishops used their authority to require sessions to ful-
fill their duties. A presbytery regularly examined the work of a kirk session at a parish visitation, often requiring the elders to be removed from the meeting and the minister to give a full account of their work. Kirk session registers were ex-
amined by presbyteries, especially before a synod meeting. Archbishop Gladstanes reorganized many kirk sessions during his visitation tours of 1611-14, added some new members, charged sessions to meet weekly, and required them to secure a session book. At Ferry-Port-on-Craig the session was ordered to meet 'on Tysday efter the preaching' and to procure 'ane sufficient

¹ Fife Synod, 174.
² Jedburgh Presb. 16 May, 29 Aug. 1610.
³ See below, 297-9.
A list of elders and deacons were 'chosin be the said Right Reverend Father with consent of the brethren of the ministrie present'.

At the first court which Bishop Law held in Orkney in 1612 he 'ordonit that the saidis magistrattis and counsell [of Kirkwall] sall assist and fortifie the minister and sessioun of kirk for putting to execution of all actis and statutis maid be thame for mentenance of Godis glorie'. In 1621 the minister of Ellon 'complained that his elders war negligent to conven to thair ordinar sessiounis...The presbyterie ordaneit that the elders of the said paroche suld be newlie admitted and suorne and causit solemnelie promeis concurrence to discipline.'

Two years earlier the Session of Methlick was reformed by a presbytery and commissioners sent by the Synod of Aberdeen. In 1630 the High Commission reorganized the Kirk Session of Leith in an attempt to settle quarrels which had broken out there. Precise rules about membership, election of elders and deacons, and conduct of meetings were set down.

Although James VI wrote in 1610 that 'laic elders have neither warrant in the word, nor example of the primitive Church', he agreed that it was 'expedient that some be

---

1 Synod Fife, 47-50.
2 R.S. Barclay, The Court Book of Orkney and Shetland, 17.
3 Ellon Presb. 6 Sept. 1621.
4 Ellon Presb. 4 Nov. 1619.
5 Extracts from the Records of the Burgh of Edinburgh, 1626-41, 68-70.
appointed to assist the minister' and to try 'all public and notorious offenders, and enjoin the satisfaction according to the canons of the Church'. And in spite of James' reservations, all the evidence indicates that both civil and church authorities used their influence to establish kirk sessions or improve their efficiency wherever possible.

Kirk sessions normally met once a week, usually on Sunday. The Kirk Session of Dundonald met regularly every Sunday, and the Presbytery of Ellon often enjoined its kirk sessions 'to hald afoir sermoun' on Sunday. However, at St Andrews the Session was 'appointit to be haldin ilk Twisday at tua houris, at the ringing of the gryt bell'. One of the most industrious kirk sessions in the church was that of Elgin. That Session met 'ilk Wedinsdaye Frydaye and Sondaye', and the thick volumes of registers left by the Session testify to its extensive activity.

In 1641 Alexander Henderson wrote that 'the Minister of the parish is alwayes moderator of' the session. Not only was he moderator, but the 1638 Assembly implied that some

---

1 Spottiswood, History, III, 211.
2 K.S. Dundonald, passim.
3 Ellon Presb. 12 Aug. 1601.
4 K.S. St Andrews, II, 936.
5 Elgin K.S. 60.
6 Government and Order of the Church of Scotland, 35.
ministers exercised a right of veto over session actions, and most kirk sessions did not meet if the minister could not be present. Strong and well-established sessions sometimes did meet even if a minister was temporarily absent. In 1597 the elders of Elgin 'electit...Alexander Annand, baillie, to be their moderator...quhill the ministeris hame cuming', and in subsequent years the Kirk Session of Elgin met whether a minister was present or not. Much more typical, however, was the action of the Kirk Session of Culross which held no meetings in 1634 between October 19th and December 9th because 'the Minister Mr John Duncan wes sick'.

In addition to ministers, kirk sessions consisted of elders and sometimes deacons. Moreover bailies or other civil officers were also members of burgh sessions. Elections of elders and deacons were usually held each year in prominent sessions, the session normally electing its own successors. The Kirk Session of St Andrews elected a new session every October between 1583 and 1600, although many elders and deacons were re-elected year after year. The overlapping of civil and ecclesiastical jurisdiction was clear in the election of Trinity College Kirk Session. Every December 'the provest [of Edinburgh], baillies, deyne of gild, treasurer, and remanent

---

1 'It is thought expedient that no Minister moderating his Session shall usurp a negative voice over the members of his Session' (A. Peterkin, Records of the Kirk, 37).

2 Elgin K.S. 60.

3 Culross K.S. note after 19 Oct. 1634 meeting.

4 St Andrews K.S. II, 511, 542, 560, 574, 607, 624, 650, 694, 760, 788, 802, 820, 831, 870, 903, 928, 941.
counsell with Mr Thomas Sydserffe ordinar pastor...[and elders and deacons] elected and choses the personis underwrittin' to be elders and deacons for the coming year. When the High Commission reorganized the Kirk Session of Leith in 1630, it ordered that every January 'ane new election salbe maid of elders and deykins...which election salbe maid be the ministers, baillies and sessioun for the tyme'. And the Commission further ordered 'according to the custome observed throughout the whole churches of the Kingdome the baillies present and to cum have their dew and first plaice of advyse and giving vote in all materis that salbe treatt in the said sessioun'.

In smaller or rural kirk sessions, elections were held less frequently. The Kirk Session of Dundonald held only one election between 1602 and 1612. In Belhelvie three elections were held between 1623 and 1632. Even in the royal burgh of Culross no election took place between 1632 and 1637.

The General Assembly of 1597 ordered 'that all Session be electit with consent of their awin congregatiouns', and

---

1 Trinity College K.S. 20 Dec., 27 Dec. 1627.
2 Extracts from the Records of the Burgh of Edinburgh, 1626-41, 69.
3 Ibid.
4 Dundonald K.S. 92, 100, 108.
6 Culross K.S. 30 Sept. 1632, 16 April, 1637.
7 B.U.K. III, 926 (Calderwood, V, 643).
congregations usually had the right to object to any person nominated as an elder. However, there is no evidence that congregations themselves ever actually elected members of a session.

Elders and deacons were admitted at a public service of the church. On the Sunday following the annual election in St Andrews, the elders and deacons were 'solemnly convent in the kirk...[and] war all admonished and informit of the burding of their offices, quha all, being resavit, maid prom-eis be upholding of their handis to discharge the samin'. When the Kirk Session of Forgan was reorganized in 1611 during an episcopal visitation, the new members were admitted 'be thair aith and uphaldin of their hands to be faithfull and cairfull in their offices'. And in 1627 the Kirk Session of Stirling ordered 'the elders against Sunday nixt, to sitt into the Merchands loft, and thair to hold up thair hands befoir the congregatique in signe and token of thair fideli-tie in the said office...for ane yeur to come'.

1 St Andrews K.S. II, 322; Culross K.S. 7, 18 Oct. 1632; Dundonald K.S. 105; Trinity College K.S. 20 Dec. 1627; Belhelvie K.S. 19 July, 1629.

2 In 1641 Alexander Henderson wrote, 'Where particular Elderships are already constitute, the Pastor and the Elders who are now in office, do choose such as are to succeed those who are removed by death, or any other way' (Government and Order of the Church of Scotland, 14).

3 St Andrews K.S. II, 905.

4 Fife Synod, 52.

5 Maitland Misc. I, 467.
distinction was made between those who had previously been elders and those who had not. All alike were 'solemnly received with lifted up hands, giving their promises to be faithfull'.

The position of deacons on kirk sessions varied considerably in different sections of the country. Deacons were mentioned for the first time in Elgin in 1586, and thereafter two to four deacons were members of that kirk session with thirteen or more elders. Deacons were almost never mentioned by the Presbytery of Ellon during its visitations. As late as 1637 the Kirk Session of Belhelvie had no deacons on its session.

Nor were deacons mentioned at any time in the records of Culross Kirk Session. On the other hand deacons were members of the Kirk Session of St Andrews; Trinity College Kirk Session was usually composed of six elders and six deacons, and deacons were in the majority in the Kirk Session of Dundonald. In 1606 eight elders and nineteen deacons formed a new session at Dundonald.

---

1 Government and Order of the Church of Scotland, 14-5.
2 Elgin K.S. 5, 9, 32-3.
4 For elections of elders (but not deacons), see Culross K.S. 30 Sept. 7, 18 Oct. 1632. In 1637 'collectors...for gathering almes for the poore' were appointed in addition to elders (Culross K.S. 2 July, 1637).
5 St Andrews K.S. passim.
6 E.g. Trinity College K.S. 27 Dec. 1627.
7 Dundonald K.S. 108.
The Scots Confession of 1560 declared that the notes of 'the true Kirk of God' were 'First, The true preaching of the word of God;...Secondly, The right administration of the sacraments of Christ Jesus;...Last, Ecclesiastical discipline uprightly ministered, as God's word prescribes, whereby vice is repressed and virtue nourished'. Whatever may have been the theological status of 'ecclesiastical discipline', its importance in the life and practice of the reformed Church of Scotland would be difficult to overestimate. No parish would have been regarded as 'reformed' which had not accepted the discipline of the church and did not bring offenders against that discipline to at least formal repentance. Discipline was one of the most enduring features of the Scottish Reformation and its administration was retained by the church throughout the seventeenth century.

The administration of discipline was first of all the responsibility of local kirk sessions. Practically all cases began in a kirk session court, and the vast majority of cases were settled by that court. As has been seen, presbyteries sometimes attempted to administer discipline in a parish if the session was inactive; but this practice was never very satisfactory, and a parish which lacked a kirk session was usually described as 'desolate'.

The work of discipline began in the duties assigned to

1 J. Knox, History of the Reformation (Dickinson), II, 266.
individual elders. Many kirk sessions divided their parishes into districts and assigned one or more elders to each portion. Although their primary responsibility was a disciplinary one -- 'the better tryell of vice and punishing thairof'¹ -- elders were expected to exercise general pastoral oversight within their district. The elders at Stirling in 1600 were assigned to sections of the burgh and ordered 'to tak attendance to the maneris of the pepill thairin...[to] attend quhat straingearis resortis to the toun, and to quhat effect;...[and to try] gif any Jesuistis or seminarie Preistis comis within this toun'.² In 1632 the elders of Culross were ordered to make monthly visitations of their sections, to 'tak notise of the maneris of the people...to considder the necessitie of the poor, and all...strangers'.³ The elders of the Kirk Session of St Andrews were charged to inform the minister if 'ony persoine be seik within ony familie...that the ministeris may...cum and confort thame with holy admonitioun'.⁴

Burgh kirk sessions also sent elders through the town on Sunday to see that all attended the services of the Church. In 1632 the Kirk Session of Culross assigned two elders to 'search...befoir noon in tym of sermon' and two others to

---

¹ St Andrews K.S. II, 871.
³ Culross K.S. 13 Nov. 1632.
⁴ St Andrews K.S. II, 817-8.
'search in tym of the afternoones preaching'. The Kirk Session of Aberdeen had made a similar arrangement in 1603, while the Kirk Session of St Andrews ordered 'ilk bailye, his owke about, [to] vesey the town on Sonday with the elderis and deaconis eftir specifiit'.

The weekly kirk session meeting was an important occasion and elders were expected to be present. Many sessions passed acts imposing fines upon elders who were late or absent. In 1632 the Kirk Session of Culross found it necessary to order 'that no solisitation salbe mad by any elder...for any offender at the handes of the minister, but if they have ought to say concerning such a...offender, that they come in publick...befoir the whol session'.

Sessions began with the 'invocatioun of God his holie name' and then turned to the work of discipline. By 1600 the competence of kirk sessions was well-defined, and the same types of cases were tried by sessions throughout the church.

The Sabbath was especially the church's own day; offences such as drunkenness or fighting, which might be tried in a civil court if they occurred during the week came before the

---

1 Culross K.S. 13 Nov. 1632
3 St Andrews K.S. II, 829.
4 E.g. Trinity College K.S. 3 Jan. 1628; Fife Synod, 154; St Andrews K.S. II, 805, 872, 913; Belhelvie K.S. 13 Jan. 1623.
5 Culross K.S. 13 Nov. 1632.
session if they violated the sanctity of the Sabbath. In 1632 the Kirk Session of Culross summoned seven men and women for 'scolding and flying on the Lords Day'. The Kirk Session of Perth tried a man who on the Sabbath had become 'so beastly drunk that he knew not what he did'. The Session of Dun-donald tried 'David Jamie...for his offence in breaking William Dickie...his head to the effusion of his blood at the Kirk on ane solemn Fast day'.

The church had a clear idea of the behaviour it expected of its members on the Sabbath. In 1604 the Kirk Session of Aberdeen sent a notice to all the heads of families in Aberdeen setting forth this ideal. 'The haill familie sail keip halie the Saboth day, and that by abstinence from play and corporall labour thairon; sail resort to thair awin paroche kirk, heir all the sermones thairin, and quha can reid sail lerne to sing and prais God publicltlie.' It was a popular ideal, supported by magistrate and churchman alike. Kirk sessions were expected to enforce this ideal throughout the church, and they did so. One of the most common offences which kirk sessions punished was 'absentis frome sermon the last saboath'. Those who profaned the Sabbath by 'playand',

1 Culross K.S. 26 Aug. 1632.
2 Spottiswood, Misc. I, 279.
3 Dundonald K.S. 259-60.
4 Aberdeen K.S. 34-5.
5 E.g. Belhelvie K.S. 13 April, 1623.
'gathering kaill', 'fisching both of whyt fisch and salmond fisching', and similar offences would be summoned to the session. There was some variation about the time when the Sabbath rest began. In Belhelvie a man was accused of profaning the Sabbath by 'transporting leads to Aberdeen on horsbak' but was dismissed because it 'war fund that he haid cariet the leads befor day light'. However, a man in Dundonald who had moved 'vyne with his fathers hors' had to prove that the task had been completed by 'Satirday befoir midnicht' before he escaped session discipline.

There was also debate within the church about the right of parishioners to be married on the Sabbath, chiefly because there was too much 'making off mariages upon the Sabboth... [with] penny Brydellis' or parties with 'publict dansing at the croce...[and] on the publict streitis'. A General Assembly in 1602 declared 'that it is leisum to celebrate the... band of mariage vpon the Sabboth day,...and that no ryotous-nes be vsed at the same vpon the Sabboth'. And the Assembly of 1610 repeated the order 'that the celebration and solemnization of the holy band of matrimonie be refused to no

---

1 Elgin K.S. 103; B.U.K. III, 996 (Calderwood, VI, 184).
2 Belhelvie K.S. 2, 9 March, 1623.
3 Dundonald K.S. 69.
4 Ellon Presb. 10 June, 1601.
6 B.U.K. III, 1002 (Calderwood, VI, 183).
Christians...upon Sunday' although the marriage was to be 'with all christian modestie, and without all disorder'. Yet kirk sessions, presbyteries, and even synods continued to forbid marriages on the Sabbath. In 1603 the elders of Tarves complained to their presbytery that 'in utheris parochins of uthir presbiteries mariages ar granted indifferently on the Sabboth yit thai wer denyit to thame'. And in 1614 the Presbytery of Jedburgh ordered 'that na marriage be geven one the sabbath day under the pane conteinit in the act of the synod-ole assembly'.

According to extant parish registers, opposition to Sabbath marriages prevailed in spite of Assembly injunctions. In 1604 63% of the marriages in Aberdeen took place on Sunday. By 1612 the percentage of Sunday marriages had dropped to 43%. Sunday marriages were even less common in other parishes. In Dunfermline seven out of twenty-four marriages were on Sunday in 1600, but by 1605 Sunday marriages had disappeared altogether. At the Canongate no marriages took place on Sunday.

1 B.K. III, 1101 (Calderwood, VIII, 83).
2 Ellon Presb. 13 July, 1603.
3 Jedburgh Presb. 24 Aug. 1614.
4 Aberdeen Parish Register, 168a (12), 1604, 1612. There were fifty-two marriages in 1604, thirty-four of which took place on a Sunday. There were eighty-seven marriages in 1612, thirty-seven of which took place on a Sunday.
5 Dunfermline Parish Register, 424(1), 1600, 1605. There were three marriages on Sunday in 1612, but none in 1620 (Dunfermline Parish Register, 424(2), 1612, 1620).
in 1601 or thereafter. ¹ 40% of the marriages in Inverness were on Sunday in 1604, but by 1610 the figure dropped to 22%.²

One medieval custom which did continue was the observance of Lent as a time when marriages were not solemnized. Only rarely did a marriage take place during Lent, although there appears to have been no reformed legislation forbidding the practice.

Regulations about marriage services were only a small part of the jurisdiction which sessions exercised over the obligations of marriage or violations against its sanctity. Cases of incest and adultery often came before sessions in the earlier part of the century, although jurisdiction over these offences gradually passed to presbyteries.³ However, kirk sessions continued to try many cases of fornication. Fornication 'under promise of marriage' was especially common.⁴ Kirk sessions usually tried to get the guilty couple to marry after their penalty had been paid.

Breach of promise cases were part of the jurisdiction of commissary courts, and both presbyteries and sessions

---

¹ Canongate Parish Register, 685⁵(12), 1601, 1611, 1625.

² Inverness Parish Register, 98(1), 1604, 1610. There were ten marriages in 1604, four of which took place on Sunday. There were eighteen marriages in 1610, four of which took place on Sunday.

³ See below, 185-6.

referred such cases to the commissary. In 1633 Trinity College Kirk Session learned from Barbara Jackson that 'Robert Forsythe ...socht mariadge of hir and in hopis thairof begat hir with chyld but afterward heiring that scho was in debt he deseartit hir and hes contractit mariadge with Helene Watt'. The Session ordered the trial of the 'promisis alleldgit maid to...be dis-cussit befoir the ordinar Judge'. 1 The Presbytery of Kirkcaldy referred a similar case to 'the ordinar Judge, viz., the Comissar. of St. Androis' in 1630. 2 However, a kirk session in a more remote area might try a breach of promise case itself. In 1624 the Kirk Session of Belhelvie learned that 'Elspet Ardes alledged to the minister in private that George Tom-sone contracted in marriage with Agnes Adamsone had faithfullie promised befor to marie her'. The Session summoned Thomson and ordered him 'either to purge himselfe be his oathe of the alleged promise of mariage with Elspet Ardes or else not to proceed in his mariage with Agnes Adamsone', and a week later Thomson 'purged himselfe be his oathe of onie promise made to Elspet Ardes'. 3

Those who wished to be married were expected to make a formal contract, and sometimes to provide a cautioner as well. After the proclamation of banns the couple were married, and they were punished if they did not complete their contract.

1 Trinity College K.S. 28 Feb. 1633.
2 Kirkcaldy Presb. 6; see also Jedburgh Presb. 12 Dec. 1627.
3 Belhelvie K.S. 11, 18 April, 1624.
In 1624 the Kirk Session of Belhelvie ordered a man 'to mak payment of ten pundes being cautioner for Barbara Milve that scho sould have performed hir mariage...saxe weekes being alreadie expired after their proclamationes and scho refusing to performe the same'. The clerk at Ellon explained more fully than was customary the reasons why a marriage was not completed. In 1609 a woman refused to conclude a contract and declared that 'Johne haid persuadit hir with fair words to consent to the contract quhen scho knew him not, and now scho knawis him, and lykis him not, and scho wald never marie him'. She was punished by the court.

A variety of other marriage and family problems sometimes merited action by a kirk session. A quarreling couple were summoned before an Edinburgh session and ordered to 'leive in peice and love and in the feir of God as Godis word allowed... and that none of tham sall ingriyit uthers [i.e. harm each other] be word or deid...as they have been doeing heirtofoir under the paine of sever punischementis of their personis and estaite'. And considering the ample authority of an Edinburgh kirk session, the threat was no empty one. A son who failed to support his aged father was ordered by the Kirk Session of Dun-donald 'to do his dewtie to his father anent his interteinement

1 Belhelvie K.S. 21 March, 1624.
2 Ellon Presb. 6 Dec. 1609.
3 Trinity College K.S. 14 July, 1636.
of meit and claih'. A man was required to guarantee support for his illegitimate child before a session would authorize his marriage.

Although cases of slander belonged to the jurisdiction of commissary courts, many trials for slander were held in kirk session courts. In fact, accusations of slander were sometimes made frequently and irresponsibly, and many kirk sessions required deposits before they would try cases of slander. A typical case took place in Belhelvie in 1628. 'Gilbert Jamesoune ...give in ane bill to the seassioun shawing that Gilbert Keythe callit him ane witche and theiff. Quhairupon the said Gilbert Jamesoun laying downe his...fourtie schillinges money incaice of not provation was ordanit to produce his witness.' And at the next meeting the accusation was proven by witnesses.

To be accused of witchcraft was a serious matter, and many cases of slander arose from such accusations. In Edinburgh a superstitious practice involved a woman in a curious slander charge. Isabell Monteith, who had some money and clothes stolen from her, confessed to a kirk session that she had wronged William Mactear by calling him a thief. She explained 'that scho haud writtin the said William his name and certane uther boyis names on paper and putt thame in watter to try ghus name

1 Dundonald K.S. 203-5.
2 Trinity College K.S. 14 March, 1633.
3 Belhelvie K.S. 16, 23 Nov. 1628.
4 E.g. Aberdeen K.S. 28-9, 38-9, 48-9, 74-5, 81.
did sink to the ground and the said William his name did only sink to the ground and therefore scho judged him to be only theif'. She was punished for both slander and superstition. 1

Many persons were disciplined for superstitious practices. In 1601 a man confessed the charming of children. 'The forme is this:...he takkis a mythis hammer and his tonges and sayins the barne [i.e. asks a blessing upon the child], with the saying In nomine patris et filii et spiritus sancti'. 2 The Kirk Session of Dundonald tried a woman who had healed another woman's sore breast by taking

hir husbandis left foot scho, quhilk scho geting in hir hand set vpoun the said Kaithreinis pap ane vay, and thaireftir croce vayes to that, and thaireftir thrust hir pap into the scho mvrmilling fyve or sax vordis, and than scho...cust the scho over the balk quhilk scho did thrie tymes, and that thaireftir hir pap mendit.3

'S Geretynes cave' in Elgin continued to be associated with cures for the sick. In 1602 'James Hoissak...declairis that he had a sair arme quhilk he pat in the hoill that is in that cave and wes nocht the bettir', but another offender 'Christen Farquhar...confessis that scho haid a sair leg quhilk wes the occasioun of hir gangang thair and sayis scho wes the bettir of hir journeying to the caue'. 4

In 1602 the Kirk Session of Dundonald spent much effort

---

1 Trinity College K.S. 13 Dec. 1627.
2 Elgin K.S. 96.
3 Dundonald K.S. 170.
4 Elgin K.S. 97.
in obtaining a stone used by Katherine Macteir to make butter when others 'could get no buttir'. The Session finally secured possession of the stone and 'condescendit that the minister resaif...KAITHREIN MAKTEIRIS STAIN AND TAK IT...TO THE PRESBITERIE TO GET THEIR JUDGMENT'. The following year the same Session accused a woman of 'the superstitious turning of ane riddill with ane Carrik vyfe in hir hous for tryell of the stelluar of ane sax pund peice of gold'. And a sick man 'confessit that he tuik help of' a suspected witch who 'causit him drink first of the accavytie and than the wyn and buik two bannokis of the flour with accavytie and veinskir and laid ane of the bannokis to his breist and the wyther to his foirheid'.

Cases of blasphemy were occasionally tried by kirk sessions, although usually offenders were more guilty of ignorance or foolishness than of blasphemy. Thus Margaret Underwood, a beggar, was accused 'of hir blasphemous speich in saying Christ vald not bein so daft as to haif died for hir', but she granted that it was 'said of witesnes'.

The number and variety of cases tried by kirk sessions can be seen in the following tables. The number beside each

---

1 Dundonald K.S. 9.
2 Probably a sieve used with shears for the purpose of divination.
3 Dundonald K.S. 37.
4 Ibid. 51.
5 Ibid. 49.
offence indicates the number of persons who were tried. Each person might come before a session for several meetings.

**Dundonald Kirk Session - 1605**

<table>
<thead>
<tr>
<th>Offence</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Profanation of the Sabbath</td>
<td>31</td>
</tr>
<tr>
<td>Violation of the Sabbath fast</td>
<td>13</td>
</tr>
<tr>
<td>'Awayabiding' from the kirk</td>
<td>5</td>
</tr>
<tr>
<td>Assault on the Sabbath</td>
<td>3</td>
</tr>
<tr>
<td>Observance of Yule</td>
<td>3</td>
</tr>
<tr>
<td>Absence from precommunion examination</td>
<td>3</td>
</tr>
<tr>
<td>Failure to communicate</td>
<td>3</td>
</tr>
<tr>
<td>Misbehaviour on the stool of penitence</td>
<td>2</td>
</tr>
<tr>
<td>Alteration of a testimonial</td>
<td>1</td>
</tr>
<tr>
<td>Fornication</td>
<td>20</td>
</tr>
<tr>
<td>Adultery</td>
<td>5</td>
</tr>
<tr>
<td>Slander</td>
<td>10</td>
</tr>
<tr>
<td>Witchcraft</td>
<td>2</td>
</tr>
<tr>
<td>Attempted murder</td>
<td>1</td>
</tr>
</tbody>
</table>

**Belhelvie Kirk Session - 1624**

<table>
<thead>
<tr>
<th>Offence</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Profanation of the Sabbath</td>
<td>9</td>
</tr>
<tr>
<td>Absence from sermon</td>
<td>12</td>
</tr>
<tr>
<td>Failure to communicate</td>
<td>3</td>
</tr>
<tr>
<td>Fornication</td>
<td>20</td>
</tr>
<tr>
<td>Adultery</td>
<td>2</td>
</tr>
<tr>
<td>Breach of promise</td>
<td>3</td>
</tr>
<tr>
<td>Irregular marriage</td>
<td>1</td>
</tr>
<tr>
<td>Blasphemy</td>
<td>1</td>
</tr>
<tr>
<td>Reception of strangers without testimonial</td>
<td>3</td>
</tr>
<tr>
<td>Slander</td>
<td>3</td>
</tr>
<tr>
<td>Assault</td>
<td>2</td>
</tr>
</tbody>
</table>

**Trinity College Kirk Session - 1633**

<table>
<thead>
<tr>
<th>Offence</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failure to communicate</td>
<td>1</td>
</tr>
<tr>
<td>Fornication</td>
<td>51</td>
</tr>
<tr>
<td>Relapse in fornication</td>
<td>10</td>
</tr>
<tr>
<td>Breach of promise</td>
<td>2</td>
</tr>
<tr>
<td>Informal marriage</td>
<td>7</td>
</tr>
<tr>
<td>Assistance at an informal marriage</td>
<td>1</td>
</tr>
<tr>
<td>Nonsupport</td>
<td>1</td>
</tr>
<tr>
<td>Slander</td>
<td>1</td>
</tr>
<tr>
<td>Reception of slanderous persons</td>
<td>3</td>
</tr>
<tr>
<td>Offensive behaviour to the minister</td>
<td>1</td>
</tr>
</tbody>
</table>
Occasionally kirk sessions did refer cases to their presbytery or their bishop. Those charged with adultery were usually sent to a presbytery, especially after 1625. And the advice of a presbytery might be sought on an unusual matter. However, most kirk sessions seldom found it necessary to mention presbyteries, synods, or bishops. Although the Kirk Session of Belhelvie decided in 1623 to charge two suspected papists 'befor the presbytery', this case was the only one in 1623 which the Session did not conclude by itself. Again, the Kirk Session of Dundonald sent only one matter to its presbytery in 1605. In February the advice of the presbytery was sought about 'ane decret of devorcement obtained befoir the commissaris of Edinburgh' because the Session 'war not acquainted with sic materis'. Clearly most cases of discipline which came before the courts of the church were tried and concluded in kirk sessions.

Trials held in kirk sessions were usually short and simple. Occasionally witnesses were summoned and an extended trial held. But in most cases the facts appear to have been

1 Belhelvie K.S. 23 March, 1623
2 Dundonald K.S. 73.
well-known, and the majority of those accused pleaded guilty and were assigned a sentence.

Primarily, the church was interested in that inner repentance of the heart which alone is worthy to be called Christian penitence. And the church recognized that external systems of discipline could easily mask a proud and impenitent heart. In 1599 the Kirk Session of St. Andrews complained that many 'in making repentance befor the pulpeit...uteris proud and querelling speiches, testifying thairby the pryid of thair hartis and the litill regaird of God and discipline'.¹ And a preacher in 1590 put the point more fully. He condemned

all the penitentis of our age, all the feined repentances that are drawin out of yow by force of argument and reasoun, and ar not wroucht be the Holie Spirit. That repentance may weill satisfie a visible kirk... but it will nevir satisfie the pearceing eye of a liv¬ing God...The thing that ye do, do in sinceritie, that as ye ar humbled outwardlie in your bodie, so your saull may be humbled inwardlie befoir the living God. Ye may weill beguyll us, but ye will not beguyll the liv¬ing God.²

But God alone could judge the heart, and the church had to be content with more external signs of penitence. The stool of penitence -- often called simply the 'stool' -- was the chief means by which the church 'humbled outwardlie' its penitents. Sir William Brereton described the use of the stool in 1635.

The stool is a public and eminent seat, erected towards the lower end of the church about two yards from the

¹ St Andrews K.S. II, 910.
² From a sermon c. 1590 printed in St Andrews K.S. II, lxxxi.
ground, either about some pillar, or in some such conspicuous place, where the whole congregation may take notice of them; this seat is capable of about six or eight persons. Here this day, 28 Junii, I was at sermon in the Gray Friars, where there stood three women upon the stool of repentance, who are admitted to sit during the sermon.¹

A woman who was guilty of a serious offence might be required to appear 'in sackcloth' or even 'with her half heid schavein', while a man might be required 'to satisfie...in...sackcloth bair fuittit and bair leggit'.² Penitents were expected to appear for several Sundays — three Sundays being the usual penalty for fornication and six Sundays for adultery. In some areas stricter requirements may have been exacted. Brereton declared that 'adulterers are censured to stand every Lord's day upon this stool during twelve months in a sheet of hair, and this enjoined them in divers churches'.³

Those who were wealthy or powerful sometimes sought to escape public humiliation. In 1636 'My Lord Bishop and the Synod [of Moray] ordenes that non of the brethren sall ovasee [i.e. overlook or disregard] the repentance of anie man for the payment [of] his penalties how great soever it be',⁴ and similar edicts were made by other courts.

But any offence against the church was also an offence against the state, and civil penalties were often demanded of

---

1 Sir William Brereton, Travels, 107.
2 Ellon Presb. 20 March, 1605.
4 Moray Synod, 85.
offenders before they were admitted to the stool of penitence. The purpose of a civil penalty was clearly expressed by the Kirk Session of Stirling when it sent an offender to the bailies to be punished 'quhairby she may be movit to abstein fra the lyk in tymes cuming, and that utheris may tak exampill'.

The most common civil sentence was a fine. Any person found guilty by the Trinity College Kirk Session was first remitted to a bailie to pay his civil penalty and then allowed to make his public repentance. In 1628 the Session sent 'William Paterson tailyeor and Margaret Baxter...[who] confess thair fornication...to the baillie of the northeast to satisfie thair civile penalitie'. A week later the bailie gave to the Session for 'William Paterson and Margaret Baxter...for baith thair penalties sex pundis tua schillingis and aucht penyis'. And the Kirk Session of Culross regularly requested a bailie 'to poind [i.e. distrain] disobedients'.

Sometimes presbyteries established tables of fines to be used by kirk sessions. In 1617 the Presbytery of Ellon ordered 'that four marks be the penaltie of ilk fornicator in tyme cummin for the first tyme and aught marks the secund tyme, of all kirks...within the presbyterie'. However, a more popular ideal than a fixed table of fines was reflected in the

1 Maitland Misc. I, 131.
2 Trinity College K.S. 15, 22 May, 1628.
3 Culross K.S. 31 July, 1631, 11 March, 1632.
4 Ellon Presb. 6 Aug. 1617.
injunction of the Kirk Session of Belhelvie 'that pecunniall penalties of publick offenders be imposit proportionallie to their estait'.

In 1625 six drunkards were given fines ranging from six shillings to twenty-five shillings. Between 1625 and 1627 four persons who were absent from sermon were fined respectively nothing, six shillings, ten shillings, and three pounds.

Most persons paid their fines, but those who could not might be imprisoned. In 1628 Trinity College Kirk Session learned from a bailie 'that he hes keiped Christiane Douglas fornicatrix...fourteine dayes in waerd for hir penaltie in respect scho had no moneyis'. In Dundonald the partly ruined Castle of Dundonald served as a prison, and those who did not pay their fines were placed there. In Aberdeen and St Andrews offenders might be confined in the kirk steeple. However, in rural parishes the jougs were often an alternative to a fine. The jougs consisted of a short chain, one end of which was attached to the door or wall of the church and the other to a collar fastened around the offender's neck. In 1623 the Kirk

1 Belhelvie K.S. 9 Feb. 1623.
4 Trinity College K.S. 13 March, 1628.
5 Dundonald K.S. viii, x, 127-8.
6 Aberdeen K.S. 24-5, 44-5, 78; St Andrews K.S. II, 893.
Session of Belhelvie ordered every offender to 'pay ane penal-
tie for their offence. Giff they plead for exemptioun frome
the penaltie, they sould be freed upoun conditioun they stand
in tym of sermon in the jogges, utherways to pay their penal-
tie.'\(^1\) The Presbytery of Ellon regularly required its kirk
sessions to impose penalties, for example, of '20 merks to be
impoyit ad pios usus, and make repentance xii Sondaiis in
sackcloth bairfuittit and bairlegit, or utherwayis to satisfie
in jogis and goves\(^2\) the said xii Sondaiis and his heid schaven
and mak repentance in maner forsaid'.\(^3\)

In order to impose a civil penalty, cooperation from civ¬
il authorities was of course required. Burgh kirk sessions
usually had bailies and sometimes a provost among their mem¬
bers, and they were expected to exact civil penalties. Again,
a town council might pass an ordinance supporting kirk dis¬
cipline. In 1625 the Council of Aberdeen 'considering that the
Lord's day is greatlie prophained...be...gainging and playing
in the linkes,...[going] to tawernes and ailhousses, and...
[remaining] wilfullie at home...in tym of sermon...to the
great dishonour of God and scandall of the Gospell' decided to
impose a fine of twenty shillings upon all offenders.\(^4\) The

\(^1\) Belhelvie K.S. 10 Aug. 1623.

\(^2\) Goviis: similar to, or perhaps the same as a pillory.
Perhaps a platform on which the jougs were erected.

\(^3\) Ellon Presb. 10 May. 1620.

\(^4\) Extracts from the Council Register of the Burgh of
Aberdeen, 1625-42, 1-2. For a similar case in Culross, see
Culross K.S. 28 June, 1635.
Kirk Session of St Andrews sought and received authority from the magistrates 'that ilk elder and deacone haif power to noit all persouns that sueriis...or takis Godis name in vane,...[and] to uplift ane penalty of ilk transgressour' of 8d. A serious offence might be tried at a joint meeting of council and session. In 1620 a man in Perth 'upon a Sabbath-day at night...pressed to misuse Giles Lowry in her returning...[and] having entered the kirk, he rang the common bells, thereby setting the haill town under fear either of fire or sword. His offence being so great' he was tried by both the Council and Session of Perth and severely punished.  

Rural sessions could not appeal to a burgh council, but they had other methods of securing assistance from the magistrate. A direct appeal to a powerful nobleman might be made. The minister of Kilbucho requested the Earl of Morton to see that delinquent teinds were paid and 'to put in our joggis such [as] ar decernit be our sessioun and disobeyes being convict of bakbyting and open inuire don to thair nytbours'. And occasionally a kirk session appealed to the privy council for support.  

Some attempts were also made to reinforce kirk sessions

1 St Andrews K.S. II, 821.


3 Morton Papers, Box 63, Letter from Mr John Wemyes to the Earl of Morton, 1597-1616.

4 R.P.C. (First Series), VIII, 330-1.
by the authority of justices of the peace. In 1595 James
granted a commission 'to the minister, eldaris, prowest, and
baileis of Elgin' to be 'our Justices within the haill bounds
of said pereoche kirk' and gave them authority to enforce espe-
cially the acts 'for prophanation of the Sabboth day, raising
of tumultis within kirks and kirkyards, fornicatioun, blas-
phemy and vther sclanderis'. ¹ This kind of experiment does
not seem to have continued, and in the early seventeenth cen-
tury justices were clearly distinct from the church courts and
sometimes clashed with them. ² However, an act of Parliament
in 1617, which assigned a number of duties to justices, re-
quired them 'to giff Command...to thair Constables to appre-
hend anye suche persoun who salbe fund contempteouslie to have
dissobeyed the censures off the churche'; ³ and both kirk ses-
sions and presbyteries sometimes called upon justices for sup-
port. The Kirk Session of Tarves was unable to discipline a
dissolute man in 1621, and the case was finally tried in Tarves
by 'the brethren of the presbyterie, the Justice of peice and
gentilmen thair convenit'. ⁴

A privy council injunction in 1622 that commissions for
justices of the peace were to be given 'to suche persone or
personis in everie landwart parrochin as salbe nominat be the

¹ Elgin K.S. 54-5.
² See below, 158-9.
³ A.P.S. IV, 539.
⁴ Ellon Presb. 14 June, 1621, cf. 12 April, 1625.
bishop of that dioces' was apparently intended to strengthen the authority of church courts. Charles I went even further in his order of 1634. Not only was 'everie bishop to be a justice of peace within his owne diocie', but also each bishop was to choose 'the most able and sufficient ministers within their dioces' to be justices as well. Numerous appointments of ministers were made, and kirk sessions soon began to find their authority reinforced by 'the parsone being justice of peace'.

Kirk sessions were also supported by the civil government when they requested a commission, probably from the privy council, authorizing them to impose civil penalties directly. This method was probably the most common one used by landward sessions. The need for such a commission from the government was recognized at many of the visitations made by Archbishop Glad-Stanes after 1610. At Rescobie it was 'regraited be theam [the elders] that thei gret no payement of the penalties quhairin offenderis ar convict, they ar ordained with diligens to purchas ane commissioun quhairin salbe the minister, the Lairds of Cars, Strickmartine [etc.]...and that thei creat thair pe-dell thair court officiar. And the persons abovenamed sall with thair minister have power to change and renew the

---

1 R.P.C. (First Series), XII, 646-7.
2 R.P.C. (Second Series), V, 228, 378-89.
3 'The parsone being justice of peace, desyred every honest man that he wold take notice of...infamous persones, and informe him to them, that he might cleanse the parish of them' (Belhelvie K.S. 12 March, 1637). The parson was Mr David Lindsay who later became a zealous Covenanter (Fasti, VI, 47).
At Forgan the minister was 'ordaind to get a commissioun for puneishment of malefactors and putting the acts of parlement and assemblies to execution. The names of the commissioners are...[six elders] and the minister.'

Even in a burgh the session might obtain a commission. At Falkland the minister was ordered 'to get a commissioun fra James Prymrois for punishment of disobedients and uplifting of the penalties quhairin salbe insert commissioners...[six elders] and the minister with the bailies of the toun'.

Similar injunctions were issued at Kilmany, Uphall, Slamannan, Abdie, Kinfauins, Rait, Liff, Murroes, and Errol. The Session of Inverarity had secured their commission when the Archbishop made his first visitation there in 1614.

A good example of the work of a kirk session which possessed such a commission was the Kirk Session of Belhelvie. In 1630 'thair was givin Mr Thomas Merser for purchasing ane commissione to hauld courtis and poynd for kirk disciplin

---

1 Fife Synod, 31.
2 Fife Synod, 50.
3 He was clerk of the privy council (R.P.C. [First Series], IX, 51).
4 Fife Synod, 45.
6 Fife Synod, 153.
7 Perhaps a servitor to Sir William Scot, one of the Clerks of Session (R.P.C. [Second Series], III, 173). He was not an elder in Belhelvie (Belhelvie K.S. 12 July 1629).
tene marks'. ¹ And the Kirk Session not only imposed fines on almost all offenders, but the fines were promptly paid as well. When Thomas Robertson was found 'grinding upoun the sabbathe day' he was ordered 'to pay tene schillinges and mak publick repentance' which was done 'boith in penaltie and repentance' two weeks later.²

A distinction between civil and ecclesiastical penalties can not always be clearly drawn, and some sentences would be difficult to classify. A person found guilty of slander was usually required 'to confes hir fault to the pairtie offendit on Sunday nixt befor the pulpit, and to the haill congregatioun present'.³ The Kirk Session of St Andrews had an adulterer 'jokit, cartit and that throw the haill streitis of the town, and...at last dowkit ower the heid diveris tymes'.⁴ Notorious persons were banished from the parish by kirk sessions,⁵ and the Kirk Session of Elgin warned them not to return 'wnder the pain of burning...on the cheik', although the threat was seldom carried out.⁶ Regardless of the way in which these sentences were classified, they must have helped to make kirk session discipline effective enough.

¹ Belhelvie K.S. 21 March, 1630; cf. Dundonald K.S. 263.
³ Elgin K.S. 20 May, 1636.
⁴ St Andrews K.S. II, 793.
⁵ Belhelvie K.S. 6 Nov. 1636; Aberdeen K.S. 27.
⁶ Elgin K.S. 139, 153.
The records of kirk sessions indicate that these courts were much more efficient than either presbyteries or synods. Those summoned to a kirk session appeared promptly, usually after the first summons. Trials were short, sentences were imposed at once, and the sentences were usually obeyed within a few weeks. Presbyteries often had to issue numerous summonses before an offender would appear. A difficult case might last for months or even years. And presbyteries frequently found difficulty in enforcing their sentences.

There were a number of reasons for this difference. Kirk sessions dealt with less serious crimes; their meetings did not require a journey to a neighbouring parish on a working day; and their sentences were not as severe as those given by presbyteries. However, the fact that those who came before a session had to satisfy 'boith in penaltie and repentance' undoubtedly contributed to the effectiveness of kirk sessions. Archbishop Spottiswood wrote, 'To be punished by the purse is a thing that euer hath bene most grieuous to Scottishmen, and keepeth them most in aw'. Fines have kept many men in awe, including the Scots, and they were one of the reasons why 'the grand wark off disciplein' was so effective in many of the parishes of Scotland.

1 O.L. II, 756.
Apart from discipline, the major responsibility of kirk sessions was care of the poor within their parishes. The first Book of Discipline declared:

Every several kirk must provide for the poor within the self; for fearful and horrible it is, that the poor...are universally so contemned and despised. We are not patrons for stubborn and idle beggars who, running frome place to place, make a craft of their begging...but for the widow and fatherless, the aged, impotent, or lamed...but the stout and strong beggar must be compelled to work.\(^1\)

This ideal remained in force throughout the seventeenth century and was repeated in many kirk session records. In 1597 the Kirk Session of Stirling

ordanis everie elder and diacun to tak up the namis of all the native puir within this toun,...and all indigent personis...and report thair namis to the kirk, that they be advys of the counsell may tak sum gude ordur for thair sustenatione, and that Idill Vagabundis habe na libertie to leive idill on the puiris almus.\(^2\)

A visitation at Ellon in 1617 reported that 'thair is a collectioune for the puir ilk saboth day and the puir of the paroche helpit'.\(^3\) The same report could have been made in most of the parishes in Scotland where a minister was settled and a kirk session in operation. Alms were collected at the church door by elders, deacons, or others appointed for the purpose.\(^4\)

---

2 Maitland Misc. I, 130.
3 Ellon Presb. 27 Nov. 1617.
4 At Belhelvie and Culross the elders collected. At St Andrews both elders and deacons were assigned. At Trinity College those who collected the alms were never listed among the elders or deacons for that year.
although the Kirk Session of Elgin had to order that anyone who refused 'to gadder the peoples collectioun being requerit lawfully the nicht befor' would have to pay 'als mekle as is collected at ony tyme at the dores'. Collections were also taken at a week-day sermon, at a service held on a special fast day, at marriages, or at burials. The alms given on communion days were much higher than those given on ordinary Sundays. The usual collection at Elgin in 1616 was about thirty shillings, but on Communion Sunday it was more than eight pounds. At Belhelvie the average weekly collection of about twelve shillings jumped to five pounds at a communion. The tradition of increased alms at the time of communion was reinforced by session acts. The Session at St Andrews ordered 'that nane ressaid tikettis to the communion bot sic as hes payit thair bigane contributioun', and at Aberdeen two magistrates were appointed to 'stand at the end of ewerie tabill in...the tyme of the ministratioun of the holie communicoun, and demand of ewerie communicant,

1 Elgin K.S. 180.
2 Elgin K.S. passim.
4 Trinity College K.S. 17 May, 1627.
5 St Andrews K.S. II, 883.
6 St Andrews K.S. II, 845, 884, 906.
at their rising from the tabill, sume almes to the poore according to the forme obserw...in the south pairtis of this realme'.

During the period there appears to have been a general rise in the amount collected for the poor. There was some rise and fall from year to year, but the trend was clearly upwards, as the following table of amounts collected for the poor shows.

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1624</td>
<td>£31.6.11</td>
</tr>
<tr>
<td>1630</td>
<td>£62.7.3</td>
</tr>
<tr>
<td>1633</td>
<td>£83.15.7</td>
</tr>
<tr>
<td>1637</td>
<td>£80.7.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1614</td>
<td>£93.9.11</td>
</tr>
<tr>
<td>1616</td>
<td>£71.1.2</td>
</tr>
<tr>
<td>1625</td>
<td>£190.14.5</td>
</tr>
<tr>
<td>1634</td>
<td>£184.5.8</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1626</td>
<td>£1034.12.10</td>
</tr>
<tr>
<td>1631</td>
<td>£1926.15.4</td>
</tr>
<tr>
<td>1633</td>
<td>£2514.3.1</td>
</tr>
<tr>
<td>1636</td>
<td>£2423.8.2</td>
</tr>
</tbody>
</table>

In these three parishes alms for the poor had more than doubled. The rise was one of many signs of the increasing prosperity of church and nation.

All of the money collected in a parish, i.e. alms for the poor, penalties for discipline, and gifts or legacies, was

---

1 Aberdeen K.S. 86.

2 These figures were compiled from the weekly reports of alms collected for the poor in the Kirk Session Records of Belhelvie, Elgin, and Trinity College.
usually kept in a special kirk box. The Synod of Moray ordered 'that everie kirk have ane box wherein to keip the penalties... and that ane elder sall keip the keye thereof and that no minister sall have no medling there with'. A box was established at Belhelvie in 1626 and the Session ordered that 'the collectiones to the poor and penalties sould be heirefter kiepit in ane closs chest with two separate roomes and two keyes to be givin in custodie to two deacones'. At Culross the treasurer was to receive all monies 'and to have the keys of box...and not to give out any money...without express warrant of the minister and tua elderis'.

Each parish was expected to have a list of its own poor and to give them seals or 'cognisances' as evidence of their status. The list at Belhelvie was revised in 1630 and 'intimatioun was givin out of pulpit to the haill pour...to be present and give up their names Thursday nixt to the effect cognisances micht be givin thame...and the parochineris to extende their charitie to thame allaine'. In all of the parishes of the Presbytery of Dunfermline 'seales of lead wer ordained to be maid and given to our own poir and non to receave almis but such as have these markis'. An even more elaborate

1 Moray Synod, 91.
3 Culross K.S. Feb. ? 1630 (folio 1).
4 Belhelvie K.S. 25 April, 1630.
5 Culross K.S. 20 Nov. 1631.
system was introduced into Belhelvie in 1636. 'Some were given two tokens, one of leade and another of brasse, to shew that they were most indigent and could no wayes helpe to mainetaine themselves.' Others were given 'one onelie brasen token' because they 'myt make some reliefe for themselves'.

Alms were distributed to the poor at regular intervals, often five or six times a year. In addition, small sums were given for special needs throughout the year. In Belhelvie there was given 'Henrie Davidsoun pauper -- 6s.', 'ane pour woman bedfast -- 6s.', 'ane woman namit Urquhard distrest in mynd -- 18 s.', 'ane pour man with his wyff and fyve barnes -- 15s.8d.'. 'Ane off the ordinar poor being dead 24s. was gevin...to buy one wynding scheet thairwith.' In Edinburgh 'ane fundling bairne...wes instantaneous delyverit to Isobell Layng...to be nourished for payment of ten markis in the quarter...with twentie schillingis to buy claithes to the infant'.

But if kirk sessions were willing to assist their own poor, they were equally determined not to help strangers, those 'sturdy and idle beggars' condemned by many church courts. A General Assembly in 1596 described them as 'ane great number of idle persons without lawfull calling, as pypers, fidlers, sangsters, sorners, pleasants, strang beggars,'

---

1 Belhelvie K.S. 15 Aug. 1636.
3 Trinity College K.S. 9 Aug. 1627.
4 Sorner: one who takes free quarters.
living in harlotrie, and having their children unbaptizit'.

Several acts of parliament had been passed in the sixteenth century against 'strang and ydle beggaris', The execution of these acts was committed to kirk sessions in 1597; and in 1600 and again in 1617 presbyteries were charged to see that kirk sessions enforced the acts. Around 1620 some parishes began to appoint special officials to deal with roving beggars.

In that year the Kirk Session of Tarves decided 'to provyde ane abill man to hald out of their paroche...vagabund beggeris'. Four years later two men were appointed by the Kirk Session of Elgin 'to hald away all uncouthe and strange beggeris and ilk persone...sall receave weikly for ther panes vi s.'. A 'scourdgar' was admitted at Belhelvie in 1631 'to serve the paroche in hauling of the stranger poor and stronge beggeris'.

A much more vigorous program was undertaken in Edinburgh. In 1632 Trinity College Kirk Session gave 3000 merks to the burgh council for 'ane correctioune hous to be establischit

---

2 A.P.S. III, 86-9, 139-42.
3 A.P.S. IV, 140, 232-3; R.P.C. VI, 98-9, XI, 33-4. Much of the text of the 1617 proclamation is illegible in the R.P.C. For the full text, see Ellon Presb. 22 April, 1617.
4 Ellon Presb. 17 Aug. 1620.
5 Elgin K.S. 185.
within this burgh' for 'restraining of ydle and strang beggeris and compelling of uther idle persounis to tak thame to sum ver-
teuous calling for their sustenatioune', and thereafter 2000 merks annually was given by the same Session for maintenance of the house of correction.  

 Justices of the peace and church courts sometimes clashed over the care of the poor. An Act of Parliament in 1579 gave justices in rural areas jurisdiction over the poor,  

 and in 1617 justices were again ordered to 'put his Maiesties actis off Parliament to dew and full executioune aganis wilfull begg-

 garis and vagaboundis'.  

 In 1613 the Synod of Fife received a complaint from 'dyvers Exercises, that thair particular con-
gregationes ar orderit be ane charge from the Justices of peace, and commandit to pay certane sovmes forth of the readiest of the silver collected to thair awin poor, to such use as the saidis Justices haue appoynted the same to'.  

 Complaints continued to be made by synods and presbyteries that 'justice of peice uses no diligence' in suppressing idle beggars.  

 However, by 1623 synods were urging sessions to 'concurr with the Justi-
tices of peace' in the care of the poor, and thereafter

---

1 Trinity College K.S. 28 June, 1632, 10 Oct. 1633.  
2 A.P.S. III, 139-42.  
3 A.P.S. IV, 536.  
4 Fife Synod, 144.  
5 Ellon Presb. April, 1616 (Synod of Aberdeen), 14 April, 30 July, 1624.  
6 Fife Synod, 260; Moray Synod, 8.
justices were seldom mentioned in church records. In any case, sessions continued to collect and distribute alms for their own poor as they had done in the past.

Although kirk sessions would not assist vagabonds, they did raise special sums for authorized projects outside their own bounds. In 1634 the Bishops of Orkney and Caithness sent appeals to many presbyteries 'concerning the deplorable famine of Orknay and Zetland'. 1 Within a month collections had been taken for the 'distresed peopll of orkny and catnes'. Collections included 53 merks from Belhelvie, £26 from Culross, and £40 from Elgin. 2 Many similar projects were supported by parish collections.

It is not possible to form an accurate estimate of the extent of poor relief from kirk session registers. There are too many breaks, and too little information is to be found. However, the church's care for the poor was clearly widespread and continuous. The most frequent entry found in typical kirk session minutes was the amount collected for the poor. On the other hand, the attitude of both church and state toward wandering beggars was almost wholly repressive. Both justices of the peace and kirk sessions sought, probably without much success, to compel sturdy beggars to take up permanent employment.


2 Belhelvie K.S. 17 Aug. 1634; Culross K.S. 143; Elgin K.S. 228.
The kirk session was the fundamental unit of ecclesiastical administration in Scotland during the Reformation period. A generation older than presbyteries, kirk sessions continued to function whether bishops were active or not. A revived seventeenth century episcopacy did help to increase the number of effective kirk sessions, either directly by visitations and acts of synod, or indirectly by the 'planting' of ministers. Otherwise, however, episcopacy had no significant effect upon the work of kirk sessions. Their membership remained the same, and they exercised the same kind of authority in 1600 as they did in 1620. Most disciplinary cases were heard by kirk sessions, and neither bishops nor presbyteries were very successful in establishing discipline in a parish which had no effective kirk session. A kirk session might correspond with a bishop about the selection of a new minister, but otherwise session records seldom have any occasion to mention episcopacy. Local collections for the poor, support of bursars in theology, general collections for a distressed area, or even collections to support such public projects as 'reparatioun of the brig of Don' depended ultimately upon the work of vigorous kirk sessions.

The overlapping of civil and ecclesiastical authority within a kirk session itself was a distinctive feature of efficient sessions. All church courts relied to some extent

1 Ellon Presb. 24 May, 1609.
upon civil authority, but the support of the magistrate was especially prominent at kirk session meetings. Although the second Book of Discipline might draw a theoretical distinction between 'the Power of the Sword' and 'the Power of the Keyes', offenders who were summoned to a kirk session soon learned that the sword was not absent.

Kirk sessions were vital parts of the Church of Scotland from the earliest years of the Reformation, and they continued to have a fundamental place in the administration of the Church during the first four decades of the seventeenth century.

1 Calderwood, III, 531.
Chapter Four

THE BRETHREN OF THE PRESBYTERY

I

The presbytery was the last major ecclesiastical court to develop in Scotland after the Reformation. It was not until 1581 that the General Assembly proposed the erection of some fifty presbyteries but 'that ane beginning be had of the Presbyteries' ordered thirteen to be established at once as examples 'to the rest that may be established heirafter'.\(^1\) Formal erection of presbyteries went ahead fairly rapidly. By 1593 Calderwood listed forty-seven presbyteries whose existence was recognized by the General Assembly,\(^2\) although some of them, such as Shetland, probably existed in name only.\(^3\) One presbytery which Calderwood omitted, namely Stirling, was almost certainly in existence at that time.\(^4\)

Even where presbyteries were formally established, their existence was sometimes insecure and their ability to maintain

\(^1\) B.U.K. II, 481-7 (Calderwood, III, 523).

\(^2\) B.U.K. III, 799-800 (Calderwood, V, 245-6). The ones listed by Calderwood are: Tingwall (Shetland), Kirkwall (Orkney), Thurso, Dornoch, Tain, Chanonry, Inverness, Forres, Elgin, Ruthven (Strathbogie), Banff (Turriff), Deer, Inverurie (Garioch), Aberdeen, Kincardine O'Neill, Cowie (Mearnes or Fordoun), Brechin, Arbroath, Meigle, Dundee, Dunfermline, St Johnston (Perth), Dunblane, St Andrews, Couper, Dunkeld, Kirkcaldy, Linlithgow, Edinburgh, Dalkeith, Haddington, Dunbar, Peebles, Chirnside, Duns, Jedburgh, Melrose, Dumfries, Kirkcudbright, Wigtown, Ayr, Irving, Paisley, Dunbarton, Glasgow, Hamilton, and Lanark.

\(^3\) G. Donaldson, Shetland Life under Earl Patrick, 128-9.

\(^4\) Records of the Scottish Church History Society, IV, 184.
effective discipline limited. In March 1595/6 the Presbytery of Glasgow reported that although seven ministers composed that presbytery, only four attended presbytery meetings. Two were too poor to come and one kept 'nither exercise nor discipline'.

The previous year the General Assembly, recognizing the 'weaknes of the Presbitrie of Inuernesse' ordered four ministers from nearby areas to meet with them on important business. In May, 1597 the Presbytery of Dunbarton 'in respect of the fewnes of their number, [requested] that certaine of the Presbytrie of Paislay might be adjoynit to them'.

A vivid example of the difficulties which outlying presbyteries had to face was recorded in the minutes of the newly established Presbytery of Ellon. In 1602 that presbytery summoned George Gordon and Lady Haddo on suspicion of adultery. The charge was not proven, but the couple were publicly admonished to avoid suspicious behaviour in the future. 'And quhil as the moderator was delyvering to tham the ordinance [he] was stayed be a tumult rasit in the kirk through the persuit and minaceing off Mr John Mercer [minister of the couple] and remanent presbiterie be the said George...and thair complices.'

There were areas where presbyteries did not exist at all. This was recognized by the General Assembly of March, 1595/6,

---

1 Maitland Misc. I, 79.
2 B.U.K. III, 847.
3 B.U.K. III, 917.
4 Ellon Presb. 23 July, 1602.
which gave commissioners for visitation authority to try 'Pastors within the Presbytries, where they are established already; as also in the bounds, where as yet no Presbytries are planted'; and a General Assembly in 1602 received a report that Annandale 'hes bein desolat continuallie, sen the reformation of the religioun within this countrey'.

In spite of difficulties, establishment of new presbyteries continued; and at least four new ones, Cullen (Ffordyce), Ellon, Alford, and Kelso had been erected by 1606. Revival of episcopal authority meant no change in this policy, the Presbytery of Forfar being established by the Synod of Fife and the Archbishop of St Andrews in 1611, while the same Archbishop erected that of Earlston in 1613. Dunblane appears to have been separated from Auchterarder before 1616. The Presbytery of Stranraer may have begun in 1622 and was certainly in existence by 1635. Inveraven was listed as a presbytery of the Synod of

1 B.U.K. III, 863 (Calderwood, V, 419).

2 B.U.K. III, 997. In 1595/6 it was reported that 'Nithesdaill, Annandaill, and Galloway, are destitute of Pastors' (B.U.K. III, 862).

3 Ellon Presb. 30 Nov. 1597; B.U.K. III, 1035-8 (Calderwood, VI, 622-4); R.P.C. VII, 301-2. Alford was in existence by 1598 (Ellon Presb. 19 April, 1598).

4 Fife Synod, 18, 22-3.

5 Fasti, II, 146.

6 The extant register of Dunblane begins in 1616 and does not include the parishes of Auchterarder.

7 'Its records begin 13th Nov., 1622' (Fasti, II, 330). This volume cannot now be found. On 14 July, 1635 a testimonial was signed 'by the moderator and brethren of the presbytery of Stranrawer' (R.P.C. [Second Series], VI, 51).
Moray in 1623, and in 1632 that presbytery had been divided into two, creating Aberlour and Abernethie. The Presbytery of Penpont was established by 1627; and in 1629 the Privy Council had business with two presbyteries in Argyll, namely Argyll and Bute. Lochmaben was in existence in the same year, Middlebie (Annan) had been established by 1632, and Dingwall was probably in existence by the following year. In all sixteen (and possibly eighteen) new presbyteries came

1 Moray Synod, 1.
2 Moray Synod, 39.
3 R.P.C. I, 602, III, 341.
6 R.P.C. IV, 425.
7 Records of the Presbytery of Inverness and Dingwall, 252. On 21 April, 1653 the old and retired minister of Dingwall 'did exhibit and deliver the old presbytrie booke being at the beginning thairoff of the daite 12 November] 1633 zeires, and ending at the daite 18 October] 1637'. Since this (now lost) book contained matters concerning the glebe of Dingwall, and since none of the ministers in Dingwall were members of the Presbytery of Inverness in 1632 (Ibid. 25-6), it seems likely that this book was not the Presbytery Register of Inverness but was that of another presbytery, probably Dingwall. In any case, the Presbytery of Dingwall had been established by 1638 (Peterkin, Records of the Kirk, 38).

8 According to a (probably contemporary) report on the 1638 Assembly, sixty-six presbyteries were represented at its first session (Peterkin, Records of the Kirk, 129). If accurate, eighteen presbyteries had been established since 1593.
into existence between 1594 and 1637. Such progress was a remarkable achievement and was one of many signs of the growing stability and expansion of the church during this period.

The recent origin of presbyteries was reflected in their boundaries which exhibited a logical and systematic pattern long lost by both parishes and dioceses with their detached portions and erratic borders. No alterations were made in parish boundaries, but the jurisdiction of presbyteries ignored diocesan limits where necessary and often included parishes from several dioceses. This was true even when a presbytery had been established by an archbishop. The Presbytery of Perth, for example, contained eleven parishes from the Diocese of St Andrews, three from Dunblane, and five from detached sections of the Diocese of Dunkeld; and the new Presbytery of Forfar, erected by the Archbishop of St Andrews in 1611, included nine parishes from the Archbishop's diocese and four from the Diocese of Brechin.

The Register of the Presbytery of Ellon shows clearly the way in which that presbytery was established. On 14 October, 1597 eight parishes presented a supplication to the Synod of Aberdeen to establish them as a separate presbytery; the parishes being 'farre distant frome the seatis off their presbiterie [of Aberdeen], some 14, some 12, some 10 and the nearest

---

1 Except where parishes were united or divided. See below, 311.

2 For the diocesan affiliation of parishes, see Robert Keith, An Historical Catalogue of the Scottish Bishops, and the 'Ordnance Survey Map of Monastic Britain (North Sheet)'.

8' miles and travel too expensive 'quhilk their small stipends [?are not] able almoist to beare out'. On the same day the Synod 'ordained the erection off an presbyterie at the kirk of Ellon...and earnestly desyred the commissioneris off the Generall Assemblye be their power and authoritie to authorize and establishe this necessarie erection'. The act was approved on that day by two commissioners, but later the commissioners, who had gone 'north to entreat and travill with possessors of tyndis for planting and provyding off the kirks within the same stayed the said erection till their returning from Ros[s and] Murray'. After a month, 'upon the 12 off November, quhen the commissioners hau endit thair wark' the erection was authorized by the commissioners and scheduled for the end of November. In view of later developments of the episcopal office, it is of some interest to discover that the names of these two commissioners of the General Assembly who exercised such evident authority and oversight were Mr James Nicolson, later Bishop of Dunkeld, and Mr James Melville. Both men had been appointed commissioners of the General Assembly in May, 1597.

The establishment of Forfar in 1611 followed a similar pattern, being authorized by the Archbishop and Synod in April and erected at a visitation of Archbishop Gladstanes two weeks

1 Ellon Presb. 14 Oct., f. 3 (? 12 Nov.), 1597.
3 B.U.K. III, 928 (Calderwood, V, 645).
later. Instructions given to the Presbytery of Forfar were typical. The brethren were to meet weekly on Wednesday at ten, fortnightly meetings being permitted in winter, which, considering the character of Scottish winters, was a fair enough observance of the General Assembly's orders of March 1597/8 'that every Presbytrie sall assemble themselves once ordour-ly ilk weike'. Presbytery records show very clearly the conscientious way in which this duty was fulfilled. Although no presbytery had a perfect record, the usual pattern was a weekly meeting in summer (except when the synod met) and a meeting every fortnight during the rest of the year except when there was 'no...meitting because of the tempestuous weather be winds and raine'.

II

Meetings of presbytery were attended by ministers, expectants, a presbytery officer, and a clerk. Almost every presbytery passed a general act (enforced with only moderate success) imposing fines on ministers who were tardy or absent. The act passed by the Presbytery of Perth in 1618 reflects something of the difficulty of securing regular attendance by the brethren.

1 Fife Synod, 18, 22-3.
2 B.U.K. III, 946 (Calderwood, V, 708).
3 Perth Presb. 20 Dec. 1626.
4 For expectants, see below, 270-4.
Because sum bretherine for licht occasiouns bydis fra the exerceis and meittingis in this place, sum otheris [come] bot not in dew tyme, and otheris gangis away a-foir the bretherine disolve, theirfoir it is ordained with ane uniform consent that sic sortis of absens, without ane reasonable excuse, ilk ane sall pay ten shilling money of this realme besyde ane grave admonitioun to be given be the moderator.¹

One of the more distinctive features of presbyteries prior to 1638 was the absence of elders as regular members of this court. The second Book of Discipline apparently expected elders (but not deacons) to be members of every ecclesiastical court, although that work did not (at least in its original form)² distinguish the presbytery as a separate ecclesiastical court.³ In 1597 James propounded a series of questions on ecclesiastical matters, and the answers he received show that there was some division of opinion within the church. The Synod of Fife affirmed that presbyteries should be composed of pastors, elders, and deacons;⁴ while Patrick Galloway, the respected minister of Stirling who was later to decline an

---

¹ Perth Presb. 11 Nov. 1618.

² There were apparently later revisions of the second Book of Discipline. On 15 June, 1592 the Presbytery of Dalkeith appointed 'William Carbrayth to spek Mr James Richie willing him to recognoss [i.e. revise] and correct of new agane our copy be collationing it with the last editioun of the buik of discipline' (Dalkeith Presb.).

³ There is some uncertainty about the point. The second Book of Discipline did not provide for a separate court called a presbytery, but it has been suggested that the word 'eldership' as used in that book sometimes meant a presbytery (J.H.S. Burleigh, A Church History of Scotland, 200).

⁴ Calderwood, V, 589.
appointment to the episcopate, roundly affirmed that presbyteries should be composed of 'Pastors onlie'.\(^1\) A third set of anonymous answers agreed with him 'for the elders voting passeth not out of their owne particular sessiouns'.\(^2\)

Whatever the theory, there is remarkably little evidence that in fact elders were ever regular members of presbyteries for any length of time or over any wide area between 1600 and 1638. The presence or absence of ministers at presbytery meetings was recorded in practically every presbytery register. Some (as in Dunblane) even record the names of expectants who were present. Nowhere does one find the names of elders listed as either present or absent until their appearance in 1638. Injunctions requiring ministers to attend presbytery (and fining them when they were absent) were commonplace. One finds many similar acts requiring elders to attend kirk sessions, but acts requiring elders to attend presbyteries were apparently nonexistent. Decisions were universally rendered by 'the brethren' or, when a diocesan bishop was present, by 'the Bischope and ministers present'.\(^3\) On the rare occasions when elders or prominent laymen were present, their presence and usually their names were recorded. Much of the evidence is negative, of course; but it is hard to believe that elders could have been in regular attendance at

---

1 Calderwood, V, 598.
2 Calderwood, V, 601.
3 Dunblane Presb. 26 Dec. 1616.
presbyteries and have left no trace of that fact in the registers of those presbyteries.

Commissioners from parishes, who would presumably be elders, were summoned to presbytery meetings for special purposes. In 1604 the Presbytery of Ellon ordered 'anent the collectioun for Geneva, everie brother is ordanit to bring with him...[at the next meeting] sic of his flock as ar maist zelous that be thair advyece, order may be takin' for the collection; a week later four lairds were present (their names were recorded), and were appointed along with two other lairds who were absent to act with their ministers as collectors of local contributions.¹ Elders appeared in the Presbytery of Jedburgh once in 1622. A collection for the church in France was nearing completion, and the Presbytery ordered the brethren to 'haff all thair collectionis brocht to the presbitry...after the Sinod and that the eldaris in quhois hands it [i.e. the collection] wes should be advertisit to keip that day and to bring it'.² But such appearances as these were exceptional rather than normal.

There is some evidence that elders may have attended, or at least been expected to attend, presbytery meetings in the

---

¹ Ellon Presb. 28 March, 4 April, 1604.

² Jedburgh Presb. 3 April, 1622. A slightly different example was the injunction of the Kirk Session of Elgin in 1623 who 'appoynted that sum of the magistratis and elderis compair befoir the presbitry and requier ther judgment and assistance concerning the executioun of the decreit aganis Robert Gibsone'. (Elgin K.S. 13 May, 1623). See also Ellon Presb. 22 March, 1616.
earliest years of their establishment. In 1587 the Presbytery of Edinburgh considered 'the greit necessitie that thair is of the lardis and gentlemen quha wer anes nominat and chosin eldairs to concur with the brethren of the ministrie. It is thought good that the barons and gentlemen quha wer chosin to be eldairs at the first erecting of the presbiterie salbe desyrit be the brethren of the ministrie to be present the last of this instant', but there is no evidence in the minutes that elders did in fact regularly come 'to concur with the brethren of the ministrie'.

The usual relationship which existed between prominent laymen and presbytery courts was shown very clearly at the formal establishment of the Presbytery of Ellon on St Andrews Day, 1597.

The said day after prayeris and doctrine the conclusion [of the] provinciall assembly ratified be the commissioners off the Generall was [read in] presence and audience off the baronis and gentlemen quha wer c[ome] out off all quarters within the precincts off the presbyterie. They [all] be a[ne] [voice] approved the erection concludit, and beand requ[ired be the] brethren promised at all necessarie occasions upon ane c[itation? thair] presence at our meetings and sicklyke assistance, and co[ncurrence on] everie occurance that concerned the glorie off God and...

Prominent laymen were occasionally asked by presbyteries to meet with them for special purposes. The 'baronis and gentle-

---

1 Edinburgh Presb. 17 Oct. 1587. The Presbytery of Stirling was established in 1581 with eight ministers and nine elders (Records of the Scottish Church History Society, IV, 184).

2 Ellon Presb. 30 Nov. 1597 (f. 4). The manuscript is torn in several places, and the words in brackets have been added by conjecture.
men' of the Presbytery of Ellon agreed to be present for special meetings, although only on very rare occasions were they ever asked to come. There is no suggestion in the records that they were to attend as elders, nor were any elders ever appointed as regular members of that presbytery.

It is not difficult to understand the absence of elders. Presbyteries met frequently in the seventeenth century — in the summer a weekly meeting was quite normal. The court met for most of a working day and for many members involved a ride of some miles as well. It was difficult enough to get ministers to attend with any regularity, but to expect prominent elders to attend frequent presbytery meetings as well as kirk sessions was probably not practicable. Even after 1638, when elders were inducted as members of presbyteries, it was apparently not common for them to attend regularly. In 1641 Alexander Henderson wrote that ministers who were absent from presbytery were 'censured as guiltie of the contempt or neglect of the order of the Church. But the Elders are not so strictlie tied to ordinarie attendance; but if there be any matter of great weight to be handled, they are all warned to be present.'

In September, 1638 the brethren of the Presbytery of Lanark thought 'it most expedient, for the furtherance of the common cause, to renew the old practise of our kirke, in using the concurrence of Laicke Elders to keep the Presbyterie, with their ministers.' However, the evidence certainly suggests

1 Government and Order of the Church of Scotland, 47.
2 Lanark Presb. 13 Sept. 1638.
that as far as the seventeenth century is concerned at least, the historical precedents quoted by the brethren of that presbytery were based more upon pious imagination than actual practice; and when in 1622 the Synod of St Andrews ordered the establishment of presbyteries as 'meetings of the ministers', they were restoring a practice which had been normal for most of the century.

One change which did take place in the organization of presbyteries early in the century was the introduction of 'constant moderators'. Prior to 1607 the normal practice, at least in the south, was a semiannual or annual election of a moderator by his own presbytery, usually just after a synod meeting. However, a different practice was followed, at least in sections of the more conservative north. In 1599 the Presbytery of Aberdeen reported the selection of its new moderator. 'Mr David Coningaime being moderator [was] chosin be the last provincial assemblie halidin at Aberdeen', and similar entries are found for subsequent years. If the moderator of the Presbytery of Aberdeen, the leading presbytery of the synod, was

---


2 See, for example, Paisley Presb. 12 April, 1604, 13 Sept. 1604, 21 March, 1605, 5 Sept. 1605, 13 March, 1606, 21 Aug. 1606; or Edinburgh Presb. 12 May, 1602, 13 April, 1603.

3 Aberdeen Presb. 20 April, 1599. David Cunningham was also Bishop of Aberdeen, but he was not always moderator of this presbytery. On 28 September, 1599 Mr Peter Blackburn became moderator. For later elections by the synod, see 26 Sept. 1600, 23 Oct. 1601, 23 April, 1602, 29 Oct. 1602, 28 Oct. 1603.
elected by the synod, it seems likely that moderators of the other five presbyteries in that province would be elected in the same way; and the minutes of the Presbytery of Ellon, which simply record the names of new moderators,¹ suggest that this was so. The right of presbyteries to elect their own moderators was not universal in Scotland at the beginning of the century.

However, the practice of all presbyteries was altered by the decisions of the assembly or convention at Linlithgow in December, 1606. That assembly, with some misgivings, gave approval to constant moderators and ordered 'the Presbyteries [to] embrace and allow them'.² This decision was reinforced by an act of the Council in March, 1607³ charging presbyteries to accept their constant moderators. Calderwood wrote, 'Some obeyed willinglie, others yeelded for feare. Some refused...'⁴ Opposition was not always to be found in expected areas. Of the six presbyteries in the Synod of Lothian, 'Edinburgh, Dunbar, and Linlithquò, had satisfied the king's Majestie's commissioners...but Peebles, Hadintoun, and Dalkeith, had not done it'.⁵ In April the Earl of Abercorn appeared before the

¹ Ellon Presb. 2 Nov. 1603, 28 March, 1604, 14 Aug. 1605.
² B.U.K. III, 1032-4 (Calderwood, VI, 617-21), cf. below, 244.
⁴ Calderwood, VI, 644.
⁵ Calderwood, VI, 645.
Presbytery of Paisley and asked them 'to accept and admit Mr John Hay... as constant moderator... unto the which his Lordship sute, the haill brethren all in one voice maist willinglie yeildit, accepting and receaveing the said Mr John as moderator constant...in all poynsis...with the cautions and provisions contenit' in the act of Linlithgow. At the same time two lairds sent to the Presbytery of Ellon did not have as much success. After hearing the charge of the commissioners, the brethren replied 'they thocht it necessar to sie the said act authentiklie extractit befoir thai culd give thair answar to the same, and that efter the sicht thairof, they suld give ane reasonable and discreet answar in reverence and humilitie as becom them'. Three months later the Presbytery of Aberdeen had still not accepted its assigned moderator, Peter Blackburn, the Bishop of Aberdeen. Significantly, both northern presbyteries did so only after their constant moderators were approved by the Synod of Aberdeen, thus preserving at least the external form of their former practice.

The register of the Presbytery of Jedburgh shows clearly the internal debate which took place within that body as well

1 Paisley Presb. 26 March, 1607.

2 Ellon Presb. 7 April, 1607. The folio is out of place. It follows that of 11 April, 1627 and has been erroneously labeled 1628 by a later hand. The error in dating is pointed out in a note attached to the register by Mr Thomas Muir.

3 Aberdeen Presb. 3 July, 1607.

as their long, and ultimately futile resistance to the Linlithgow decision. In April, 1607 the presbytery was charged by two noblemen 'to ressaeve ane constant moderator'.\(^1\) The presbytery successfully postponed action until July when, threatened with horning, the brethren 'be maisest votis consentit to admit ane constant moderator...as brethren off utheris presbiteries hes done', but after a protest by two members, David Calderwood and James Johnston, the brethren changed their minds and 'gaiff negative votis'.\(^2\) Jedburgh continued its opposition throughout the year,\(^3\) although by February, 1608 they found 'it expedient that ilk exerciser sould for that day be moderator'.\(^4\) A visitation at the end of March by the Bishop of Orkney 'in name of the commissionares of the Generall Assemblie' was inconclusive,\(^5\) and in June three leading oppositionists, including David Calderwood, were summoned before the Privy Council and threatened with imprisonment.\(^6\) On 7 July the three were warded in their own parishes,\(^7\) and a week later 'Mr John Abernethy wes admittit constant moderator be the votes off the brethren according to ane act maid thairanent be the assemblie last haldin at

\[\text{References:}\]

\(^1\) Jedburgh Presb. 22 April, 1607.
\(^2\) Ibid. 15 July, 1607.
\(^3\) Ibid. 28 Oct. 1607; at which time Jedburgh once again elected its own moderator.
\(^4\) Ibid. 24 Feb. 1608.
\(^5\) Ibid. 30 March, 1608.
\(^6\) R.P.C. VIII, 509-10, 103.
\(^7\) Ibid. 126.
Kelso'. 1 Jedburgh was an extreme example and one of the last presbyteries to submit. 2 Yet its ultimate defeat must have made it clear to all that there was little chance of successful opposition to the dominant ecclesiastical tendencies of the time.

Throughout the remainder of the period moderators continued to be appointed by a bishop and synod, and probably the actual choice was made by the bishop. In the Synod of Fife, whose extant records begin in 1611, one regularly finds at the end of synod meetings such entries as 'My Lord Archbishop nominate moderators of the exercises to the next synode', 3 or (less frequently) 'My Lord Archbishop nominate be advyse of the brethren moderateris of the particular exercis-ses'. 4

Rather surprisingly, presbyterial elections were revived in a few places after 1620. In 1623 a minister in the Presbytery of Ellon 'wes chosin moderator be voit of the brethren of the presbyterie', 5 and two years earlier the

---

1 Jedburgh Presb. 13 July, 1608.
2 On May 31, James appears to have believed that the only presbyteries which had not conformed were Jedburgh and Chirnside (Q.L. I, 397*-8*). The Presbytery of Melrose (Selkirk) might be added to this list. Their constant moderator was accepted on 5 July, 1608. (Melrose Presb. 5 July, 1608).
3 Fife Synod, 18, 74, 100.
4 Fife Synod, 115.
5 Ellon Presb. 2 April, 1623. For subsequent elections in this presbytery, see 15 Oct. 1623, 14 April, 1624, 12 Oct. 1625, 10 Oct. 1627.
Presbytery of Dunblane 'for electioun of ane moderator' put 'thrie on leit' and one was 'electit moderator to the nixt Synod'. Yet these elections appear to be isolated exceptions to the general pattern, perhaps allowed in places where episcopal authority was already sufficiently established by other means.

III

Regular meetings of presbyteries usually began in the morning (nine or ten o'clock were favorite hours) with an opening exercise and addition. The exercise had been recommended by the first Book of Discipline which urged ministers and laymen to meet together to study a portion of Scripture. After the text was read 'first one gave his judgment...after whom did one other either confirm what the former had said, or did add what he had omitted'. Exercises were established by the first generation of reformers and some early presbyteries may have developed from these exercises. Although exercises may have originally included addresses by both laymen and ministers, by the seventeenth century the exercise was in effect two public sermons by ministers.

---

1 Dunblane Presb. 30 Nov. 1621. For subsequent elections in this presbytery, see 14 Nov. 1622 and 12 Nov. 1623.


3 G. Donaldson, Scottish Reformation, 204-5.
or expectants upon an assigned text.

The exercise was a public meeting, and congregations were urged to attend. In 1602 the moderator of the Presbytery of Aberdeen 'maid the exhortatioun to the conforte of the brethren and congregatioun', and in 1621 the Kirk Session of Ellon was ordered to 'deill with the induellaris of the town of Ellen that thei conven to the exercise the ordinair mettingis of the presbyterie'.

The exercise and addition were made on a text of one or more verses, and each presbytery worked its way systematically through a chosen book of Holy Scripture. In 1620 the Presbytery of Perth began their exercise on First Corinthians. Four years later they had finished that epistle and turned to the beginning of the actis of the apostlis and sua furth to the end. Sometimes the going was slow indeed. The Presbytery of Dunblane began to exercise upon the Fourth Gospel in 1616, and when the register of that presbytery broke off twelve years later they had reached only the eighteenth chapter.

A controversy or commonhead was supposed to replace the exercise once a month, but the duty was often neglected. At the Synod of Fife in 1615 practically every presbytery was

1 Aberdeen Presb. 6 Aug. 1602.
2 Ellon Presb. 6 Sept. 1621.
3 Perth Presb. 30 Aug. 1620, 5 May, 1624.
4 Dunblane Presb. 14 Nov. 1616, 9 April, 1628.
found to have neglected its commonhead, and the record in the Synod of Moray was not much better. Latin titles were often given to these commonheads, but apparently they were ordinarily delivered in English.

Most contemporary legislation about the exercise consisted of efforts to limit the volubility of ministers. In 1587 the Presbytery of Edinburgh 'be reasoun of the greit prolixitie and langsumnes of sum of the brethren' ordained a fine of 13d. for any minister or expectant 'quho pass the hoir glass in making the exercisiss' and a similar fine for any addition which passed 'the half hoir glass'.

Ideally, the exercise and addition were not to repeat each other. In 1609 the Presbytery of Ellon ordered 'that in tyme coming the first speaker sail onlie expone the text, resolve the douts aryissing upon the same, vindicat the errors, and reconcile the places, and the second speaker sail rais the doctrine and apply the same with the uses thairof, and that they exceid not the tyme appointed'.

The two sermons were always censured, that is examined, in the privacy of a presbytery meeting. Alexander Henderson's

---

1 Fife Synod, 182, 183, 187.
2 Moray Synod, 7, 69.
3 A sample of common titles is given in Strathbogie Presb. ix.
4 Edinburgh Presb. 24 Oct. 1587. For a similar act in the seventeenth century, see Ellon Presb. 22 Feb. 1604.
5 Ellon Presb. 24 May, 1609.
description written in 1641 is a good summary of ordinary seventeenth century practice.

The exercise or common head of controversie ended in publick, the people depart, and the Ministers and Elders with others, who are permitted to bee present, goe to the private place of their meeting, where...the Moderator having begun with prayer, the doctrine delivered in publick is examined.

Usually the sermons were 'approvit', but the injunctions which one minister received 'to avoyde divisions off interpretationes (quhilk is more weirsome then edifying)' were common enough; and sometimes more important matters than homiletical style were involved. In 1634 the Presbytery of Paisley severely rebuked the minister of Paisley for teaching 'that a man once justified, might possiblie fall away from justifiing faith'.

The exercise and addition may quite possibly be of more significance than is apparent at first. Probably no single duty of presbyteries was as widely and faithfully performed as that of making a public exercise and addition. This was the one invariable part of a presbytery meeting, even when no other business was at hand, and rare indeed was the meeting when there was 'na exercise'. The wide and enduring character of an orthodox Calvinist theology throughout the parishes of the kirk has often been noted. Surely one of the

---

1 Government and Order of the Church of Scotland, 50-1. Elders of course did not meet with ministers and expectants prior to 1638.

2 Ellon Presb. 28 Dec. 1597.

3 Paisley Presb. 15 May, 1634.
reasons for the persistence of this tradition was the regular exercise. Those who have had to preach before their fellow clergy know what a disciplining experience this can be. Regularly the brethren of the ministry heard the gospel proclaimed as the reformers understood the same, and they were quickly made aware of any serious departure from the accepted norm.

IV

With the censure over, and assignments made for the next exercise, the presbytery became an ecclesiastical court prepared to summon offenders, hear accusations, sift evidence, swear in and receive the testimony of witnesses, issue judgements, and impose sentences. The majority of entries in presbytery books were cases of discipline, for presbyterial discipline was of enormous significance in determining the life of both kirk and nation.

In 1592 Parliament gave its sanction to the disciplinary activities of presbyteries. That parliament 'ratifeis and apprevis the presbiteries...appointit be the said kirk with the haill jurisdictioun and discipline of the same' and went on to include in that jurisdiction the right 'to enquyre diligentlie of nauchtie and vngodly personis and to travell to bring thame in the way agane be admonitioun or threatning of goddis Juge-mentis or be correctionun'.

The act of the General Assembly of 1610, ratified by

1 A.P.S. III, 541-2.
Parliament in 1612, made every effort to avoid the word 'presbytery', a term which was said to be 'odious to his Majestie', and threats to discharge presbyteries were even made. However, as Calderwood wrote, the presbyteries 'needed not feare; for presbyteries could not be altogether abolished, till bishops' courts were substituted in their rowmes, which for the present could not be brought to passe'. Indeed, the abolition of presbyteries does not seem to have been seriously contemplated, and the government was more interested in controlling presbyteries than in suppressing them. In 1610 James instructed Archbishop Spottiswood 'that the convention of ministers for the exercise of doctrine exceed not the number of ten or twelve at most, and over them a moderator placed by the ordinary of the diocese...with power to call before them all scandalous persons within that precinct, and censure and correct offenders according to the canons of the Church'. Neither the Assembly Act of 1610 nor that of Parliament in 1612 mentioned presbyterial discipline, and the latter act actually repealed that parliamentary sanction which had been granted in 1592. However, 'the Ministrie of the bounds' or 'the Conventionis of Ministers for exercise' were recognized and in practice

1 Calderwood, VII, 98.
2 Calderwood, VII, 97.
3 Ibid.
4 However, Spottiswood hoped to see them abolished at one time (O.L. I, 235).
6 B.U.K. III, 1096 (Calderwood, VII, 100), A.P.S. IV, 469-70.
discipline went on much as before. As will be seen later, some important modifications of presbyterial authority were made, but these changes had little effect on the ordinary work of discipline. Habit and tradition are strong forces -- the procedure and disciplinary jurisdiction of presbyteries were well-established by 1610 and little sense of discontinuity is revealed by the records of those courts.

Most disciplinary cases were handled by kirk sessions and the majority of offenders never came before a presbytery. In general, presbyteries dealt with more serious offences, cases where the offender was contumacious, which usually meant that he refused to obey the injunctions of a kirk session, or cases which involved the long process of excommunication.

In most years the largest class of cases which came before a presbytery were those involving sexual offences or violations of marriage vows. Simple fornication was regularly handled by kirk sessions; but relapses in fornication, adultery, and incest came to be regarded as matters for presbytery action. One does find kirk sessions dealing with cases of adultery, especially in the earlier part of the century. In 1605 the Kirk Session of Dundonald considered six cases, but the following year that Session ordered an adulterous couple 'to compeir beffoir the Presbytrye vpon Wodinsday nixt within the Kirk of Air'. As late as 1624 the Kirk Session of Belhelvie tried two cases.

1 Dundonald K.S. 84-94.
2 Dundonald K.S. 97.
adulterers,  and in 1627 the wealthy and powerful kirk session of Trinity College, Edinburgh did the same. However, by 1629 even that kirk session referred its cases of adultery to the presbytery. At least by 1625 most presbyteries appear to have established their exclusive jurisdiction over this type of offence.

References to the treatment of adulterers were often cursory, but occasionally one gets a vivid glimpse of what must have been a most sobering experience for a penitent adulterer. In 1618 Andrew Dyk confessed to the Presbytery of Perth that he had committed adultery and was still living with the woman. The presbytery

ordane him to put away the said woman out of his company this same nigt and mak his repentance for the slandellis done be him on Soinday nixt and humblie confes his syne befoir the congregatioun and promois obedience to the disciplyn of the kirk and to mend his life in tyme coming and humilie on his kneis hes begun his repentance this day befoir the presbyterie and to pay his penaltie as salbe appointit.

Incest was more common than might be expected, chiefly because medieval ideas of affinity continued to prevail. To have intercourse with a brother's wife, or even with his concubine was a case of incest. In 1625 the Presbytery of Ellon

---

1 Belhelvie K.S. 8, 15, 22 Feb. 1624.
2 Trinity College K.S. 9 Aug. 1627.
3 Trinity College K.S. 4 June, 1629. The same action was taken in subsequent cases, e.g. 21 July, 1631, 3 Jan. 1633.
4 Perth Presb. 9 Dec. 1618.
found two brothers guilty 'of incest with Helen Hunter thair, quho haid borne a bairne befoir to thair [third] brother, Alexander'.

Although offences against chastity were an important part of presbyterial discipline, that court's jurisdiction covered many matters other than violations of the seventh commandment. Cases of slander, which technically were part of the jurisdiction of commissary courts, were frequently tried by kirk sessions and occasionally by presbyteries. In 1604 the Presbytery of Aberdeen passed a general act that

everie ane of the parochinaris that inuris other be evill woordis sall pay 40s and mak ane mendis according to the modificatioun off the sessioun and siclik that ilk persoun that compleinis on sclaunder and provis not the same sall pay 40s.

Although kirk sessions heard many cases of slander, slander against ministers was a matter for presbytery action. In January 1594/5 the Presbytery of Glasgow 'findis thame jueges competent to the cognitioun of ony sclandir mowit raisit aganis the persone of ony minister within thair presbyterie', and many other presbyteries shared this view of their jurisdiction. In 1632 the Presbytery of Perth heard evidence in an especially violent case of slander and assault. The action began with a complaint 'upon George Fillan in the paroch of Tibbermore who beeing reproved be his minister for some misdemenors and

1 Ellon Presb. 11 Aug. 1625. For similar cases of incest, see Ellon Presb. 25 July, 1622; Elgin K.S. 8.
2 Aberdeen Presb. 3 Aug. 1604; cf. above, 136.
3 Maitland Misc. I, 70.
unorderly carriage the day off his marriage first abused him with evell words and...thereafter threatened to putt a durke throw his cheekes'.

At least in a case like this it was easy to tell who the offender was. However, the same presbytery also acted vigorously and wisely in the much more difficult case of general parish gossip and slander. The brethren of the presbytery received a report that the minister of Kilspindie 'was caluminat and traduced be some of his parochiners alleadgeing that the penalties of his kirke war not keepit...for the easing of the parochiners in the reparation of their kirk but wer otherways bestowed'. The brethren noted that in a recent visitation it was found 'that these penalties war faithfully imployed' but ordered the minister to 'produce before them an particular compt since his entrie how the said penalties has been imployed'. At the next meeting the minister produced

ane particular compt of the imployment of his penalties...as also compeired certan of his elders...who faithfully declarit that the saids penalties war faithfully and lawfully bestowed to gud and charitabole uses and that the Bishop of Dunkeld (heritor of the bounds) his owne man did keep the key of the box. The brethren haveing considerit the same ordeins that such as speake the contrar be reput as calumina tors.

When a disciplinary decision was unpopular, the minister was an obvious target for local resentment, and the authority of a presbytery court was one important way by which ministers were protected from local attacks.

---

1 Perth Presb. 20 June, 1632, cf. above, 83.
2 Perth Presb. 2 Dec. 12 Dec. 1632.
Cases of desertion are found in many presbytery registers. In 1622 a man was summoned by the Presbytery of Jedburgh 'for deserting off his wyff'. Two weeks later he appeared and promised obedience in all points'. The previous year a similar case heard at Ellon showed more clearly what happened before a man 'promisit obedience'. A man who refused to adhere to his wife 'was exhortit not to give way to Sathains temptation, quho after sundrie exhortatiounis and sum threatiningis, prom- isit faithfullie to adhere to hir as becum ane honest husband'. The father of an illegitimate child who refused to support his offspring was ordered 'to sustene the said bairne in the tua part of the expensis and the mother in the third part' under pain of excommunication. The baptism of illegitimate children required approval of a presbytery, and approval was usually not given (except in the case of a sick child) until the discipline of the kirk had been satisfied. In 1603 the Presbytery of Paisley heard the case of 'Mergret Houstoun...[who] had borne ane barne gottin in fornication with Robert Beane...quha is now departit furth of this cun-trey, thairfore ordainis the said Mr Thomas [her minister] to bapteiss the bairne in the said Megretis name provyding scho alwayis first satisfie the kirk'.

1 Jedburgh Presb. 5, 19 Oct. 1622.
2 Ellon Presb. 18 Aug. 1621.
3 Ellon Presb. 19 July, 1608.
4 Paisley Presb. 24 Nov. 1603.
Presbyteries handled a wide variety of other cases. In February 1598/9 the Presbytery of Ellon decided that in respect that grinding and thrasching upon Soneday wer counted among the millers as no violation off the Sabbathe, therefoir the presbyterie charged every min¬
ister in particular to intimate the contrarie out off the pulpit.¹

Both offending millers and owners of grain were to be pun¬ished. But the frequency with which similar injunctions re¬appear throughout the early seventeenth century suggests that they were not widely obeyed.²

In 1605 the Presbytery of Ellon learned that 'Thomas Smythe...wes presentlie at feud with James Mill and his freinds' and appointed two ministers 'to travell for a full reconsiliatioun betuix the saidis parteis'.³ Individual cas¬es of superstition or charming were usually dealt with by kirk sessions, but more serious cases came to the presbytery. In 1610 the Presbytery of Ellon summoned eighteen persons for 'idolatrie, superstitioun, hairdom and uther prophanes, practised be them in thair pilgrimage to the chapell of Meldrum and our Lady well',⁴ and two years later nine persons in Ha¬wick were summoned 'for superstitious pilgrimagés and going to superstitious wells'.⁵ In 1613 the Presbytery of Glasgow

---

¹ Ellon Presb. 7 Feb. 1598/9.
² E.g. Jedburgh Presb. 1 Sept. 1624.
³ Ellon Presb. 3 April, 1605.
⁴ Ellon Presb. 23 May, 1610.
⁵ Jedburgh Presb. 20 May, 1612.
censured a painter who

painted the crucifix in mony houses...quhilk is
liklie...to turne the heartes of the ignorant to
idolatrie, and to mak them beleve that thair houses
cannot be happie or blessed bot quhair the crucifix
is.¹

John Chein, who allowed an excommunicated person to live in
his house, was charged to remove the 'papist, his wyf and
bairnes' within the month;² a piper was summoned and 'prom-
esit to use na playing on his pyip on Souniday bot to keip
the Lords Day';³ an elder who was guilty of scandalous
speech was discharged 'to come onie more to the sessioun';⁴
and quarrels over the building of kirk seats were settled.⁵

Those suspected of loyalty to the Roman Catholic Church
were summoned before presbytery. Even in the north, cases of
'papistrie' were only a small percentage of the total number
of cases handled; but those who were tried were sometimes
persons of power and influence, and their trials were long
and arduous matters.⁶

The last major class of offenders which presbyteries con-
sidered were those persons delated by kirk sessions as

---

1 Maitland Misc. I, 420.
2 Ellon Presb. 17 April, 1605.
3 Dunblane Presb. 11 Sept. 1617.
4 Kirkcaldy Presb. 75.
5 Dundonald K.S. 229.
6 The Presbytery of Ellon had a number of such trials,
some of which are summarized in Thomas Mair, Narratives and
Extracts from the Records of the Presbytery of Ellon, 7-13,
42-4, 64-9, 130-4.
contumacious, or disobedient to session injunctions. Presbytery records contain many such cases, usually of persons charged with profanation of the Sabbath or with fornication. To take one example from hundreds, in 1606 the Presbytery of Jedburgh ordered 'Mr Walter Makgill [minister of Cavers] to summon William Scott...prophaner of the Sabboth and contemner of his ordinarie sessioun'.

Some idea of the scope of presbyterial discipline can be seen in a few sample years. The number beside each offence indicates the number of persons tried. Usually each person appeared before a presbytery for several meetings.

Presbytery of Paisley 1606

<table>
<thead>
<tr>
<th>Offence</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adultery</td>
<td>22</td>
</tr>
<tr>
<td>Fornication and contumacy</td>
<td>17</td>
</tr>
<tr>
<td>Incest</td>
<td>1</td>
</tr>
<tr>
<td>Nonadherence</td>
<td>1</td>
</tr>
<tr>
<td>Failure to communicate</td>
<td>5</td>
</tr>
<tr>
<td>Profanation of the Sabbath</td>
<td>2</td>
</tr>
<tr>
<td>and contumacy</td>
<td></td>
</tr>
<tr>
<td>Nightwalking</td>
<td>4</td>
</tr>
<tr>
<td>Slander</td>
<td>1</td>
</tr>
<tr>
<td>Assault on the Sabbath</td>
<td>4</td>
</tr>
</tbody>
</table>

Presbytery of Jedburgh 1622

<table>
<thead>
<tr>
<th>Offence</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adultery</td>
<td>11</td>
</tr>
<tr>
<td>Fornication and contumacy</td>
<td>9</td>
</tr>
<tr>
<td>Irregular marriage (married in England)</td>
<td>2</td>
</tr>
<tr>
<td>Desertion</td>
<td>1</td>
</tr>
<tr>
<td>Profanation of the Sabbath</td>
<td>15</td>
</tr>
<tr>
<td>and contumacy</td>
<td></td>
</tr>
<tr>
<td>Violation of Sabbath fast</td>
<td>3</td>
</tr>
<tr>
<td>Neglect of duty by an elder</td>
<td>1</td>
</tr>
<tr>
<td>Murder</td>
<td>1</td>
</tr>
</tbody>
</table>

1 Jedburgh Presb. 29 Oct. 1606.
Presbytery of Perth 1632

<table>
<thead>
<tr>
<th>Offence</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adultery</td>
<td>12</td>
</tr>
<tr>
<td>Irregular marriage</td>
<td>2</td>
</tr>
<tr>
<td>Irregular baptism</td>
<td>1</td>
</tr>
<tr>
<td>Contemptuous behaviour to a minister</td>
<td>2</td>
</tr>
<tr>
<td>Profanation of the Sabbath and contumacy</td>
<td>1</td>
</tr>
<tr>
<td>Irreverent behaviour at communion</td>
<td>1</td>
</tr>
</tbody>
</table>

Although the scope of presbyterial jurisdiction was certainly a wide one, much would depend on the effectiveness with which trials were conducted and sentences enforced. There was much variety of practice, but in general presbytery courts seem to have been reasonably effective, although not as efficient as kirk sessions.

Offenders summoned to a presbytery who were prepared to confess their faults (and many were) often appeared in the garb of penitents, admitted their guilt, and were either sentenced, or more usually remitted to their session for sentencing. Andrew Ruthven, accused of adultery by the Presbytery of Perth, 'compeired in sackecloath and barefutted, confessed his adultery who, after humiliation, promised to obey his minister'.

Similar cases occur in all presbyteries. Those who denied the accusation were usually put to trial, witnesses summoned, and

---

1 There is a copy of an official summons in Ellon Presb. 6 Oct. 1613. Written in the name of 'Mr John Reid, moderator of the Presbyterie of Ellon with consent of the brethren there', the summons specified the accusation against the accused and warned him that the process of excommunication would begin if 'he compeir not'.

2 Perth Presb. 27 Feb. 1628.
the accused given a chance to object to them. The Presbytery of Ellon once summoned five witnesses in an adultery case. The defendant made no objection against the three men, 'bot exceptit agans the said [two] women be ressoun of their sexe'; and curiously enough, the objection was allowed.¹ Once admitted, witnesses were sworn, their testimony taken, and often entered in the presbytery record.

Those found guilty were either remitted to the session for sentencing, or the sentence was determined by the presbytery itself. The public place of repentance, sackcloth, jougs, brankis, and fines were the usual penalties, although immediate enforcement of a sentence was, with rare exceptions, the work of local kirk sessions.

Ideally, the discipline of the kirk applied to all without regard to rank or power; and in the case of the lairds and lesser nobility, this ideal was often realized. Sometimes a presbytery was quite literally able to put down the mighty from their seat. The Presbytery of Lanark, after considerable effort, succeeded in requiring the Laird of Loy to appear before them. He was ordered 'the nixt Sabbothe day to come out of his awen seat within the paroch kirk of Lanark befoir his awin minister, Mr William Livingstoun, and thair to humble himself upone his knees, crave God and the congregatioun forgiveness for misregaird of God and his sabboth in drawing ane quinger within his house'.² Attempts to discipline the nobility were

---

¹ Ellon Presb. 10 May, 1609.
² Lanark Presb. 25 Jan. 1627.
more difficult. The Presbytery of Paisley in 1627 learned that the Earl of Abercorn 'had made apostasie and defectioune from the true religioun...and that he openly both avowe himselfe to be a papist and verie contemptuouslie despiseth the word of God preached publickly'.¹ He was summoned for trial; and by December of that year an episcopal warrant for his excommunication had been signed, although apparently the excommunication itself was never pronounced.²

Presbyteries had an important place in the total disciplinary work of the church. They were a superior court to kirk sessions; and unlike the session, they were given jurisdiction over 'the terrible sentence of excommunication'. They met far more frequently than synods and did not hesitate to discipline at once a prominent elder who might have overawed his kirk session. Certainly, one of the reasons why presbyteries continued to flourish after 1610 was the important disciplinary work which they were doing — work which probably could not have been done as efficiently by any other church court then in existence.

V

One of the reasons for the effectiveness of presbyteries was their right to supervise the process of excommunication. The canonical distinction between excommunicatio minor and

¹ Paisley Presb. 19 April, 1627.
² See below, 205-6.
excommunicatio major was maintained, but excommunication normally meant the latter of these sentences. Alexander Henderson wrote in 1641 that 'this not admission to the Commun- ion is one thing, and excommunication of haynous or obstinate offenders is another thing very different'. Excommunication could indeed be a terrible sentence. If a person was 'strucken with the terrible sentence of excommunication' the minister from the pulpit called 'upon the Name of God to ratifie the sentence in Heaven, and the people warned to hold him as a Heathen...and to shun all communion with him'. The name of the one excommunicated was published in all kirks of the presbytery and persons warned not to 'hant, frequent nor intercommoun' with the outcast, a warning which, after 1610, might be reinforced with an episcopal injunction. The Kirk Session of Elgin forbade parishioners 'to accompany the corps of ony excommunicat persoun to the buriell vnder the payn of x lib.'; and that same session committed a father, who had received his excommunicated son, 'to ward quhill he pay xl lib.'

1 Calderwood, VII, 113.
2 Government and Order of the Church of Scotland, 39-40.
3 Ibid. 42. Cf. W. McMillan, Worship of the Scottish Reformed Church, Chapter XXVI; 'The Order of Excommunication' in The Book of Common Order.
4 Elgin K.S. 133, 145. The necessity to repeat these orders from time to time suggests that the prohibition was not too easy to enforce. See e.g. Ibid. 144.
5 Ibid. 40, 134.
Moreover, those who had been excommunicated were liable to civil penalties as well. Several acts of parliament were passed in the sixteenth century against excommunicated persons, and in 1609 Parliament roundly declared that no excommunicated person

\[\text{salbe sufferit auther directlie in their awne personis or covertlie and indirectlie by ony vtheris in their names and to their behuif [to] Injoy the possessioun of their landis rentis and revenewis Bot that the same salbe mellit with intrometit with and vpliftit to his maiesteis vse.}^{2}\]

Excommunicated persons were forbidden in 1587 by act of Parliament even to enter a church during ministration of the sacraments or common prayers, but evidently this act ceased to be enforced. At least in 1626 the Presbytery of Paisley 'thought it very laufull' for an excommunicate 'to frequent the kirk and to heare sermons...providing he came in after the first prayer and went out afore the last', presumably so he would not speak to any of the faithful. And we are told in 1641 that a person who was excommunicated was 'permitted to come to the preaching of the Word, yet so as it may appeare that he commeth as one not having communion with the Church'.

\[\begin{align*}
1 & \text{A.P.S. III, 71-2, 431, IV, 63.} \\
2 & \text{A.P.S. IV, 407.} \\
3 & \text{A.P.S. III, 431.} \\
4 & \text{Paisley Presb. 25 Oct. 1626.} \\
5 & \text{A. Henderson, Government and Order of the Church of Scotland, 43.}
\end{align*}\]
Clearly excommunication was a serious and formidable sentence, and the right of presbyteries to initiate and supervise the process which led up to excommunication was one of the most distinctive features of presbyterial jurisdiction. In 1592 Parliament declared that the presbytery 'hes power to excommuni¬cat the obstinat, formale proces being led and dew intervall of tymes observer'. Although the Synod of Fife in 1597 did declare that 'everie ecclesiasticall judgement, well constituted, has power to excommunicat within their bounds', they went on to add that 'in respect of the weightinessse of that censure, it is thought good that the sessions proceed not without advice of their presbyterie'. Ordinary practice throughout the period was for presbyteries to initiate as well as supervise the process of excommunication and (prior to 1610) conclude the process as well. In 1598 the Kirk Session of Perth thought a murderer was 'worthy to be excommunicated, but referred the form to the determination of the Presbytery', and the following year the Presbytery of St Andrews 'ordinis the ministeris of St. Androis to absolve Henrie Moreis fra the sentence of ex¬communicatioun'. Many similar examples of excommunications by presbyteries are found prior to 1610. In 1609 the

1 A.P.S. III, 542.
2 Calderwood, V, 595.
3 Spottiswood Misc. II, 276.
4 St Andrews K.S. II, 891n.
5 E.g. Ellon Presb. 29 May, 1600, Jedburgh Presb. 13 Nov. 1606, 3 June, 24 June, 30 Dec. 1607.
Presbytery of Jedburgh warned one of its ministers who had tried to act without presbyterial sanction 'that in no case he excommunicat any off his people untill that the process intendit on...be him be sein and examinat be the presbitery', and an excommunication he had pronounced was actually annulled.¹

The normal process of excommunication followed a pattern of three weekly summonses, three public admonitions, three public prayers, and the sentence itself, thus taking a minimum of ten weeks. Most cases took longer than this, since the process was suspended whenever there was any hope of conformity from the impenitent. An example of such a process shows clearly that the formal procedure was accompanied by several informal and pastoral efforts to bring the offender to repentance. In May, 1605 the Presbytery of Paisley reviewed the process of the minister and elders of Erskine against a contumacious trilapse in fornication. The Presbytery found that the session

hes lawfullie proceidit aganes the said William be thrie severall admonitionis, upoun thrie severall sabbathes and efter travell privatlie takin with the said William balth be the said Mr William [Brisbane, his minister] and his eldership without ony proffeit or hope of obedience hes nixt conforme to the buke of discipline used publict prayer thrie severall sabbaths lykways for the better induceing of the said William to obedience...And now seing the said William persevering in his contumacie...The brethren haveing caused travell with his friends...and finding no hope of obedience: thairfoir...give expres warrand and...ordens the said Mr William to proceid to the pronounceing of the sentence of excommunicatioun...upon the nixt sabbath except the said William come and offer his obedience in humility.²

1 Jedburgh Presb. 3 Oct. 26 April, 1609.
2 Paisley Presb. 23 May, 1605; cf. Government and Order
Some important modifications were introduced during the period. In March 1596/7 James demanded of the Perth Assembly that it abolish summary excommunication, that is, excommunication without 'thrie laufull citatiouns, at least of such days interuall betuix every ane of them'. No assembly ever agreed to this demand, but subsequent ones did repeat the answer given at Perth. That Assembly postponed an answer 'to the nixt Assemblie; and, in the meane tyme, suspends all summar excom¬municatioun'. In 1605 James ordered that no nobleman was to be excommunicated without approval of the Privy Council; and in 1612 he demanded that 'personis fugitive for capital crymis, qho dar not gif apperance for hazard of thair lyf' should not be tried by the church until their civil trial had been con¬cluded.

However, the most far-reaching change was introduced by the Glasgow Assembly of 1610 which ordered that 'no sentence of excommunicatioun, or absolutioun therfra, be pronouncit a¬gainst or in favour of any person, without the knowledge and approbation of the Bischop of the Dyocie, quho must be


1 B.U.K. III, 891 (Calderwood, V, 611).


3 O.L. I, 354*-355*.

ansuerable to his Majestie'.

Even before 1610 it had been customary for presbyteries to appeal to a higher authority in serious and important cases. The absolution of the Earls of Huntly, Errol, and Angus by the General Assembly of 1597 was a conspicuous example of a common practice when notable persons were involved. In 1600 the Presbytery of Ellon sought advice from their synod before proceeding with the excommunication of young Gordon of Gicht, and sentence was pronounced with approval of the synod.

The Glasgow Act, however, required that henceforth all excommunications must have the approval of the diocesan bishop, and the practice of the church after 1610 appears to have conformed to this new regulation. Presbyteries continued to institute and supervise the process of excommunication; but at the end of that process one regularly finds such entries as 'Remember the excommunicat the nixt day to be delatted to the Bishop', or an order that a process 'be extractit and ane warrant to be gottin from the Bishop for excommunicatioun'. Less frequently, the process was sent to the bishop and synod and

1 B.U.K. III, 1096 (Calderwood, VII, 100). Parliament ratified this act in 1612 but without the provision that bishops should be subject to general assemblies in their exercise of jurisdiction over excommunications (A.P.S. IV, 469).

2 B.U.K. III, 922-3 (Calderwood, V, 638-40).


4 Jedburgh Presb. 24 April, 1611; Lanark Presb. 24 Feb. 1625.
their approval sought. Moreover, the approval of the diocesan bishop was required, even when another bishop was moderator of the presbytery involved. The nonresident Bishop of Caithness, and moderator of the Presbytery of Jedburgh, John Abernethy, reported in 1629 that 'he had excommunicated be warrant from the Archbishop of Glasgow Isabell Ainslie...and desyred the brethren to mak intimation thereof'.

On rare occasions an excommunication may have been pronounced without prior episcopal approval. On 23 July, 1617 the Presbytery of Jedburgh, during the absence of its moderator, Bishop Abernethy, ordered 'the exerciser [Mr Joseph Tennent] to excommunicat Johne Douglas...for the cruel slauchter off umquhill James Giginslaw'. A week later, however, 'Mr Joseph Tennent refusit to excommunicat John Douglas. The brethern delayit the censure off his refusal till ane uther tyme' and later that same day ordered 'Mr William Clarke to pronounce the sentence of excommunication against Johne Douglas'. The usual request for an episcopal warrant is not found in the records. This act of defiance (if that is what it was) may well have been prompted by an act of the Privy Council which a week earlier had ordered a member of the presbytery, Mr David Calderwood, to be put in ward.

---

1 Ellon Presb. 3 April, 1611; Jedburgh Presb. 13 May, 1612, 28 Feb. 1622.
2 Jedburgh Presb. 12 Aug. 1629.
3 Jedburgh Presb. 23 July, 30 July, 1617.
4 Calderwood, VII, 270-1; cf. R.P.C. XI, 203. Another
without episcopal warrant was certainly exceptional, and the next excommunication of the Presbytery of Jedburgh followed the normal pattern.¹

The number of excommunications steadily declined, especially after 1610; and it seems likely that the requirements of the Glasgow Assembly were an important reason for this decline. In 1602 the Presbytery of Ellon excommunicated thirty-five persons— an astounding figure.² On one day the names of eleven persons were presented by their minister for excommunication, and 'the saids personis being for the maist part vagabund harlotts' were ordered to be excommunicated.³ Mass excommunications on this scale did not continue. In 1608 seven persons were excommunicated⁴ and eight the following year.⁵ In each case full details of the process were carefully recorded in the records of the presbytery. Between 1611 and 1617 there was one excommunication,⁶ and only rarely after that was the sentence actually pronounced.⁷

---

exceptional case may have been the excommunication of Katherine Fyall on 19 December, 1614, apparently without episcopal warrant. She was absolved six months later (Kirkcaldy Presb. 70, 74).

1 Jedburgh Presb. 20 May, 1618.
3 Ellon Presb. 24 March, 1602.
5 Ellon Presb. 25 Jan. 14 June, 1609.
6 Ellon Presb. 3 April, 1611.
7 E.g. Ellon Presb. 27 Dec. 1620.
In the Presbytery of Paisley the decline was not quite as dramatic, but it was clear enough. Between 1603 and 1606 excommunications averaged one a year. When the extant records begin again in 1627 four were ordered, and three more followed in 1628. However, excommunications disappeared completely between 1629 and 1638.¹

The Presbytery of Kirkcaldy between 1630 (when its extant records begin) and 1638 excommunicated one person, and that one probably without episcopal authority.² It is not surprising therefore, that Sir William Brereton, when he visited Scotland in 1635, should have written 'very rarely, not once in many years, do they [i.e. the ecclesiastical courts] denounce any excommunicate'.³ It seems clear enough that the 'terrible sentence of excommunication' had altered during the course of the century from a fairly frequent and not unusual decree to that of a rare and extraordinary sentence.⁴

The requirement that a presbytery must complete all formal details of a long and involved process before requesting episcopal approval would itself have a limiting effect on the number of excommunications; and there is some evidence that such

---

¹ The figures for the Presbytery of Paisley are: 1603, 0; 1604, 2; 1605, 1; 1606, 1; 1627, 4; 1628, 3; 1629-38, 0.
² Kirkcaldy Presb. 70, 74.
³ Brereton, Travels, 108.
⁴ Cf. Alexander Henderson's description in 1641. 'They proceed to excommunication...with great meekness, longsuffering, and by many degrees, the censure being so weighty' (Government and Order of the Church of Scotland, 40).
approval, although customarily granted, was by no means automatic. In 1627 the Presbytery of Paisley requested approval for eight excommunications and eventually six of these were approved. However, two subsequent requests were never approved. In 1628 the Presbytery of Lanark found itself in sharp disagreement with its bishop over a similar request. On August 21st the Presbytery requested approval for the excommunication of Patrick Dickson, servitor to the Earl of Angus. No approval was forthcoming, and a month later the Presbytery ordered the excommunication to be pronounced anyway. Soon, however, there was 'produced the Bishops letter for staying the sentence of excommunication' because Dickson had promised to conform. Whereupon the Presbytery sent two ministers

to go downe to Glasgow and in the name of the brethren of the presbyterie to regrat unto the bishop how by reason of letters purchasit from him by...obstinat papists the discipline is continued [i.e. postponed] ...and stayit to their great gref.

Dickson did not conform; Archbishop Lindsay eventually gave his approval, and the excommunication was pronounced.

Disagreement of this sort is rarely found in the records.

More typical was the kind of consultation which took place

---

1 Faisley Presb. 24 June, 16 Aug, 15 Nov. 29 Nov. 20 Dec. 1627.
2 Ibid. 30 Aug. 27 Sept. 1627, 10 Jan. 30 Jan. 1628.
3 Ibid. 7 Aug. 1628, 19 March, 1629.
over the excommunication of the Earl and Countess of Abercorn in 1628. The Presbytery of Paisley sent in a completed process to Archbishop Lindsay on 20 December, 1627, who signed the warrant four days later. On January 30th the minister of that noble couple reported that he had excommunicated the Countess, but that the Earl had gone to court, whereupon the minister 'consulted the Bishop of Glasgow anent his excommunication, who advised him to continue to pronounce the said sentence till his lordship return'. Apparently, the excommunication was never pronounced.

Excommunication remained the most solemn censure imposed by the church, and the right to institute and supervise the process of excommunication was a major responsibility of presbyteries throughout the period. After 1610, however, bishops exercised ultimate jurisdiction over excommunications, and presbyteries sought 'ane warrant...from the Bishop' before pronouncing that sentence.

VI

Episcopal jurisdiction over presbyteries after 1610 was clearly more than a formality. However, even before 1610 presbyteries did not exercise an autonomous authority over disciplinary cases. Not only were presbyteries subject to synods and general assemblies, but the Privy Council also intervened fairly regularly. In December, 1598 the Council decided that

1 Paisley Presb. 20 Dec. 1627, 10 Jan. 30 Jan. 1628.
the Presbytery of Hamilton was trying a case of fornication in an unjust manner, ordered them 'to desist from all proceeding', and instructed 'the Commissioners of the General Assembly' to try the case. In 1601 the Presbytery of Couper was ordered to desist from any further trial of a woman for slander, because she had been acquitted by the Commissary of Edinburgh. In 1603 the Presbytery of Arbroath attempted to interfere in a tack of some teinds. The Council used especially strong language in this case and summoned the presbytery to answer for the 'proud contempt and indignatie done be thame to his Majestie and the saidis Lordis in thair wilfull proceeding in the matter'. The Presbytery of Ayr had delayed pronouncing a sentence of excommunication against four murderers in 1604, and the Council ordered them to do so within three weeks. In 1606 the Presbytery of Paisley was proceeding in the process of excommunication against Robert Lord Sempill for adultery until they received 'ane copie of letters of advocatioun...conteyning a discharge to the presbyterie...to use any farther proces...ffor obedience quhairof and reverence to his highnes Councell it is thot gud to desist fra process'.

The council did not always countermand ecclesiastical

---

1 R.P.C. V, 509-10.
2 R.P.C. VI, 272.
4 R.P.C. VI, 603.
5 Paisley Presb. 5 June, 1606.
decisions, but sometimes supported them. Four cases in 1609 illustrate the range of council activities in disciplinary cases. In July the Presbytery of Dalkeith was forbidden to proceed in a trial for witchcraft because this was 'proper to be tryit before his Majesteis justice', \(^1\) and that same month the council supported an action of the Kirk Session of Galston against illegal burial within the kirk.\(^2\) In October, the Presbytery of Edinburgh was supported in a similar case, the offender being told to submit to the discipline of the presbytery or 'he shall...be warded in the tolbooth of Edinburgh'.\(^3\) In December the Presbytery of Hamilton was discharged from any further proceeding in a case of adultery.\(^4\) Cases like these were less common after 1610, no doubt due to the fact that bishops were now more appropriate courts of appeal for a claimant who thought himself unjustly treated by a presbytery.

Moreover, behind both council and bishop was the crown. If royal authority could use privy council injunctions to restrain presbyteries before 1610, it could equally use bishops after that time. A clear case of the latter was the letter received by the Presbytery of Lanark in 1628 from their ordinari the Bishop of Glasgow, desyring thame to desist frome any farther proceeding against the erle of Anguse for his papistrie, in respect his

\(^1\) R.P.C. VIII, 328-9.
\(^3\) R.P.C. VIII, 364.
\(^4\) R.P.C. VIII, 381.
Maiestie hes writtin to the two archbishopes to this effect. 1

Conflict, however, was the exception. The vast majority of cases were handled by presbyteries without reference to any authority other than their own. Moreover, higher authorities were much more frequently invoked to support decisions by presbyteries than to oppose them. Episcopal authority was a natural place to seek support in a difficult case; and, as was seen in Chapter Two, this was a common and often successful method. But presbyteries as frequently sought support from the civil sword -- sometimes with dramatically effective results. In 1605 the Presbytery of Paisley had been unable to force a witness in an adultery case to testify, and the bailies of Paisley refused to assist them. Thereupon the Presbytery requested the Lord of Abercorn to meet with them. On August 1st the 'Lord of Abercorn willing to give his concurrence to the said presbyterie in all things...convenit with them in his awin persoun', and declared that unless the witness 'sould compeir and depone...that he sould caus put him into maist fast prisoun'. The witness did appear and 'in presence of the richt honorable my lord of abercorn' reported fully on the assistance he had given to the adultery of 'Gavein Ralstoun younger...his maister'. The Lord next turned upon the bailies of Paisley and gave them 'speciall command...that they asweill within the kirk and kirkyaird as within the toun sould give ther concurrence to the said presbyterie in all things that may

1 Lanark Presb. 17 Jan. 1628.
serve them for the advancement of Gods glory and furtherance of discipline of the kirk'. It must have been with considerable satisfaction that the brethren concluded that meeting.¹

Similar cases are found throughout the period. In 1627 the Presbytery of Ellon ordered the minister of Slains to give the names of delinquents in his parish 'to my Lord Erll of Erroll and desyre his Lordship concurrence and assistance...nammie that it wald pleis his Lordship to send his officiar with the kirk officiar and pound the delinquents that refuss to satisfie', and the brethren learned a month later that the Earl was willing to assist them.²

In addition to calling upon individual noblemen for assistance, presbyteries frequently invoked the authority of acts of parliament or royal proclamations. Summonses were issued to offenders for having 'done wrang...aganis the actis of parliament and [?failing] to satisfie the injunctions of the kirk for defending of the same';³ and acts of parliament such as that 'anent furnesing of Necessaris for Ministratione of the Sacramentis',⁴ the act ordering 'plantatione of Schooles',⁵ the proclamation against beggars,⁶ or the proclamation

---

¹ Paisley Presb. 1 Aug. 1605
² Ellon Presb. 29 Aug. 26 Sept. 1627.
³ Elgin K.S., envelope at back, CH 2/145/3.
⁴ A.P.S. IV, 534.
⁵ A.P.S. V, 21-2; Kirkcaldy Presb. 93-101.
⁶ R.P.C. XI (First Series), 33-4; Ellon Presb. 22 April, 1617.
establishing parish registers with 'tymes of mariageis, baptismes, and decease of personis',¹ were often cited by presbyteries to justify their injunctions.

VII

Visitations of local parishes were another major responsibility of presbyteries. Throughout the period visitations were conducted by a variety of officers: sometimes by two or more visitors appointed by a presbytery,² frequently by an entire presbytery,³ sometimes by a presbytery with commissioners sent by the synod,⁴ sometimes by a bishop with members of a presbytery,⁵ and — before 1610 — by visitors appointed by a general assembly or by commissioners of the general assembly.⁶ The Glasgow Act of 1610 did order that, if possible 'the visitatioun of ilk dyocie is to be done be the Bischop himselfe'; and, as was seen in Chapter Two, episcopal visitation was by no means uncommon. Nevertheless, the Glasgow Act allowed a bishop 'to mak speciall choise, and to appoint some worthie

¹ R.P.C. X (First Series), 669-70; Ellon Presb. 22 April, 1617.
² Paisley Presb. 12 July, 1604; Lanark Presb. 24 July, 1623.
³ Jedburgh Presb. 22 July, 1612; Ellon Presb. 6 June, 1599.
⁴ Jedburgh Presb. 25 April, 1609.
⁵ See above, 34-7.
⁶ See above, 2-3, 7, 16-7.
man to be visitour in his place', and in practice visitations by an entire presbytery continued to be the normal practice. Synod records contain many injunctions urging and requiring 'everie presbyterie to visit the kirks thairof within their bounds'. The main problem was to persuade presbyteries to fulfill their duty, and their record was only fair in this respect. The Presbytery of Ellon conducted no visitations between 1611 and 1617. In that year Bishop Alexander Forbes held an extremely thorough and searching visitation of the presbytery itself; among other orders, he instructed 'the moderator and everie minister yeirlie [to] visit his paroche... anis in the yeir at the lest and gif possiblie thai mai twyse in the yeir'. Ellon continued to hold visitations irregularly until 1621 when their record improved. The Presbytery of Dunblane made only isolated visitations between 1616 and 1628.

Between 1623 and 1638 the Kirk of Belhelvie was visited once, presumably by the Presbytery of Aberdeen. Although occasional visitations were held earlier, the first systematic visitations held by the Presbytery of Jedburgh were in 1628. Subsequent visitations were planned and then postponed, and the next

1 *B.U.K.* III, 1097 (Calderwood, VII, 101).

2 Ellon Presb. 22 April, 1617 (Aberdeen Synod). See also Fife Synod, 182, 243; Moray Synod, 22; Jedburgh Presb. 19 Oct. 1608.

3 Ellon Presb. 6 Sept. 1617.

4 E.g. Dunblane Presb. 6 Jan. 1618.

5 Belhelvie K.S. 10 June, 1624.
actual visitation did not take place until 1634.¹

The record may not be quite as mediocre as these figures suggest. Visitations by a bishop and presbytery were not usually recorded in presbytery minutes; and some presbyteries probably kept separate books of visitations, none of which appear to have survived.² Yet when allowance is made for these exceptions it still seems that visitations were conducted by many presbyteries rather infrequently.

Most visitations followed a similar pattern. A day was announced and a preacher was appointed. The brethren assembled at the kirk to be visited, a collection for the poor was taken and a sermon preached. Thereafter the presbytery met with the kirk session, the minister was removed and his life was examined. The elders in their turn were examined. Records of the parish, state of the kirk building, the manse and glebe, behaviour of the reader, support of the school (if any), and difficult disciplinary cases were all considered. Frequently much of the regular disciplinary work of the presbytery was carried on as well. For many parishioners the chief visible sign of ecclesiastical authority beyond that of a local kirk session must have been such presbyterial visitations when all the brethren of the presbytery met in a local kirk, solemnly

² Perth Presb. 11 June, 1628; Lanark Presb. 21 Aug. 1628; Linlithgow Presb. 24 July, 1616. In 1616 the Synod of Fife ordered all 'Moderatours, having power of Visitatione from my Lord Archbishop' to have registers of visitations (Fife Synod, 193).
tried the minister, the elders, and the state of that parish. Especially where a bishop was inactive or nonresident, presbyteries must have seemed to many to be the real overseers of the kirk.

VIII

Presbyteries also had a number of other responsibilities. Their work in the examination, ordination, and admission of ministers will be considered later.¹ Many presbyteries were involved in public projects of various kinds, occasionally initiating a project, but more usually helping to implement a plan recommended by the crown, the Privy Council, the Court of High Commission, or the bishop. In 1605 the Kirk Session of Dundonald considered

the commendatioun of the Presbytry of ane puir man in the parochin of Terbovtoun [Tarbolton], herreit be fyr, to the charitabill help of this parochin as of vtheris of thair boundis,²

and a collection was planned for him. In 1624 the Presbytery of Lanark received 'ane letter direct frome the Bischop for ane support to be collectit...for the support of the towne of Dumfermling brunt with fyre', and be September £597 had been collected by that presbytery.³ In 1622 there was a general collection for the distressed Church of France, for which,

¹ See below, Chapter Six.
² Dundonald K.S. 74.
³ Lanark Presb. 17 June, 23 Sept. 1624.
according to Calderwood, thirty to thirty-five thousand merks was raised. ¹ The minutes of the Presbytery of Jedburgh show the careful way that presbytery planned for the collection, accounted for the total, and saw to its safe delivery to Edinburgh. ² In 1629 the Presbytery of Perth collected £76 to assist the people 'near Falkirke whose lands war overflowed be a great blake moss', and three years later gathered £828 for the 'distressed brethren of the over-Palatinat'. ³ Many presbyteries received requests to raise money for the ransom of Scots who had been 'taikin prisoneris by the Turks and maid slaves according to thair custome of barbaritie', ⁴ or to assist in the building of bridges and other public projects. ⁵ General projects plus individual appeals for charity sometimes became rather numerous. In 1618 the Presbytery of Perth had to remind

the brethren that hes not payit thair contributioun to the Town of Cowpper, to Johne Ogilvy, and the bursaris of the New College, and to the relick [i.e. widow] of umquhile Mr George Nairne, minister, to bring in and delyver the same

within fifteen days. ⁶

² Jedburgh Presb. 28 Feb. 3 April, 24 April, 1622.
³ Perth Presb. 22 April, 9 Dec. 1629, 15 Feb. 1632.
⁵ Perth Presb. 26 May, 1619.
⁶ Perth Presb. 10 June, 1618.
Presbyteries were also responsible for the trial and admission of both readers and schoolmasters, although one person often served both offices. The Synod of Moray in 1626 ordered that 'no man be allowit to read in publict with[out] the speciall allowance of the brethren of the presbytery by an formall act alloweing and approveing him',¹ and this seems to have been the practice throughout the period. A typical case was the admission of a reader and clerk at Foveran by the Presbytery of Ellon after he had been approved by the kirk session there.

Mr Robert Thomsoun deliwerit in to the presbyterie ane letter of recommendation subscrivit be the minister elders and gentilmen of the parioche of Foveran willing the presbytery to admit him as raider and clark to the sessioun of Foveran.

The Presbytery approved the request and after 'his oath de fidel administratione solemlie takin he wes admitted'.²

A similar procedure was followed for the admission of schoolmasters, although there does appear to have been an unsuccessful attempt to allow bishops a voice in their admission. In 1609 an act of parliament required tutors of sons of noblemen who were going abroad to have a 'testimoniall of the Bischop',³ and the General Assembly at Aberdeen in 1616 officially extended this requirement to all schoolmasters.

That assembly ordered

¹ Moray Synod, 25.
² Ellon Presb. 11 April, 1635.
³ A.P.S. IV, 428.
that it sall not be leisum to quhatsumevir person or persons to hold any schooles for teaching of the youth, or to teach them therin, except they first have the approbation of the Bishop of the Diocie, and be first tryit be the Ministers of the Presby-trie, quher they dwell, and have their approbation.¹

If episcopal licences were issued, no evidence of them appears to have survived; and throughout the period examinations and licences were regularly granted by local presbyteries. In 1611 a provost appeared before the Presbytery of Jedburgh 'in name of the town [of Jedburgh] and nomi¬nates James Johnstoun to be there schoolemaster and Reader and wish the presbiterie to graunt him admission thairto', and the request was granted.² Six years after the Aberdeen As¬sembly the same Presbytery examined another candidate. 'His testimoniallis sein and considered and he examined and fund qualifeid. The brethren...did admit him schoolmaister.'³ 'His testimoniallis' may possibly have included an episcopal licence; but the Presbytery of Perth, in considering a simi¬lar case, examined only a candidate's 'testimonials from the Universitie of St Andrewse' and thereafter accepted him as 'reader at Kilspindie kirke and teacher off the shoole there'.⁴

Attempts by burgh councils to install schoolmasters without presbyterial approval were strongly, and often success¬fully resisted. At least this was the case in 1632 when the

---

¹ B.U.K. III, 1120 (Calderwood, VIII, 99-100).
² Jedburgh Presb. 20 July, 1611.
³ Jedburgh Presb. 8 May, 1622.
⁴ Perth Presb. 28 Sept. 1636.
Presbytery of Perth learned that 'the towne of Perth hade made nomination and aggreament with a schoolmaister not acknowledging them nor seikeing their consent contrair to the custome...'. Three months later, however, the offending schoolmaster appeared and 'acknowledged his oversight in entering to the said schoole without beeing tryed by them'. He was 'admonished...off his dewtie in all respects and diligent onwaiting and instructing off the bairnes in literature and manners' and the brethren 'in toakine off their acceptation taks him be the hand'.

The authority which presbyteries exercised over the admission (and deposition) of schoolmasters and readers during this period was in marked contrast to Restoration practice where bishops regularly licensed men for both these offices, and once again serves to underline the rather more moderate character of episcopacy during the early part of the century as compared to bishops after 1661.

IX

A pamphlet in 1606 asserted 'as all men know, that the discipline and governement of the kirk, exercised by presbyteries and by bishops, are so opposed one to another, that

---

1 Perth Presb. 23 May, 15 Aug. 1632.
3 W.R. Foster, Bishop and Presbytery, 43-4.
when the one is sett up, the other must doun of force'. However, presbyteries did not 'doun of force' after the revival of episcopacy; but they continued to exist and function, often with remarkable effectiveness. The 1610 Act did avoid the word 'presbytery', and the Synod of Fife referred to all its presbyteries after 1610 as 'exercises'. However, none of the kirk session or presbytery records appear to have followed this change, and even in the Synod of Fife the word 'presbytery' was common after 1628.

Nor do presbytery records suggest that the disciplinary and administrative activity of those bodies became any less effective after 1610. Indeed, there is considerable evidence to the contrary. As presbyteries grew in number and strength, discipline was probably effective over a wider area in Scotland than at any time in the sixteenth century. In the records of such presbyteries as Ellon (one of the few presbyteries whose extant records are almost unbroken) one can see signs of the growing stability and authority of that presbytery over the people within its bounds. During the early years of the century, advice and support were often sought from other presbyteries. After about 1607, however, requests for assistance

1 Calderwood, VI, 513.

2 Fife Synod, 298. There was some variety in the sixteenth century as well. The word 'exercise' was sometimes used (G. Donaldson, Scottish Reformation, 205), and the Presbytery of Dalkeith regularly referred to itself in the 1680's as an 'eldership' (Dalkeith Presb. passim).

3 Ellon Presb. 19 April, 1598; 17 Dec. 1600; 4 Aug. 1602.
from other presbyteries were rare, and thereafter the Presbytery of Ellon seems to be more stable and better established.

Presbyteries between 1600 and 1638 were important and effective agents of the church. They helped to maintain the authority of reformed theology on a practical and parochial level; they brought clergy into close and frequent contact with one another at a time when travel was not easy, and they protected ministers from the ire of angry parishioners. They were disciplinary courts for more serious offences, as well as courts of appeal and sources of advice for kirk sessions. They supervised the process of excommunication, examined candidates for ordination, conducted institutions, and held most visitations of local parishes. They were responsible for a wide variety of administrative activities and exercised effective control over most of the officers of the kirk: elders and deacons, kirk officers, schoolmasters, and readers. Their work was of immense importance in establishing law and order within the bounds of their jurisdiction.

Nevertheless, the first decade of the century saw some important modifications of presbyterial authority, of which perhaps the most important was the introduction of constant moderators. The Linlithgow Act of 1606, reinforced by the Glasgow Act of 1610, placed the immediate appointment of moderators in the hands of bishops and ultimately in those of the crown. It is not surprising that the rebellion of 1638 should have begun in many presbyteries with an election of their own moderator.

1 Kirkcaldy Presb. 125 (15 March, 1638); Paisley Presb.
Final authority to pronounce excommunications was transferred from presbyteries to diocesan bishops in 1610, and presbyteries were likewise no longer responsible for presentations, collations, or (by themselves at least) ordinations. It is less obvious that the 1610 Act meant any real change in the rights of presbyteries to conduct visitations. Visitations by superintendents, commissioners, and bishops were common enough before 1610, and after that date episcopal authority seems to have been used to urge presbyteries to hold visitations, rather than to restrain them.

The reformed Kirk of the sixteenth century knew little or nothing of presbyteries for a generation. Yet by 1600 'the brethren of the presbyterie' had become an important part of the ordinary administration and life of the Church. The revival of episcopacy meant some reduction in the autonomy and authority of presbyteries, but those bodies continued to function, to increase in number, and to be vigorous and vital agents in the pastoral and disciplinary work of the Church.

27 June, 5 July, 1638; Perth Presb. 16 May, 1638; Haddington Presb. 16 May, 1638.
Chapter Five
THE SENIOR COURTS OF THE CHURCH

I
Synods

The Scottish reformed synod was a descendant of the medieval diocesan synod of bishop and clergy.¹ In the early years of the reformation elders or deacons were expected to attend, and superintendents were permanent moderators. An act of the General Assembly of 1562 showed clearly the character of the synod as an assembly of superintendent, ministers, and elders. The General Assembly gave

power to every superintendent within there awin bounds, in there assemblies synodall, with consent of the maist paert of the elders and ministers of kirks, to translate ministers fra ane kirk to another...and ordains farther, that the superintendents appoint there Synodall Assemblies twyce in the yeir...that the minister with ane elder or deacon may repaire toward the place appointed be the superintendents.²

And a General Assembly act in 1567 suggests that synods did not meet where there were no superintendents.³

According to a list of synods in 1586, synods continued to be organized along diocesan boundaries for the most part.⁴

¹ Duncan Shaw, 'The Origin and Development of the General Assembly', 316-7.
² B.U.K. I, 29 (Calderwood, II, 208).
⁴ B.U.K. II, 649 (Calderwood, IV, 556-7). Some dioceses, such as Moray and St Andrews, were divided into two synods.
However, the inclusion of the Presbytery of Peebles (Diocese of Glasgow) in the Synod of Lothian (Diocese of St Andrews) in 1590 suggests that revision of synod boundaries was taking place where medieval diocesan limits were impractical.

The development of presbyteries in the 1580's also saw changes in the organization of synods. The oldest extant synod record is that of the Synod of Lothian and Tweeddale which begins in April, 1589. In that record, no mention was made of any superintendent, and the moderator of each synod was elected at the first session. There is no evidence that elders or deacons were present, and the synod appears to be composed entirely of ministers. Even in Aberdeen, where bishops were never suppressed, Mr David Rait was 'principall and moderator of the last provinçiall assemblie' in 1589.

These changes in the organization of synods did not mean that they declined in importance. The Synod of Lothian and Tweeddale met regularly twice a year, examined each presbytery within its jurisdiction with great care, and conducted considerable general business as well. Presbyteries were rebuked for negligence of duty, ministers were rebuked or

The Synod of 'Merse, Teviotdaill, and Tweedall' included areas from the Dioceses of St Andrews and Glasgow.

1 Synod of Lothian and Tweeddale, I, 14-15, 17, 24-5, 34.
2 Ibid. I, 1, 11.
3 Aberdeen Presb. 20 Oct. 1589. David Cunningham was the Bishop of Aberdeen in 1589.
4 Synod of Lothian and Tweeddale, I, 2.
5 Ibid. I, 4, 13.
deposed, and a suspended minister was restored. If the Synod of Lothian and Tweeddale was at all typical, synods continued to be active and vigorous courts of the church during the latter part of the sixteenth century.

One of the most controversial proposals made by James was 'his Majesties advyse...[to the Assembly at Linlithgow in 1606] that the moderation of the Provinciall Assemblie...be committed vnto the Bishop'. According to the extant minutes, the Assembly approved the proposal; but many charges were made that James had written the act into the minutes after the Assembly had disbanded. At first opposition to the act was almost universal. A letter to Mr James Melville in June, 1607 declared that 'there is not a province in Scotland that has accepted as yitt the provinciall moderator except Angus, and that not without opposition'. According to Spottiswood, opposition was especially strong in Perth, Fife, and the Merse. The Privy Council charged synods to accept their constant...
moderators, and throughout 1607 there was conflict between royal commissioners and the Synods of Fife, Perth, Lothian, and Merse and Teviotdale. Royal commissioners were probably sent to all synods. Two barons were sent to the Synod of Moray in August, 1607 and instructed to urge that synod to 'admitt Alexander Bishop of Murray for there moderatour...And in case of there disobedience, cause denounce them rebbells, and the synod to be dissolved'. In the same month the Earl of Abercorn reported on his commission to the Synod of Clydesdale. He ordered the Synod to 'admit the Archbischope of Glasgow thair Moderator; quhairunto, in the beginning, thay maid greit oppositioun'. However, 'in end, fynding thame selffis straittit with a present aunsuer, and haveing signifeit to thame quhat command I haid for denunceing thame rebellis...the haill Synode (tua onlie exceptit), voittit to his acceptatioun'.

There is little evidence of opposition after 1607. Archbishop Spottiswood wrote that all 'opposition proved vain, and they in end forced to obey'. At the Synod of Lothian in November, 1610 three ministers protested against their episcopal moderator. 'The thrie brethren forsaide thought that others could have assisted them; but they found noe assistance as

3 William Fraser, The Chiefs of Grant, II, 4-5.
4 O.L. I, 104-5.
5 Spottiswood, History, III, 189.
was promised them, both by their owne brethren and the Presbyterie of Dalkeith.1

The Glasgow Assembly of 1610 ordered 'that the Bishops salbe Moderatours in every Diocesan Synod', but allowed the organization of two or three synods in a diocese 'quher the Dyocies are large'.2 Between 1611 and 1637 the moderator of the Synod of Fife was always either the Archbishop of St Andrews3 or a commissioner assigned by him;4 and the same was true in the Synod of Moray.5

After 1610 lay commissioners as well as ministers were expected to be present at the synod. In October, 1610 Archbishop Gladstanes summoned a meeting 'of the diocie of St Androes be-south Forth', i.e. the Synod of Lothian, and required the ministers to be present 'accompanied with two or three commissioners from everie paroche'.6 The minutes of the Synod of Fife record the presence of lay commissioners between 1611 and 1617. In September, 1611 thirteen laymen were present, and twenty-one laymen attended in April 1612. Thereafter, the number of lay commissioners slowly decreased, until by April, 1617

---

1 Calderwood, VII, 128.
2 B.U.K. III, 1096 (Calderwood, VII, 100).
3 Fife Synod, passim.
4 Fife Synod, 190, 207, 259.
5 Moray Synod, passim.
6 Calderwood, VII, 124-5.
only one was present. As in presbyteries, it was probably difficult to get laymen to attend meetings two or three days in length, especially since much of the business of the synod concerned the trial of presbyteries and the disciplining of ministers. There is no evidence of laymen in the records of the Synod of Moray (1623-38), the synod there being known as 'the conventioun of the ministerie at the Synode' or 'the assembly of the ministeris'.

Meetings of synods were held twice a year, normally in April and October. The synod began with a public sermon, usually by the bishop. The people of the parish where the synod met were expected to attend and were urged to 'frequent the preitching that day'. The Kirk Session of Elgin received the alms taken up at the opening session of the Synod of Moray. Thereafter absentees were recorded, and 'visitors' were appointed to examine the minutes of each presbytery in the synod. Synods were courts of appeal from presbyteries. Presbyteries often referred unusual cases or those involving powerful persons to a synod. In 1628 the Presbytery of Jedburgh learned that 'certaine of my Lord of Jedburgh, his folkes cam to the Kirk of Oxnam' broke into the church, and admitted 'ane Inglish curate, quho against all order established in our Kirk

---

1 Fife Synod, 57, 82, 106, 116, 137, 155, 171, 179, 191, 199, 207.
2 Moray Synod, 1623-38; Elgin K.S. 7 April, 1629, 29 April, 1634.
3 Elgin K.S. 149, 152.
4 Elgin K.S. 17 May, 1625, 7 April, 1629, 29 April, 1634.
did marie Lilias Ker upon ane Inglish gentlemen'. The case was referred 'to the Synode'. An unusual case was that brought to the Synod of Fife by the Presbytery of Arbroath. 'Elspat Ramsey...[had] borne ane bairne fyve or sex yeris since and fathred the same upon ane man who dwelt as sho allledged in Elgin.' Recently however, this was proved false and 'Elspat had...declaim
it that Thomas Persoune, ane maried man, is the father of the foirsaid chyld'.

Demanded thairfor what censure salbe inioyned to the said Elspat and efter what manner the said Thomas salbe dealt with. The Synode advyses the fornamed brethren to convene the said Thomas befor thame and to use all means for tryell of the veritie in the process and seing the said Elspat is banished forth of Arbroth, advyses thame not to recall her but to leave her to the judgment of God.2

A typical example of matters brought by one presbytery at a synod were those presented to the Synod of Fife by the Presbytery of Kirkcaldy in April, 1632. The Presbytery asked the Synod to settle a quarrel between two parishes over a burial bell, to raise a ransom for two Scots who had been captives of the Turks and the Spaniards for eleven years, and to issue a judgement in a difficult case of adultery. The Synod ordered the burial bell 'quhilk did belong to the paroche of Markinshe' to be returned to them, a ransom for the prisoners to be collected in all the parishes of the diocese 'quhilk ly benorth Forth', and the couple to separate 'and if they separate and abstain,

1 Jedburgh Presb. 5, 19 March, 1628.
2 Fife Synod, 181.
not to decerne them giltie of adulterie'.

In addition to hearing specific cases, synods often issued general instructions designed to improve discipline and order within their boundaries. The Synod of Aberdeen was especially active after the consecration of Patrick Forbes. In October, 1620 that Synod issued twenty-eight general disciplinary acts. Marriages were not to be solemnized on Saturday or Sunday unless the parties gave a £40 bond that there would be no dancing or other profanation of the Sabbath, forgers of testimonials were to be punished, ministers were not to travel on the Sabbath, a destitute widow of a minister was to be supported as were four students in theology, servants were to be in the kirk on Sunday 'except ane to keip the hous and the guidis', and wandering beggars were to be returned to their own parishes.

A large part of each meeting was devoted to an examination of presbyteries and disciplining of ministers. Presbyteries who allowed Scottish winters to prevent regular meetings were sharply rebuked and were ordered to meet 'ans in the 15 dayes' in winter. Ministers who lacked either manse or glebe were ordered to secure the same, and sometimes the bishop was asked to intercede with a powerful parishioner to provide a glebe. A minister who celebrated a marriage without

---

1 Kirkcaldy Presb. 37; Fife Synod, 329,330.
2 Ellon Presb. 19 Oct. 1620.
3 Fife Synod, 183.
4 Fife Synod, 146, 157, 183.
5 Fife Synod, 8.
proclamation of banns was 'suspendit from his office for the space of ane moneth'. A minister who refused to solemnize a marriage without the father's consent, although the father 'hes maid no impediment and is not for the present within the countrey' was rebuked and ordered to 'solemnize thair marriage'. The congregation of Forfar asked the Synod of Fife to require their minister to 'preache and have doctrine upon Sunday afternoon', and the minister was ordered by 'my Lord Archbischop and this present Synod...ilk Sunday afternoon...[to] have doctrine upon the catechisme'. Another minister was 'graivlie admonished to attend his charge moir cairfullie then hitherto... quhilk he promised to doe'. The Synod of Moray warned the brethren of the Presbytery of Inverness 'that non of them be found heirafter on Saturday in Inverness or ony where from thair studies'.

Controversial presentations were sometimes tried by synods. In 1627 the Synod of Moray considered the case of 'ane Mr Thomas Ross' who had 'ane presentatioun in his hand to the Kirk of Calder'. However, the Synod discovered that 'he hed obtained the forsaid presentatioun by ane simonicall pactioun quherupon he was rejected from the said place, yit becaus he

1 Moray Synod, 3.
2 Fife Synod, 112-3.
3 Fife Synod, 276.
4 Fife Synod, 323.
5 Moray Synod, 63.
was found to haif the Irishe language the synod thocht guid to offer unto him some uther charge in Highlands'.

Translation of ministers from one parish to another was approved by synods. In 1630 at the Synod of Moray 'The said reverend father in God informed the synod that Mr Andrew Henderson' sought transportation to Balquhidder since he could not collect a portion of his stipend at his present charge. 'The brethren thairfore of the synod eftir dew deliberatioun all in one voce condiscended to give unto the said Mr Androw libertie of transportatioun'.

The Glasgow Assembly of 1610 ordered trials for deposition of ministers to be conducted by a bishop and 'the Ministrie of these bounds quher the delinquent served'. This act was normally enforced by synods. The most common offence for which ministers were deposed was fornication. Usually an accused minister was suspended by his presbytery and tried at the next synod. Thus in 1630 Mr John Wood, assistant minister at Rhynd and son of the minister there, was not permitted to exercise at the Presbytery of Perth because he had been accused of fornication. A month later he confessed his guilt and 'humblit himself upon his knees with tears craveing mercie of the Lord'. The Presbytery 'suspends him from his ministrie unto

---

1 Moray Synod, 30.
2 Moray Synod, 35. For other cases see Ellon Presb. 3 April, 1616 (Aberdeen Synod); Fife Synod, 7, 139, 162, 163.
3 B.U.K. III, 1096 (Calderwood, VII, 100).
the next synod of Saint Andrews', and at the April Synod 'Mr Johne Wood was deposed from his ministrie'.

The archbishop or bishop of a diocese was clearly the dominant member of any synod. He appointed the clerk of the synod, and was either moderator or appointed a substitute. He issued warrants to offenders to appear before the synod. Calderwood added that he also 'suffereth nothing to come in voting but what he pleaseth' and that 'the diocesan assemblie has not power to conclude anie thing without the bishop's consent'.

Whether ministers privately approved of this arrangement or not is probably impossible to determine. However, lists of absentees make it clear that most ministers were at least willing to participate in a court which might well be described as a 'bishop and synod'. There were about one hundred ministers in the Synod of Fife. Between 1617 and 1620, an average of twenty-one ministers were absent. The Synod of Moray had about fifty ministers in its jurisdiction. Usually absentees were limited to three or four ministers who were sick. Clearly

1 Perth Presb. 6 Jan. 10 Feb. 14 April, 1630; cf. Fife Synod, 230. For other cases, see Moray Synod, 9, Fife Synod, 213.

2 Barclay Allardice Papers, 347; cf. Fife Synod, 139, 141.

3 Calderwood, VII, 110, 133.

4 April, 1617 21 ministers absent (207)
   Oct. 1617 25 " " (212)
   April, 1618 22 " " (216)
   April, 1619 17 " " (220)
   Oct. 1619 18 " " (226)
   April, 1620 17 " " (231)
   Oct. 1620 30 " " (235) Fife Synod.

5 Moray Synod, 16, 21, 27, 33.
most ministers did not agree with Mr Calderwood that it was unlawful to attend a synod, or that the moderator of a synod after 1610 was an 'antichristian bishop'.

Unlike general assemblies, the frequency or regularity with which synods met was not interrupted by the revival of episcopacy. Although only a few synod records have survived, there are references in every presbytery to semiannual meetings of synods. Indeed, after the virtual suspension of general assemblies in 1618, the synod was the highest regular court of the church. As in the 1560's the synod had a permanent moderator; but, unlike the early years of the Reformation, bishops were not subject to the discipline of either synod or general assembly. Not only were many important disciplinary cases tried by synods, but the synod was also the main agent of the church responsible for discipline and order among the ministry. The seventeenth century church had a high conception of the life, the duties, and the privileges of a minister; and synods were effective courts in maintaining that ideal among the ministers of the kirk.

II

Provincial Assemblies

Little is known about the composition or work of provincial assemblies. Apparently, at irregular intervals bishops and sometimes ministers of each province met together to consider major disciplinary or administrative matters. As early

---

1 Calderwood, VII, 132.
as 1607 the bishops made plans to hold regular meetings. In that year they informed the Earl of Dunbar that 'euerie sex weikis, anis at the leist,...we haue appoyntit to keip ane meting of the hail number, or of the maist pairt of ws, quhair we intend to communicat our intelligence mutuallie'.

In 1612 there was a meeting of 'the provinciall synode of the prelatis of the province of St Androis holdin in the said citie', and in 1614 the same synod was held 'in the chapell of the castle of St Androis...be the right reverend father in God George, Archbishop of St Androis, the Reverend Fathers the Bishops of Dunkeld, Murray, Ross & Dunblaine with dyvers of thair brethren of the ministrie'. An act in 1614 implied that members of chapters were to attend 'provinciall meetings from yeir to yeir' with their bishop. In 1617 commissioners were chosen 'by some synods and presbyteries' to assist bishops 'with their advyses in this Parliament'. A presbyterian writer wrote, 'It is to be feared that they make the meeting of thir commissioners with the bishops a generall representative Assemble, or the aequivalent of it'.

Several provincial assemblies were called to discuss issues raised by Charles' Act of Revocation. In October, 1626

1 O.L. I, 90.
2 Fife Synod, 101.
3 Fife Synod, 166.
4 Fife Synod, 168.
5 Calderwood, VII, 247-8.
'in respect of the weghtie maters of the kirk to be handled in the nixt meiting of the Bishopes, the synod [of Moray] eft- ir advyss thinks expedient to direct three commissionars of the ministrie from this diocie with the bishop'. And at the end of the year 'there was a convention of Bishops and other ministers...in Edinburgh' to consult about the Revocation.

Another provincial assembly was held in July, 1627 and presbyteries were requested to send commissioners. The Presbytery of Lanark received 'ane letter frome the Bischop of Glasgow schawing of aene meitting of some brother out of ev¬erie presbiterie in Edinburgh to advyse anent the kirk ef¬faires quhairfor the brethren hes chosen Mr Robert Bannatyne and Mr William Livingstone to go'. This assembly was not limited to the Province of Glasgow since the Archbishop of St Andrews sent similar requests to presbyteries in his dio¬cese. Indeed at the meeting 'some feared that it should stand for a Generall Assemblie; but the Bishop of St Androes came not to it, but wrote his excuse, and desyred the Bishop of Rosse to moderat that meeting'.

Apart from topical issues such as the consequences of the Act of Revocation, provincial assemblies dealt with

---

1 Moray Synod, 26.
3 Lanark Presb. 7 June, 1627.
4 Perth Presb. 11 July, 1627.
5 Row, History, 344.
disciplinary cases involving powerful and important persons, and they passed minor regulations as well. Prominent papists were summoned and sometimes referred to the Court of High Commission. A case involving a suspected adulterer who was a servitor to the Earl of Orkney was referred to a provincial assembly by the Bishop and Synod of Aberdeen. Bishops were ordered to discipline ministers who 'hes not celebrate the communioun upon the day appoynted be his majestie becaus it was Easter Day'. Plans were made to remove unqualified commissary judges who 'have not obtained ane testimoniall of the Lords of the Sessioun'.

Not enough is known about provincial assemblies to form any definite conclusions. Tentatively, provincial assemblies were meetings of bishops and ministers summoned at irregular intervals to consider those more routine matters which had often come before general assemblies when they met. The early Scottish reformers taught that certain matters must be considered by an assembly of the whole church, and provincial assemblies may well have been an attempt to maintain that tradition during the years when no general assemblies were held.

1 Fife Synod, 101.
2 Fife Synod, 102.
3 Fife Synod, 166.
4 Fife Synod, 168.
III

General Assemblies

In March 1573/4 a General Assembly declared that 'for preservation of the holy Ministrie and Kirk in puritie, the Lord hes appointit Assemblies and Conventiouns, not only of the persons of the Ministrie, but also of the hall members of the Kirk professing Chryst'. And the declaration added that 'Assemblies hes bein sen the first ordinance, continually keipit in sick sort, that the most noble ther of the hiest Estate, hes Joynit themselves, be their awin presence in the Assemblies, as members of ane body, concurreand, voteand and authorizand in all things their proceeding with their brether'.¹ From its beginnings, the general assembly appears to have been composed of the same Three Estates as were represented in parliament: clergy (ministers, superindendents, and bishops), barons (nobles and lairds), and burgh commissioners.²

The second Book of Discipline proposed a very different arrangement. 'Nane ar subject to repair to this Assemblie to voitt, bot ecclesiasticall personis',³ that is, ministers and elders. Henceforth the government of the church was to be in the 'hands of ministers and elders and the function of the king or his commissioners was to be restricted, as well as

³ B.U.K. II, 500 (Calderwood, III, 542).
that of the lords and the commissioners of burghs, shires, and universities, to being present in the Assemblies to propone, heir, and reason but with no vote'. However, no immediate reorganization of the general assembly took place, and throughout the sixteenth century members of the nobility continued to attend occasional assemblies, not as elders but 'in their own right'. Indeed the persistence of the old tradition was obvious when Commissioners of the General Assembly, meeting in Edinburgh in October, 1596 appointed 'a Generall Assemblie to be conveened of the ministrie from all the parts of the countrie; with a good number of the best affected noblemen, barons, and commissioners of burghes'.

Between 1597 and 1618 twelve general assemblies were held in Scotland. None were held between 1618 and 1638. The minutes of many of these assemblies are too fragmentary to be

2 Ibid. 139; B.U.K. II, 762-7.
3 Calderwood, V, 447.
4 At Perth on 1 March, 1596/7.
  At Dundee on 10 May, 1597.
  At Dundee on 7 March, 1597/8.
  At Montrose on 18 March, 1600.
  At Burntisland on 12 May, 1601.
  At Edinburgh on 10 Nov. 1602.
  At Linlithgow on 10 Dec. 1605.
  At Linlithgow on 26 July, 1608.
  At Glasgow on 8 June, 1610.
  At Aberdeen on 13 Aug. 1616.
  At St Andrews on 25 Nov. 1617.
  At Perth on 25 Aug. 1618.
  This list does not include the 'Illegal' assembly held at Aberdeen on 2 July, 1605.
certain about their membership, but at least in some of them representatives of several estates were present. The Assembly at Dundee in May, 1597 was held at the same time as a Convention of Estates. A contemporary wrote 'It is thought that the noblemen especially called thereunto shall yield their endeavours to advance all the King's desires to be effected in the General Assembly'. At the Assembly of March 1597/8 'were convenit the Kings Majestie and Commissioners from all Shyres and Townes of the countrey', and at Burntisland in 1601 'the Kings Majestie with his Commissioners of the Nobilitie and Burrowes, were present'.

Ministers, however, were far more numerous at assemblies than representatives of any other estate. Contemporaries described an assembly as 'The Assembly of the ministers' or its conclusions as 'the proceedings of the ministers'. The Assembly at Edinburgh in 1602 was composed of five noblemen, seven representatives from burghs, and one hundred and two bishops and ministers. This proportion was probably typical.

The nobility and barons were better represented after 1606. At the Assembly of 1606 'of ministers there were reckoned one hundred thirty-six; of noblemen, barons, and others,
thirty and three', 1 and in 1608 'the number of noblemen and
gentlemen present at that Assemblie by his Majestie's direc-
tioun was above fourtie'. 2 In 1610 seventeen noblemen, thir-
teen barons, seven burgh representatives, twelve bishops and
one hundred and twenty-six ministers attended the Glasgow As-
sembley. 3

After 1610, James may have intended to limit future as-
semblies to ministers. In that year he sent instructions

that when it shall be thought expedient to call
a General Assembly, a supplication be put up to
his majesty for license to convene; and that the
said Assembly consist of bishops, deans, arch-
deacons, and such of the ministry as shall be
selected by the rest. 4

And in 1615 Spottiswood himself recommended 'ane General As-
sembly of the Clergie, quhich must be drawn to the form of the
Convocatioun House heir in England'. 5 However, the next As-
sembly -- at Aberdeen in 1616 -- followed the usual custom.
The Kirk Session of Aberdeen ordered the purchase of 'grene
buird claythis and queschines' for the 'nobilitie, bishoppis,
ministris, barones, and commissionaris of burrowes' 6 who

1 Spottiswood, History, III, 183. Cf. B.U.K. III, 1022
(Calderwood, VI, 604).

2 Calderwood, VI, 751. According to Spottiswood, three
earls, eight lords 'and a great number of the clergy and barons'
were present (Spottiswood, History, III, 197).

4 Spottiswood, History, III, 211.
5 O.L. II, 446.
6 K.S. Aberdeen, 84.
were to meet in Aberdeen; and soon thereafter 'a number of lords and barons decoed the Assemblie with silks and sat-eins'. ¹ Two commissioners from the Burgh of Edinburgh received £692 for their expenses. ² And at the Perth Assembly of 1618 all three estates were again present in force. ³ The tradition that general assemblies consisted of the 'haill members of the kirk' remained a strong one in the early seventeenth century.

The resurgence of royal authority which began in 1597 resulted in a renewed and successful claim by the king of his prerogatives over general assemblies. James began by altering the time and place of meetings. This was not a completely new procedure. In 1586 and again in 1587 assemblies met after being summoned by a royal proclamation, ⁴ and in 1588 James moved the date of an assembly forward from July to February. ⁵ In 1586 he reminded the Assembly that he had 'grant-ed the Ministers their requeist for calling of that Assembly' leaving unsaid the implication that he could also refuse a request. ⁶ In 1592 Parliament recognized the King's right to name the time and place of the next meeting of an assembly

¹ Calderwood, VII, 223.
² Extracts from the Records of the Burgh of Edinburgh, 1604-26, 144.
³ B.U.K. III, 1143.
⁴ R.P.C. IV, 60-1, 174.
⁵ B.U.K. II, 702-3, 713.
⁶ B.U.K. II, 646 (Calderwood, IV, 548).
provided his decision was made before the assembly adjourned. The 1592 Act also provided for an annual assembly.¹

James began by moving assemblies forward. An assembly scheduled to meet at St Andrews on 27 April, 1597 was summoned to Perth on March 1st.² Next an assembly which was to be held at Aberdeen was moved to Montrose and postponed by a year.³ The Assembly of 1601 was moved forward by some months,⁴ while that of 1602 was postponed from July to November.⁵ An assembly planned for 1604 was postponed by the king.⁶ When twenty-nine ministers attempted to hold an Assembly in 1605, the arrest of many of them, the banishment of six, and the submission of the rest made it clear that henceforth assemblies, like parliaments, would meet only upon licence from the king.

However, the royal prerogative included much more than the right to summon an assembly. James himself attended the assemblies held between 1597 and 1602. Two days before an Assembly convened at Dundee in March 1597/8, George Nicolson wrote that the question of 'the bishops will receive end now at this Assembly...whitherward the King took journey yesterday.

¹ A.P.S. III, 541.
² B.U.K. III, 889, 912 (Calderwood, VI, 606, 626).
³ Ibid. 948.
⁴ R.P.C. VI, 231; B.U.K. III, 962 (Calderwood, VI, 105).
⁵ B.U.K. III, 973 (Calderwood, VI, 160).
⁶ Calderwood, VI, 264.
If the King had not gone the ministers would sure have prevailed, but now it will go doubtful what will be the end of these things.'¹ And at the Assembly 'the first two dayes nothing was done, but from morne till late at night the ministers sent for to the king, and their votes procured'.² James did not of course attend any assemblies after his departure for England; but royal messages, read and reread to the crucial assemblies of 1610 and 1618 from a distant and powerful king, were probably even more effective.³

The royal prerogative also included the practice of appointing ministerial delegates to crucial assemblies. Since 1560 the clerical estate had been represented in assemblies in a variety of ways. In early assemblies superintendents 'attended every Assembly in their own right without any election or commission from the lower courts. The attendance of the superintendents was enforced.'⁴ Until 1568 ministers who attended were also selected by superintendents.⁵ However, an Assembly in that year ordered ministers to 'be chosen at the synodall conventioun of the dioces'.⁶ Presbyteries began to send delegates soon after their formation, but it was not

---

¹ Calendar of Scottish Papers, XIII(I), 171.
² Calderwood, V, 682.
⁴ Duncan Shaw, 'Origin and Development of the General Assembly', 150.
⁵ Ibid. 174.
until March 1597/8 that an act was passed authorizing these commissioners and regulating their number. Three 'of the wys¬est and the gravest' were to be sent from each presbytery.¹

By 1616, and probably by 1610, bishops again sat in General Assemblies by virtue of their office. And in two crucial assemblies ministers were summoned by name, although sometimes the formality of a presbyterial election was retained.

'About the beginning of December, [1606] letters were sent from his Majestie to everie presbyterie, commanding them to send suche men as were nominated in the missive to Linlith¬quo.'² The Presbytery of Jedburgh received their notice on December 4th. 'Quhilk day his Majesties letters came to the presbiterie declaiming that it wes his will that thei direct Mr John Abernethye...and Mr Richart Thomsons...of thair pres¬biterie to be present with sic of the nobilitie...that be thaim the presbitery micht know his Majesties godlie and just desyris.'³ And the Earl of Dunbar was reported to have spent 40,000 merks among 'the most neiddey and clamorous of the min¬istrey, to obteine ther woyces'⁴ at the 'Assembly' at Lin¬lithgow.

¹ B.U.K. III, 947 (Calderwood, V, 709).
² Calderwood, VI, 601.
³ Jedburgh Presb. 4 Dec. 1606. A similar letter was sent to the Presbytery of Dunfermline (O.L. I, 67-8).
⁴ Balfour, Works, II, 18; cf. O.L. I, 429*. 
Less drastic measures were used for the Assembly of 1608. The Presbytery of Melrose received a visit from 'Mr James Law, Commissioner off the General Assemblie [and Bishop of Orkney] ...having commissioun off his Majesty...that we suld nominat to the nixt general assemblie the moist wise discret peacable brethren to be commissioners, the presbyterie hath nominat their brethren Mr Jhone Knox [who that year had refused to be a constant moderator], Mr Patrick Sharp, Mr George Byris'.

However, before the Assembly of 1610 the Presbytery of Jedburgh received 'ane letter direct from the kingis majestie...the tenor quhairoff wes that the presbytery sould send their commissionares to the generall assemblie to be haldin at Glasgow...and to mak choiss off theis his Majestie had nominat'. The presbytery obeyed but protested 'that in all frie generall assemblies the presbitryes had power to nominat their awin commissioners'. And the Earl of Dunbar was ordered by James to have 10,000 merks ready to use at the Assembly to be 'dealt amonge suche personis as you sall holde fitting by the advyise of the Archbishoppis of St Androis and Glasgow'.

Selection of commissioners to the Assembly at Aberdeen in 1616 was based on a compromise. In July, 1616 the moderator of

---

1 Melrose Presb. 27 April, 1608. A similar election took place in the Presbytery of Jedburgh (Jedburgh Presb. 13 July, 1608). However, some presbyteries were subject to episcopal pressure in their choice. Cf. O.L. I, 131.

2 Jedburgh Presb. 30 May, 1610. The Presbytery of Tur-riff received similar instructions (O.L. I, 236-7).

3 O.L. I, 425*. 
the Presbytery of Linlithgow 'did present ane letter sent from the Bishoppe off Sanct Androwis re quyring [them] to send ther Moderator and ane uther Brother with him off ther choos ing to the Generall Assemblye to be halden at Aberden'. The presbytery nominated a leet of four and elected one.¹ Similar elections took place in the Presbyteries of Haddington and Mel rose.²

Elections to the 1617 Assembly were officially free. In November, the moderator of the Presbytery of Jedburgh 'present ed the Bishop off Glasgow his letter desyreing the brethren... to dirett twa or thrie off the presbiterie as commissioners to the generall assembly in Sant Androis. The brethren after advisement maid choise of Mr Thomas Abernethy', a staunch oppo nent of episcopacy, and two other ministers.³ The Presbyte ries of Peebles and Melrose held similar elections.⁴ Com mis sioners from the Diocese of Aberdeen were elected at a meeting of the synod on October 22nd. Two ministers from each of eight presbyteries were chosen.⁵

The 1617 Assembly refused to pass the Five Articles

¹ Linlithgow Presbytery, 24 July, 1616.

² Haddington Presb. 24, 31 July, 1616; Melrose Presb. 6 Aug. 1616. Cf. Calderwood's statement, 'The moderators of presbyteries came according to the bishops' missives' (Calderwood, VII, 223).

³ Jedburgh Presb. 19 Nov. 1617.

⁴ Peebles Presb. 20 Nov. 1617; Melrose Presb. 18 Nov. 1617.

⁵ Ellon Presb. 22 Oct. 1617 (Synod of Aberdeen).
demanded by James;\textsuperscript{1} and it is somewhat surprising, therefore to discover that elections were not suppressed for the next Assembly at Perth in 1618. The Synod of Fife did take the precaution of ordering in April, 1618

\begin{quote}

\textit{anent the directing of Commissioners to the Generall Assemblie, quhen it sal pleis his Majestie to apoynt ane, it was thocht expedient, that such men sal be nominat furthe of evrie presbyterie as ar wyse and discreet, and wil give his Majestie satisfaction anent theis articles propone\n\end{quote}

Al\begin{quote}

the Presbytery of Melrose 'nominatit thair brother Mr Jhon Knox and Mr Patrike Shaw as commissioners to the generall assemblie';\textsuperscript{3} the Presbytery of Haddington 'chosen' three ministers;\textsuperscript{4} the Presbytery of Jedburgh 'did appoynt and ordaine' three commissioners;\textsuperscript{5} and the Presbytery of Perth 'with ane uniforme consent nominates, maks and constitutis' four ministers as their commissioners.\textsuperscript{6} And the report which James received from his commissioner, Lord Binning, suggests that some presbyteries exercised considerable freedom in their selection of delegates.

\begin{footnotes}

2 Fife Synod, 219.
3 Melrose Presb. 4 Aug. 1618.
4 Haddington Presb. 22 July, 1618.
5 Jedburgh Presb. 29 July, 1618.
6 Perth Presb. 12 Aug. 1618.
\end{footnotes}
Atoure cumming to this towne, finding that the
most precise and wilfull Puritanes wer chosin com-
missonars by manie of the presbiteries, special-
lie of Lowthain and Fyfe, I wes extreamlie doubt-
full of the succes of your Majesties religious and
just desieres.¹

Presbyterian leaders sometimes protested that assemblies
after 1596 had undue representation from the north.² The sed-
erunts for most assemblies are missing, but no section of the
church appears to have dominated the Glasgow Assembly of 1610.
Fifty-three ministers were from north of the Tay, seven repre-
sented Argyll, and sixty-six were from presbyteries south of
the Tay.³ Dr Wadsworth in his study of the 1610 Assembly con-
cluded that 'all sections of the Kingdom were fairly represent-
ed at Glasgow, and that the south, in the numbers, as well as
in the native ability of its commissionars, could still wield
the preponderating influence'. Furthermore 'as far as the tal-
ents and enterprise of its members are concerned the Assembly
of 1610 can compare very favorably with any other Assembly of
the Kirk which had met up to this date'.⁴

Regardless of the way in which commissionars might be se-
lected, the dominant voice at most assemblies was clearly that
of the king. During the sixteenth century there was much un-
certainty in the church about the relationship between

---
¹ O.L. II, 573.
² Calderwood, V, 606, 682; cf. Calendar of Scottish
Papers, XII, No. 390.
³ B.U.K. III, 1085-91 (Calderwood, VII, 104-7).
⁴ G.C. Wodsworth, 'The General Assembly of 1610', 90,
92.
assemblies and royal authority. The church may have 'drifted into the next century, having failed to make up its mind about the place of the "higher Poweris" within its supreme court', 1 but there was no uncertainty in James' mind. He made his own position clear when he summoned the General Assembly at Perth in 1596/7. 'Wee, therefore,...have thought, comely following the loveable exemple of Christian Emperours of the primitive Kirk, to conveen and assemble a National Council, as well of the Ministry, as of our Estates.' 2 And after 1603 James increasingly emphasized his royal prerogative over all courts of the church. On his visit to Scotland in 1617 James proposed to have an act approved in parliament 'that whatsoever his majesty should determine in the external government of the Church, with the advice of the archbishops, bishops, and a competent number of the ministry, should have the strength of a law', the phrase in italics being added at the request of the bishops. Even this version was opposed, and James almost contemptuously withdrew the declaration but warned the bishops that 'to have matters ruled as they have been in your General Assemblies I will never agree'. 3

The revival of episcopacy was not in itself fatal to the existence of general assemblies, as the very full agenda passed by the Assembly of 1616 made clear. However, James'
emphasis upon his own prerogative which, he declared, 'is a power innated, and a special prerogative which we that are Christian kings have, to order and dispose of external things in the policy of the Church',¹ did make assemblies almost superfluous.

James never relied solely upon his prerogative to introduce important changes into the church, but Charles I was less cautious. A proposal to call an assembly in 1627 received the support of at least one bishop,² and the Canons of 1636 did allow 'NATIONALL SYNODES, called by His Majesties Authoritie'.³ However, the Canons themselves were introduced solely by royal prerogative as were an Ordinal and a Book of Common Prayer. Indeed, no assembly met during the reign of Charles I until he was forced to call one at Glasgow in 1638.

The manipulation and eventual suspension of general assemblies in the early seventeenth century was a new feature of Scottish reformation history and probably marks the greatest break with past reformation tradition. Between 1560 and 1596 sixty-four assemblies were held by the church. Between 1597 and 1638—a slightly longer period—twelve official assemblies met.⁴

¹ Spottiswood, History, III, 246.
² R.R.C. (Second Series), I, 639n.
³ Canons and Constitutions Ecclesiastical...for the Government of the CHURCH OF SCOTLAND, VIII, 3 (1636). Henceforth cited as Canons of 1636.
⁴ Calderwood, VIII, 306-11.
IV

The General Assembly at Aberdeen: 1616

The best known assemblies of the period were those of 1606, 1610, and 1618 at which important changes in government or worship were made. However, the General Assembly of 1616 was also outstanding as one which passed a number of important acts designed to improve the efficiency or discipline of the church. The Aberdeen Assembly was certainly composed of the 'haill members of the Kirk'. The nobility were present, as were burgh representatives, commissioners from the king (with royal instructions), and bishops. As has been seen, about half of the ministers were appointed by bishops, and the other half elected by presbyteries. It was an assembly which derived much of its authority from both bishop and presbytery and was a notable example of the achievements which such an assembly could make in improving the ordinary administration of the church.

The fifth session of the Assembly ordered that 'a Booke of Canons be made, published in wryte, drawin foorth of the bookis of former Assemblies; and quher the same is defective, that it be supplied be the Canons of Counsells and Ecclesiasticall Conventiouns, in former tyme'. The need for 'ane

1 For the conclusions of these assemblies, see pp. 30-1, 98, 175, 224, 345.

2 B.U.K. III, 1128 (Calderwood, VIII, 106). James had sent instructions to pass this act (B.U.K. III, 1124 [Calderwood, VII, 229]).
uniformitie of discipline' had long been recognized in the church. The Assembly in March 1574/5 ordered the production of a compilation of former acts of assembly, but the project was not completed until 1595. In 1611 the Synod of Fife returned to the same theme and appointed a commission to draw up 'ane uniformitie of discipline'. Six months later the synod urged its committee to meet with representatives from the southern half of the diocese to prepare a common code of discipline which would then be 'presented to ane Provinciall or Generall Assemblie' and to the King. By 1612 a committee of the whole diocese had been appointed, but little appears to have been accomplished during Archbishop Gladstanes' lifetime. After Spottiswood's translation to St Andrews in 1615, the Synod of Fife again 'earnistlie desyris the archbishop with advyse of the bishops and ither learned brethren to tak ordour for setting doune ane uniformitie of discipline'. And the Archbishop himself observed in the same year that 'Canonis and Constitutionounis must be concludit and set forthe, for keping bothe the Clergie and Kirkis in ordoure'.

The need for uniformity of discipline was obvious. Not

---


2 Fife Synod, 7.

3 Fife Synod, 66.

4 Fife Synod, 180.

5 Q.L. II, 446.
only did the same offence receive different sentences in different church courts, but trials for candidates to the ministry also varied from presbytery to presbytery.\(^1\) The Aberdeen Assembly appointed a committee to prepare a 'Booke of Canons', and their work was mentioned at the Perth Assembly of 1618.\(^2\) However, there is no record that these canons were ever issued, and complaints about lack of uniformity continued to be made. In 1628 Spottiswood wrote to a presbytery to protest a sentence it had imposed. He reminded them that 'neither hes there bene evir a constant forme keep in these satisfactions', that is, in the sentences imposed upon offenders.\(^3\) Several synods passed their own regulations regarding the trial of a candidate to the ministry.\(^4\)

The Canons of 1636 were not, therefore, completely foreign to the Scottish reformed tradition. And many of the regulations in those canons either repeated earlier acts or prescribed practices which had long been common in Scotland. No man was to be ordained 'who hath not bene bred in some Universitie or Colledge & hath taken some degree there'.\(^5\) 'Everie Minister [must] reside at the Church where hee serveth!'.\(^6\)

---

1 See below, 276-7.
2 B.U.K. III, 1128, 1157 (Calderwood, VIII, 106).
3 Dalhousie Muniments 14/792.
4 See below, 275-6.
5 Canons of 1636, II, 1.
6 Ibid. III, 1.
There must bee catechizing everie Sunday in the afternoone. ¹

No Presbyter shall refuse, or delay, to Christen anie Chyld presented by the Parentes. ²

In Everie Diocesse, Assemblies shall bee kept twyse a yeare. ³

Each parish was to have a book 'where-in shall bee written the daye and yeare of everie Christning, Wedding, and Buriall'. ⁴ Those guilty of 'Heresie, Schisme, Swearing, Not-resorting to the Church of Sundayes... Non-Communicantes...Committers of Whoredome, Adulderie, Incest, Common Drunkennesse...ought to be censured by Lawes Ecclesiasticall'. ⁵

Ordinations must 'bee made by imposition of handes, and with solemnne prayers, openlie in the Church...and in presence of two or three Presbyters of the Diocesse, who shall laye on handes together with the Archbishop, or Bishop'. ⁶

The Censure of EXCOMMUNICATION...may not bee summarie.' ⁷ Neither shall anie Presbyter pronounce the Sentence of EXCOMMUNICATION, till hee have shwon the Processe to the ORDINARIE, and obtayned His Approbation.' ⁸

All of these regulations had been common in Scotland since at least 1610, and some of

---

¹ Ibid. III, 6.
² Ibid. VI, 2.
³ Ibid. VIII, 1.
⁴ Ibid. XIII.
⁵ Ibid. XVIII, 1.
⁶ Ibid. II, 7.
⁷ Ibid. XVIII, 2.
⁸ Ibid. XVIII, 3.
them -- such as the university requirement for ministers -- were ideals set forth in the earliest years of the Reformation.

Nevertheless, there were many raw and disturbing elements in the Canons of 1636. One of the novel features of the canons was their method of introduction. Although James claimed to be able to regulate the external government solely by his royal prerogative, he never actually did so. The Canons of 1636, however, were issued simply 'by Our Prerogatiue Royall, and Supreme Authoritie'. ¹ And some of the important canons -- especially those setting forth royal supremacy -- were taken over from the English canons of 1603-4. ² The Canons also went far

---

1 Ibid. Preface.

2 Constitutions and Canons Ecclesiastical. Treated upon by the Bishop of London..., 1612.

1603-4

I

[The clergy] shall cause to be observed...all and singular Lawes and Statutes made for the restoring to the Crowne of this Kingdome, the ancient jurisdiction over the State Ecclesiastical.

II

Whosoever shall hereafter affirm that the Kings Majestie hath not the same authoritie in causes Ecclesiastical that the godly Kings had amongst the Iewes and Christian Emperors...let him be excommunicated.

1636

I, 1.

[The clergy shall] cause to be observed...all singular Lawes and Statutes made for the restoring to the CROWN of this Kingdome, the ancient Jurisdiction over the Estate Ecclesiastical.

I, 2.

Whosoever shall hereafter affirm, That the king's Majestie hath not the same Authoritie in Causes Ecclesiastical that the godlie kings had amongst the Iewes, and Christian Emperours...let him bee excommunicated.
beyond the Perth Articles in their insistence that Scottish worship conform to that of England. 'Neyther shall it bee lawfull to keepe...anie FAST vpon SUNDAYES.'¹ 'A Font shall bee prepared, and placed some-what neare the entrie of the Church.'² 'A comelie and decent Table, for celebrating the holie COMMUNION, shall bee placed at the upper ende of the Chancell, or Church; which in tyme of Divine Service shall bee covered with a Carpet of decent Stuffe.'³ The Canons introduced the ordination of both 'Presbyters and Deacons';⁴ they required the use of 'the forme of the book of COMMON PRAYER before all Sermons';⁵ and also added, 'Neyther shall anie Presbyter, or Reader bee permitted, to conceaue Prayers Ex tempore, or vse anie other forme in the publicke LITURGIE ...than is prescrybed'.⁶

Moreover, the Canons were conspicuous by what they omitted. Nothing was said about elders or deacons -- the keys to the chest of alms in each parish were to be kept by 'two Church-Wardens'.⁷ Nor were kirk sessions or presbyteries mentioned. These familiar courts were not of course forbidden,

---

¹ Canons of 1636, XIV, 2.
² Ibid. XVI, 2.
³ Ibid. XVI, 3.
⁴ Ibid. II.
⁵ Ibid. III, 3. This was the new Scottish Prayer Book, not the English Prayer Book.
⁶ Ibid. IX, 7.
⁷ Ibid. XVI, 6.
but probably few could read the canons and not wonder what future changes the king intended to introduce. The Bishop of London, Dr Juxon, was aware of the effect these canons might have. He wrote to the Bishop of Ross, 'I received your Book of Canons, which perchance at first will make more noise than all the Canons in Edinburgh Castle'.

The attempt by the Aberdeen Assembly to establish a Book of Canons was not very successful. More successful was the injunction of the Assembly 'that the simple Confessioun of Faith vnderwrytin be universallie receivit throughout this whole kingdome'. Production of a new confession of faith was not an idle theological exercise but was directly related to the administration of discipline. A confession of faith was regularly used by kirk sessions, presbyteries, and synods in dealing with noncommunicants and suspected Roman Catholics. A parishioner who was doubtful about the reformed faith might be given a copy of a confession of faith to study, or a suspected papist might be ordered to read and sign a confession. For these purposes the two confessions of the sixteenth century had certain limitations. The Confession of 1560 was not as precise on certain theological issues as was desired in seventeenth century Scotland. Nowhere in the 1560 Confession can one find the clear statement that

2 B.U.K. III, 1127 (Calderwood, VIII, 105).
God, before the foundation of the world was laid, according to the good pleasure of his will, for the praise of the glory of his grace, did predetermine and elect in Christ some men and angels unto eternal felicity; and others he did appoint for eternal condemnation.¹

Moreover the 1560 Confession might seem needlessly offensive to persons whom the Church was trying to win to the reformed faith. Roman Catholics were described as 'impudent blasphemers, who boldly condemn that which they have neither heard nor yet understand', and the Roman Church was described as a 'pestilent Synagogue', a 'filthy synagogue', 'that horrible harlot the Kirk malignant'.²

The Negative Confession of 1581 was even harsher. Not only did it contain little positive teaching, but it required a signer to 'detest and refuse the usurped authority of that Romane Antichrist', 'his fywe bastard Sacramentis...his diwilishe Mes; his blasphemous priesthood'.³

The need for a new confession of faith had apparently been proposed to James by the Scots bishops in 1611. At least this is suggested by James' reply 'anent that newe Confession of Fayth...[which] is so agreeable unto ws, as it shall haue no farder hinderance then so muche time as you shall spend for setting suche frame vpon it as in your judgements shalbe

---

¹ Confession of 1616, B.U.K. III, 1132-3 (Calderwood, VII, 233-4).
² Confession of Faith of 1560, printed in J. Knox, History of the Reformation (Dickinson), II, 257, 266.
³ B.U.K. II, 516.
founde most expedient'. Work was probably done on a new confession during the next year. On 21 April, 1612 the Synod of Fife appointed a small committee to prepare 'ane short and cleir Confessioun of Fayth' and two days later a confession was ready. It was 'publicklie red and wes found... orthodox and thairfor ordainit to be sent to the kings majesty' for his licence. And the Fife Confession was used the next year when 'Andro Lord Gray...subscryved and solemnlie swore the Confessioun of Fayth'.

The Aberdeen Confession of 1616 was probably a revised and expanded version of the earlier Fife Confession. And

---

1 William Fraser, Memoirs of the Maxwells, II, 13.
2 Fife Synod, 84, 95-8.
3 Fife Synod, 118-20.
4 The Aberdeen Confession follows a different order and is longer than the Confession of Fife. However, a number of sections in the Aberdeen Confession are found in the earlier work.
like the Fife Confession, it was admirably suited for disciplinarian purposes. Although less than half as long as the Confession of 1560, the Aberdeen Confession set forth as thoroughgoing, though not as detailed, a Calvinism as did the Westminster Confession. And it described the errors of Rome with moderation and restraint. Dr M'Crie concluded,

There is nothing [in the Aberdeen Confession] of the vehement vituperation, the heaping of terms of opprobrium which disfigure the two earlier products of Scottish compilers...In point of calmness and fairness of judgment, historical balance, and moderation of language, the northern Confession of 1616 is entitled to rank alongside of the Thirty-nine Articles of the Church of England and the thirty-three chapters of the Westminster symbol.¹

The Aberdeen Confession was used by church courts after 1616. The Marquiss of Huntley signed the Confession in 1616.² In 1620 a suspected papist appeared before the Bishop and Session of Aberdeen and 'solemplie sworne to the haill articles of the Confessioun of Fayth...as the samen wer seuerallie and distinctlie red to him be the bishop',³ and a few months later

<table>
<thead>
<tr>
<th>Fife 1612</th>
<th>Aberdeen 1616</th>
</tr>
</thead>
<tbody>
<tr>
<td>I believe and confess that the soules of the godlie quhilk departe in the trew fayth of Chryst after their separatione from their bodies directly and immediatelle pas to heavne and rest their frome their labours. (Fife Synod, 96-7)</td>
<td>We believe, that souls of Gods children which depart out of this life in the faith of Jesus Christ, after the separating from their bodies immediately pass into heaven, and there rest from their labours. (B.U.K. III, 1137-8 [Calderwood, VII, 239-40].)</td>
</tr>
</tbody>
</table>

² B.U.K. III, 1130 (Calderwood, VIII, 108).
³ Aberdeen K.S. 90.
an undecided parishioner was given 'the Confessioun of Faith' and told 'whairin he sall have ony dout...to cum to the bishop or ony of the ministrie, and gett resolutionn'.

The Aberdeen Assembly also ordered 'that a Catechisme be made, easie, short, and compendious, for instructing the com-moun sort' and appointed three ministers to prepare one. Both authorized and unauthorized catechisms had been used in Scotland since the Reformation. One of the most popular was that of Calvin, included with most editions of the Book of Common Order until 1611. However, it was a very long catechism, covering fifty-five Sundays, which may have accounted for the injunction of the Kirk Session of St Andrews that the minister was 'to teache upon Maister Calvins Catechise, and the bairnis to ansuer him conform to the Commoun Cathechise'. The Heidelberg or Palatinate Catechism was translated into English and published in Edinburgh in 1615, and it was also included in the Book of Common Order published that same year. The Assembly of 1592 authorized the use of John Craig's Ane Forme of Examination before the Communion and Mr Craig also wrote

1 Aberdeen K.S. 92.
2 B.U.K. III, 1127 (Calderwood, VIII, 105).
3 St Andrews K.S. II, 848. The 'Commoun Cathechise' is uncertain. It may have been the Little Catechism used since 1564, John Craig's Shorte Summe of the Whole Catechisme, or a private catechism.
5 B.U.K. II, 788; the Catechism is reprinted in H. Bonar, Catechisms of the Scottish Reformation, 273-85.
A Shorte Summe of the Whole Catechisme which was published in 1581.¹

The Catechism authorized by the Aberdeen Assembly was soon prepared. A royal licence was issued in February, 1618 authorizing its publication,² and the Perth Assembly ratified the 'Catechism allowed at Aberdeen, and printed since with Privilege'.³ However, the Aberdeen Catechism was no more successful than previous attempts to secure uniformity of instruction in the catechism. Within two years the Synod of Fife appointed a committee to revise the Aberdeen Catechism 'in so intelligable and edificative terms as possibly they can'.⁴

More successful than the Catechism was the injunction by the Aberdeen Assembly 'that every Minister have a perfyte and formall Register' of baptisms, marriages, and burials'.⁵ Bishops and presbyteries had ordered individual parishes to keep full parish registers,⁶ but no general assembly prior to 1616 had ordered all ministers to keep complete parish registers. The Aberdeen Act was reinforced by an order from the Privy Council in the same year;⁷ and it was probably due to those

---

2 R.S.S. LXXXVII, 67.
3 B.U.K. III, 1167.
4 Fife Synod, 238.
6 Fife Synod, 130; Ellon Presb. 5 June, 1605.
7 R.P.C. X, 669-70.
acts, as well as to the general stability of the church, that the oldest existing parish registers began, for the most part, about this time.\(^1\)

The Assembly's injunction that 'every Dioecie sall inter-taine two...students in Divinitie' and the further requirement 'that the halfe at leist be the sonnes of pure [i.e. poor] Ministers'\(^2\) soon resulted in contributions taken up by many kirk sessions to assist the growing number of candidates for the ministry.\(^3\) And the act 'that ane vniforme ordour of Liturgie or Divyne Service be sett down to be red in all kiks'\(^4\) led to the production of a liturgy which might have been accepted in Scotland if the Five Articles had not soon dominated all liturgical discussion.\(^5\)

---

1 For example, Mid-Calder, 1604 (694), Dumfries 1605 (821), Elgin, 1609 (135), Alloa, 1609 (465), Inverurie, 1611 (204), Pittenweem, 1611 (452), Tranent, 1611 (722), Brechin, 1612 (275), Monikie, 1612 (311), Kirkcaldy, 1614 (442), Montrose, 1615 (312), Kinneff and Catterline, 1616 (262), Lasswade, 1617 (691), Newbattle, 1618 (699), Inchture, 1619 (359), Fetteresso, 1620 (258), Scone, 1620 (349a), Abdie, 1620 (400), Longside, 1621 (218), Balderock, 1622 (471), Peebles, 1622 (768), Alyth, 1623 (328), Kinfauns, 1624 (366), Liberton, 1624 (693), Kinglassie, 1627 (440), Newburn, 1628 (451). There are a few registers from the sixteenth century, e.g. Perth, 1561 (387), Aberdeen, 1563 (168a), Dysart, 1582 (426), Clackmannan, 1595 (466) (Detailed List of the Old Parochial Registers of Scotland, annotated copy, Scottish Record Office). The Synod of Aberdeen ordered each presbytery within the diocese to enter a copy of the 1616 act requiring registers in its minutes (Ellon Presb. 22 April, 1617).


3 See below, 266-8.

4 B.U.K. III, 1127-8 (Calderwood, VIII, 105).

The acts of the Aberdeen Assembly were neither spectacular nor uniformly successful. However, they were an attempt to improve the efficiency and well-being of the church. The Aberdeen Assembly was an interesting example of what assemblies might have achieved under 'bishop and presbytery' had assemblies met more regularly and their meetings been less dominated by major changes in polity or worship.
Chapter Six
ADMISSION TO THE MINISTRY

The first Book of Discipline demanded that only 'godly and learned men' be admitted ministers of the church. Nor were its authors prepared to lower standards because ministers were scarce. Indeed, in some cases 'no Minister at all' was better than 'an idol in the place of a true minister'. And the authors urged 'fervent prayer unto God that it will please his mercy to thrust out [i.e. thrust forward] faithful workmen into this his harvest'.

A learned ministry meant a ministry educated at a university. By 1600 most of the ministers of Scotland were men who had completed their degrees, as the following table shows:

<table>
<thead>
<tr>
<th>Ministers with degrees</th>
<th>Ministers without degrees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kincardine O'Neill</td>
<td>15</td>
</tr>
<tr>
<td>Paisley</td>
<td>12</td>
</tr>
<tr>
<td>Melrose</td>
<td>11</td>
</tr>
<tr>
<td>Auchterarder</td>
<td>10</td>
</tr>
<tr>
<td>Orkney</td>
<td>6</td>
</tr>
</tbody>
</table>

By 1638 ministers who had no degrees had virtually disappeared, and rare indeed was the minister who was not addressed as 'Mr' — a title reserved in the seventeenth century for


2 These figures were compiled from the Reg. Assig. Stipends, 1601.
university graduates.

In addition to completing an arts course, ministers were expected to have spent some years in the study of theology, preferably, although not necessarily, at a university. After 1616 the church developed an extensive bursary system to assist graduates in a four year divinity course at a university. Even before 1616 bursars in divinity were established in a few places. An Assembly in 1596 recommended the support of a bursar to the synods of the church,¹ and in 1602 the Synod of Lothian and Tweeddale agreed that one bursar 'suld [be] entertenit in this province for the studie of theologie'. Fifty merks was contributed to his support by the Presbytery of Edinburgh.² However, references to bursars occur only rarely in church records prior to 1616.

An Assembly at Aberdeen in 1616 passed an act supporting the 'Divinitie Colledge foundit at Sanct Androes, quhilk sould be the seminarie of the Kirk within this realme'. It also ordered 'that for the provisoun of some students in Divinitie, every Dyocie sall intertaine two; or according to the quantitie of the Dyocie so many, as the number may arise to twentie sixe in haill'.³ Thereafter references to bursars in divinity are found in many church records. Synods usually supervised the system, although actual funds for bursars were raised by

---

² Edinburgh Presb. 31 March, 1602.
³ B.U.K. III, 1128-9 (Calderwood, VIII, 106-7).
kirk sessions.

Almost at once the Synod of Fife set up a plan to support five bursars, each of whom was to have 'for thrie quarters buird fourscoir punds'. Each bursar was to be supported for four years.¹ By 1623 six men were being supported by this synod.² The Synod of Moray had several bursars.³ The Diocese of Aberdeen supported three bursars in 1617, although by 1620 the number had increased to four.⁴ Each parish in the Diocese was expected to contribute 'of ilk hundreth communicants, nyne s.'.⁵ In 1619 the Presbytery of Dunblane ordered its sessions to take up their first collection for a 'Burser of St Androis'.⁶ In 1620 the Kirk Session of Elgin 'granted fourtie schillingis yearly to be givin to ane bursar conforme to the ordour of wther kirks within this diocie'.⁷ In Belhelvie almost nothing was given for bursars until 1630 when 'ane dolor' was contributed. Thereafter the kirk session annually gave four pounds or more.⁸ In 1633 Trinity College Kirk Session appropriated fifty pounds

¹ Fife Synod, 205, 229. For subsequent legislation by the Synod of Fife, see 248, 256, 259.
² Fife Synod, 261.
³ Moray Synod, 9, 14, 59, 63-5.
⁵ Ellon Presb. 19 Oct. 1620.
⁶ Dunblane Presb. 21 Jan. 1619.
⁷ Elgin K.S. 165.
⁸ Belhelvie K.S. 4 April, 1630, 27 March, 1631, 8 July, 1632, 12 May, 1633, 7 May, 1634.
for a bursar's 'fie and pensioune payit to him yeirlie'.

According to the Aberdeen Assembly, the choice of bursars was vested in 'the Bishops of the Dyocies', but in practice most of the appointments seem to have been made by presbyteries or synods. The Synod of Fife allowed its presbyteries to nominate their own bursars, and in Aberdeen each presbytery sent commissioners to a meeting in Aberdeen 'for tryall and admissioun of the bursers of divinitie'. Bur¬
sars in Moray were chosen by the synod.

Only those who had completed their arts course were appointed to a bursary, and a bursar might be required to demonstrate his competence in the arts as well. In Moray a bursar was admitted provided he 'give a prooffe of his Greek and phylosophie befor the brethren of the Presbiterie of Elgin'. A few years later two graduates were tried in 'the humanities, philosophie, and Greek', and the better of the two was awarded a bursary.

Bursars were 'ordained that they live colegialiter, that they depairt at no tym from the colledge without express li¬
cence from the maisters' and that 'they report to the

1 Trinity College K.S. 10 Jan. 1633.
2 Fife Synod, 229.
3 Ellon Presb. 13 Dec. 1620.
4 Moray Synod, 65.
5 Ibid.
6 Moray Synod, 73.
presbyteries be quhom they wer nominat ane testimonial from
the saids maisters of thair diligence and guld behaviour for
that yeir'.

The full course of study available to a candidate for
the ministry was illustrated in the academic career of Mr
Francis Omey, son of Mr Alexander Omey, minister at Errol.
Mr Omey graduated from St Andrews in 1627, and in the same
year was nominated bursar in the New College by the Presby-
tery of Perth. His bursary lasted for four years, and in
1632 he became minister of Logierait.

In 1641 Alexander Henderson wrote that in most presby-
teries

there be Students of Divinity; whereof some, if they
have opportunity of their Studies, do make their abode
within the bounds of the Presbytery...Others, who are
the greater part, stay at the Universities, and in the
time of vacation come home and wait upon the Presby-
tery.

To establish a bursary system of this extent and effectiveness
was a remarkable achievement and was certainly one reason why
'the greater part stay at the Universities'. The support of
a substantial number of bursars in divinity was one more sign
of the growing stability and prosperity of the Church after
1600.

1 Fife Synod, 259. For some annual reports of bursars,
see Moray Synod, 65.

2 Fasti, IV, 138, 206; Fife Synod, 309; spelled 'May'
in the Synod of Fife Records, but 'Omey' (or Omay) elsewhere
(Perth Presb. 21 June, 8 Nov. 1626; R.P.C. [First Series], IX,
425).

3 Government and Order of the Church of Scotland, 5-6.
Having completed his study of theology, a man usually sought admission to a presbytery as an expectant. At Ellon candidates were required to make a satisfactory public 'addition' before admission, although in 1618 the Synod of Aberdeen decided 'that na young man be receaved upon the exercise till first he have given a privat tryall befoir the presbyterie'.¹ A similar procedure was followed at Perth. In 1618 'comperit Mr Archibald Moncreif younger, sonne to Mr Archibald Moncreif minister [at Abernethy] and desyrit ernestlie to be admittit to exercise his gift with the brethren, quhilk desyre...is grantit and appoyntis him to exercise privatlie this day eight dayis upoun the 11 verse 2 Corinthians'.² In 1630 the Synod of Moray outlined much more extensive trials for the 'resaving of aney nowis [i.e. new members] upone the exercise: viz. first he sall be tryed on the Catiches, secondlie it salbe tryed quhat he can doe in the Scriptures, 3 on the contraversies, 4 he salbe hard privatly upon a text'.³ However, extended trials of this sort rarely appear in presbytery records.

An excellent summary of the place of expectants in a presbytery was given by Mr Alexander Henderson in 1641.

It is permitted to the expectants having entered before upon the publick exercise...to sit by the

---

¹ Ellon Presb. Oct 1618 (Aberdeen Synod).
² Perth Presb. 1 July, 1618.
³ Moray Synod, 46.
Ministers and Elders in the meeting of the Presbyterie, and to give their judgement of the doctrine, but they have no voice when matters of doctrine or discipline are debated. And in the handling of some matters which are thought fit to be concealed and kept secret, they use to be removed.

Expectants were frequently assigned to make an exercise or addition, but their most useful function was as preachers in vacant parishes. A typical example was a request by the parishioners of Collace in 1619 who 'earnestlie desyrit that the presbyterie will appoynt Mr James Lyoun ane expectant in this presbyterie to teich in the paroche kirk for comforting thame with the preiching of the Word untill thei be provydit of ane minister being now destitute'. The request was approved.

If an expectant moved to another presbytery, usually because he had received, or hoped to receive a presentation, he was given a testimonial by his own presbytery. A testimonial issued by the Presbytery of St Andrews in 1630 showed the care with which expectants were examined and testimonials prepared. The testimonial was addressed 'inspeciall to the Right Reverend Fathers in God, the Archbishopes, Bishopes and ministeres'. It mentioned 'his tryelles...privat and publick both in Latin and Engliss in interpreting the Sacred Scriptours, and in sustaining publick disputes upon the controversies in Religione'. He was urged to 'continow in fervent prayer, diligent reading of the holy Scriptoures and sanctified meditationes'. Each

---

1 Elders were introduced into presbyteries in 1638.
2 Government and Order of the Church of Scotland, 47-8.
3 Perth Presb. 16 June, 1619.
member of the presbytery signed the testimonial.¹

Between 1600 and 1638 the number of expectants was increasing. No general statistics for expectants exist, but there are many signs that the number was rising. In 1602 an Assembly drew up a list of those 'persons quho are vacand within thair Presbitries, and willing to entir in the Ministrie' and only twenty-four names appeared on the list.² When the extant records of the Presbytery of Jedburgh began in 1606, that presbytery had no expectants. Nor did it acquire any until 1609 when a delegation was sent to Edinburgh 'to seek ower some lairnit and discreit brethren to plant the kirks within the presbitery destitute off pastors'. Two months later two expectants arrived 'seeing the presbiterie had dealt with them at Edinburgh', a third was 'recommendit be the Synod to the Presbitrie', and a fourth was admitted in 1611.³ A similar pattern can be seen in the Presbytery of Ellon. The Presbytery was established in 1598 and had one expectant in 1603. A second appeared briefly in 1604. The Presbytery had no other expectants until 1610 when three were admitted. A fourth was admitted in 1612 and a fifth in 1613.⁴ The Presbytery of

¹ Craven Bequest, 33 (28 July, 1630), which is a photostat of the original testimonial.


⁴ Ellon Presb. 21 Dec. 1603, 2 May, 30 May, 1604, 31 Jan. 13 March, 25 April, 1610, 1 April, 1612, 28 Dec. 1613.
Dunblane had four expectants in 1616. In 1623 the Presbytery of Lanark had five. Occasional reports in the Synod of Fife also show a substantial number of expectants within its jurisdiction. In 1611 the Synod had twenty-eight expectants. Nine more were admitted in 1612. The total number of expectants in Scotland in 1638 can only be estimated, but there were probably not less than one hundred and fifty expectants in the church who were waiting for benefices.

Some expectants never received a benefice, and many were employed as private tutors or found a place in the growing parochial school system as schoolmasters and readers. Presbytery records often contain such entries as 'Mr James Spens expectant pedagog to the Lard of Lundy maid the exercis', or 'Mr Alexander Innes scuillmaister in Auchinaroy addit'. Mr Samuel Tullidaff, son of Thomas Tullidaff, who was minister at Foveran, was a regular expectant of the Presbytery of Ellon. After failing to secure a presentation to Slains in

1 Dunblane Presb. 26 Dec. 1616.
2 Lanark Presb. 26 June, 10 July, 7 Aug. 21 Aug. 1623.
3 Fife Synod, 18, 73-4, 99, 115. Unfortunately, no further reports on expectants were included in the minutes of the synod. However, see 178.
4 This figure is based on an average of three expectants in fifty presbyteries. The figure may well be too low since there were more than sixty presbyteries, and some presbyteries had more than three expectants.
5 Dunblane Presb. 23 Oct. 1617.
6 Ellon Presb. 13 March, 1610.
1618, he became schoolmaster at Ellon. 1

Patronage continued to be the practice of the church, and those who wished to become ministers sought presentations from patrons. In practice the wishes of the congregation were often taken into account, but the final word was that of the patron. In 1618 the minister of Kippen died, and commissioners from that parish were asked by the Bishop and Presbytery of Dunblane 'anent thair opinicoun and favor to Mr Harrie Livingstoune quhom they have hard...or gif they desyre to heir ony uther young man awaiting upon the ministerie to teach to thame'. The parishioners did ask to hear a second candidate, but finally reported that they preferred Mr Livingston; and in 1619 he became the next minister of Kippen. 2 In 1606 the patron of Paisley 'the ryt noble James Lord of Abercorn promeissed...[to] give over all and hail the benefice...of Paisley...to such a qualified pastour as all pairteis quha hes any interest therin could agrie and condiscend upoun to choose', and a new minister was elected by the patron, the Bishop of the Isles (and former minister of Paisley), and commissioners from the kirk session. 3

However, if a patron insisted upon a candidate his rights were upheld even though a candidate might be unpopular in a parish. In 1618 Mr John Mercier, the fiery tempered minister

2 Dunblane Presb. 21 Jan. 18 March, 1 April, 6 May, 1619.
3 Paisley Presb. 27 March, 1606.
of Methlick 'obtenit presentatioun from the principall, masters, and members of the Kingis Colledge of Aberdeen, patronis of the kirk of Slaynis'. However, the parishioners of Slains, including the Earl of Erroll, wanted young Mr Samuel Tullidaff who had assisted at Slains for the past seven years. Moreover, they thought Mr Mercier was 'ane sawer of seditioun...ane bissie body...ane perturber of the peice...and we heir he is ane cauld gospellar'. Their objections were overruled and by 1619 Mr Mercier was settled at Slains.¹

Presentations were directed to presbyteries before 1610 and to bishops after that date.² In either case a candidate was tried or examined by a presbytery prior to his ordination. An Assembly in 1601 complained about 'the ovir hastie admission of men to the Ministrie, befor they be...of sufficient gifts and experience to discharge fruitfullie that high calling', and an Assembly in 1608 urged 'that some longer tyme...be prescryviet for admission of men to the Ministrie'.³ In 1611 the Synod of Lothian outlined a series of examinations including trials in English and Latin.⁴ A much fuller set of 'Canones for tryall of ministers' was passed by the Synod of Aberdeen in 1623, and a similar act was approved by the

---

1 Ellon Presb. 27 Oct. 1618, 22 Sept. 1619.
2 See above, 27-9.
3 B.U.K. III, 964, 1052 (Calderwood, VI, 114).
4 Calderwood, VII, 155.
Synod of Fife in 1624. Both synods expected candidates to be examined in Hebrew, Greek, and Latin.

However, during the entire period examinations were usually much slighter and consisted of an exercise and a 'controversy', although one of these might be omitted. In 1609 a candidate who had obtained a presentation to Southdean was assigned to make a regular exercise before the Presbytery of Jedburgh. A week later he 'sustained disputation' and was given collation. Examples of even slighter trials are numerous. In 1630 'my Lord Archbishope of Glasgow writt to the Brethren [of the Presbytery of Paisley] anent Mr Ninian Campbell whome he shewe to be presented to the stipend of Kilma-colme. Therefore desired the Brethren to try the literature, liffe, and conversatioun of the said Mr Ninian.' Two weeks later Mr Campbell gave an exercise, whereupon the brethren 'were pleased to report their approbation of the said Mr Ninian to my Lord Archbishop'. Some trials were more thorough, however. In 1623 the Presbytery of Ellon required a candidate to make an exercise and later an addition. He then 'teiched the commoun head De lib[e]ro arbitrio and gave copeis of theseis thairupon to everie ane of the brethren'. Two weeks later he 'teiched in Latine De lib[e]ro arbitrio...and

1 Ellon Presb. 23 July, 1623; Fife Synod, 269-70.
3 Paisley Presb. 25 Feb. 11 March, 1630.
sustained disputatioun thairupon'. Nonetheless, Alexander Henderson's claim that presbyteries examined candidates in 'Latine, Greek, and Hebrew, in his interpreting of Scripture, in the controversies of Religion, in his gift of exhortation, in the holy and Ecclesiasticall History and Chronologie' appears to be somewhat exaggerated.

After passing his trials a candidate was expected to have an edict served at the parish to which he was presented, warning the parishioners of his appointment and giving them an opportunity to object. Thus in 1626 Mr James Fisher was approved by the Presbytery of Jedburgh and 'reported that he had caused serve ane edict at the Kirk of Sudan in name and behalff of the Archbishop of Glasgow warning the parochiners of that congregatioun to compeir befor the Presbyterie of Jedburgh this day, and to object if anything they had against the admission of the said Mr James...and being called upon commissioner for the rest George Eliphiston did deliver thair consent, objecting nothing'. Only after the edict was served were plans made for a man's ordination.

Any investigation of Scottish ordinations in the seventeenth century must take account of the fact that the word 'ordination' did not have the precise meaning which it now

---

2 Government and Order of the Church of Scotland, 7.
3 Jedburgh Presb. 28 June, 1626.
has. Even after the 1610 Assembly, the word was sometimes synonymous with 'institution'. In 1620 some parishioners of Collace protested that 'Mr Andro Forrester be not ordained minister at thair kirk speciallie because he being a minister of befoir brings not ane testimoniall from his presbyterie'. Mr Forrester had been a minister since 1588 and had served at Glencorse, Corstorphine, and Dunfermline. The protest of the parishioners was disallowed by the Presbytery of Perth who ordered one of their members 'to give him institution' and charged the parishioners 'to be present at the said ordinatioun'.

The use of the word 'ordination' in a seventeenth century text does not necessarily mean that an ordination, in the theological sense of the term, took place. On the other hand, there were clear cases of ordination even though the word 'ordination' was not actually used. In fact, before 1610 the most common term used by presbyteries to describe an ordination was the word 'admission'.

During the sixteenth century some difference of opinion existed about the matter of ordination. The first Book of Discipline appears to have rejected laying on of hands.

Other ceremony than the public approbation of the people, and declaration of the chief minister... we cannot approve; for albeit the Apostles used the imposition of hands, yet seeing the miracle is ceased, the using of the ceremony we judge is not necessary.  

---

1 Perth Presb. 9 Feb. 1620; Fasti, IV, 199, VIII, 3.

2 J. Knox, History of the Reformation (Dickinson), II, 286. For another interpretation, see W. McMillan, The Worship of the Scottish Reformed Church, 343.
However, the second Book of Discipline took a more positive position. 'The ceremonies of ordinatioun ar fasting, earnest prayer, and impositioun of handis of the eldership.' James insisted upon imposition of hands, and required two ministers who had not been ordained in that manner to receive the imposition of hands before their admission to charges in Edinburgh. And an Assembly in 1597 ordered 'that there be an uniformitie in the ordinatioun of the Ministrie throughout the hailt countrey, impositioun of hands'.

Between 1600 and 1610 imposition of hands appears to have been the usual practice. Presumably that section of the Book of Common Order entitled 'The Form and Order of the Election of the Superintendent which may serve in election of all the Ministers' was used with the addition of the laying on of hands. Normally, a presbytery requested surrounding presbyteries to send commissioners to meet with them for an ordination, which sometimes took place at the church of the ordinand. In the Presbytery of Ellon in 1593 'ane letter wes presented from the presbyterie off Dear desyrand some off the brethren off the presbyterie to keip dyet with tham at Dear the xi off this instant for the tryall and admission

---

3 B.U.K. III, 925 (Calderwood, V, 642).
of Mr Charles Ferme'.

Mr Ferme was ordained at Deer for the parish of Fraserburgh and became a well-known minister there.

In 1603 the Synod of Lothian and Tweeddale 'appoyntit sum of the brether of ilk presbiterie to be present at the admission of Mr Richard Dickson to the ministerie at the West Kirk'.

The following year the Presbytery of Paisley sent two members to meet with the Presbytery of Glasgow 'for the hearing of Mr William Hamilton and admissioun of him to the kirk of Rutherglen'.

In 1608 the Presbytery of Jedburgh

ordanes to advertise the presbiteryes off Mers and Tiviotdaill off the admissioun off Mr Hector Rae to Nisbet that according to the ordinance off the Synod maid anent the admissioun off ministeris, tuo may be direct from ilk presbiterly...and that thei be advertisit to be at Nisbet this same day xv dayis.

Occasionally a presbytery ordained a man at a regular meeting without representatives from other presbyteries. At Paisley in 1605 'according to the ordinance of the presbyterie 6 December concluding that Mr Andrew Hamilton should be admittit minister at Kilbarquhay per impositionem manuum presbyteratus and that with fasting and prayer, the same in all solem forme and maner was accomplished'.

---

1 Ellon Presb. 3 May, 1598.
2 Fasti, VI, 220-1.
3 Edinburgh Presb. 1 June, 1603; Fasti, I, 95.
4 Paisley Presb. 1 March, 1604; Fasti, III, 487.
5 Jedburgh Presb. 24 Aug. 1608; Fasti, II, 109. For subsequent examples by the same presbytery, see Jedburgh Presb. 5 Oct. 1608, 21 Dec. 1609.
6 Paisley Presb. 3 Jan. 1605; Fasti, III, 149.
took place at a normal meeting of presbytery, and there is no
evidence that commissioners from other presbyteries were pres-
ent. A year later a man was apparently ordained by the same
presbytery without imposition of hands. On July 31st the presby-
tery proceeded to the 'admission' of Mr Alexander Hamilton
at a regular meeting. Mr Hamilton promised to 'shaw him self
obedient in all poyntes to the lawes of the generall, synodall
assemblies and presbyterie', to recognize the king's authority,
and to 'bind himself judicially not to transport from the Kirk
of Houstoun herefter for laik of moyen. And the said Mr Alex-
ander agreeing unto these conditiouns the brethren of the pres-
byterie gave unto him dexteras societatis.'

All of these cases appear to have been ordinations. There
is no evidence that any of these men had been previously or-
dained or had served in other benefices. Yet in no case was
the word 'ordination' actually used by a clerk of presbytery.
This practice was typical of early seventeenth century termi-
nology.

The Glasgow Assembly of 1610 ordered each bishop 'being
assisted be such of the Ministrie of the bounds quher he is

---

1 Paisley Presb. 31 July, 1606; Fasti, III, 139. There
is no evidence that Mr Hamilton had been previously ordained.
It was not usual for a presbytery to have an 'admission' of a
minister who was merely being 'transported' or moved from one
parish to another. Moreover, the language of the edict de-
ivered at Houston was typical of an ordination. The Presby-
tery had taken 'dew tryall and sufficient proffes...of the
literature, qualities, knowledge, pasturiall giftes and
utheris graces requisit in a minister of the treuth of God'
and they believed Mr Hamilton could 'proffitablie exerceis
the office of ane pastour within the Kirk of God'.
to serve, as he will assume to himself...to perfyte the hail act of ordinatioun'. 1 As has been seen some bishops did meet with presbyteries for the ordination of men in their parish churches. 2 Little is known about the form of service used between 1610 and 1635. James sent instructions in 1610 that ordination was to be by imposition of hands 'and to the end an uniform order may be kept in the admission of ministers, that a form thereof may be imprinted and precisely followed of every bishop'. 3 Row declared that after 1610 ordinations by bishops began 'in a new and uncouth forme'. 4 References to the English Ordinal appear around the end of the period but not in the years immediately after 1610. Copies of the Book of Common Order printed after 1610 continued to contain the old form for ordination, 5 and the form was well enough known in 1618 for Calderwood to appeal to it in his attack upon the Perth Articles. 6

Fortunately, a series of ordinations held by Archbishop Gladstanes between 1611 and 1614 were recorded in greater detail than was customary. Nine ordinations were held and all followed the same basic pattern. One of the first was the

1 B.U.K. III, 1096 (Calderwood, VII, 100).
2 See above, 88-91.
3 Spottiswood, History, III, 211.
4 Row, History, 302.

5 William Cowan, A Bibliography of the Book of Common Order, Nos 27 (1602), 31 (1611), 33 (1615), 53 (1633), 57 (1635).
6 Calderwood, VII, 330.
ordination of Mr Ninian Drummond to the Kirk of Kinnoull on 19 April, 1611.

The quhilk day the ryt reverend Father in God Georg, Archbishop of St Androis, and with his Lordship, Mr William Coupar, the Bishop of Dunblane, Mr Arthur Futhie [and three other ministers]...being convenit at the said kirk together with the gentlemen, elders, and deacons and parochinairs of Kinnoull for plantatioun of Mr Ninian Drummond in the ministrie thairof. After incalling of Godis holy name and exhortation maid be the said ryt reverend father, the edict for the effect forsaed wes giffen in execut upon the saboth preceeding.

No objections were made to the ordination.

And thairfor the said ryt reverend father proceidit to the plantatie foirsaid, posed the said Mr Ninian upon his consciens anent his sinceritie in entrie to the holy ministrie and constant resolution to glorifie God thairin with uther ordinair questiones, took his oath of obedience to the King his majestie and to his ordinar, And thairefter with prayer and imposition of handis of the said ryt reverend father and brethren of the ministrie abovenamed wes resavit and admitted to the ministrie of the said Kirk with power to preach the word, minister the sacraments and exercze the hall partes of the ministrie, ffinallie wes resavit be [eight]...eldaris in name of the hall parochinairs, and the brethren gaiff to him dextram societatis. Thanks giffen to God the meiting ceased.¹

Subsequent ordinations by the Archbishop sometimes used slightly different questions. At Kennoway a candidate was asked 'anent his sinceritie in the entrie to the holy ministrie,...soundnes in the professioun of the trew religioun as it is presentlie taucht and avowed in this kirk and kingdom of Scotland, with sum uther ordinair questiones'.² And ordinands were often admitted 'to the holy ministrie with power to preache the word,

¹ Fife Synod, 29.
² Fife Synod, 53.
minister the holy sacraments and exercise discipline'. 1

The service used by Archbishop Gladstanes was not taken simply from the Book of Common Order or the English Ordinal. In fact, the nearest Scottish parallel to these ordinations was the Scottish Ordinal of 1620.

The 1620 Ordinal seems to have been as little known in its own day as in our own. 2 The only contemporary reference is in a letter sent by Archbishop Laud to Bishop Wedderburn of Dunblane in 1636. 3 Only one copy of the Ordinal is known to exist. 4 It is likely, therefore, that the Scottish Ordinal was not itself widely used, and it probably had little influence in determining the tradition of Scottish ordinations. However, the reverse may well be true, for contemporary Scottish practice appears to have determined to a considerable extent the material which went into the 1620 Ordinal.

The 1620 FORME AND MANER OF ORDAINING MINISTERS was derived largely from the Book of Common Order and The Forme of Ordering of Priests in the English Ordinal. 5 The general

1 Fife Synod, 33, 37.

2 The Ordinal was reprinted in The Miscellany of the Wodrow Society, I, 597-615.

3 See below, 291-2.


5 The rites were briefly compared by W.M. McMillan, The Worship of the Scottish Reformed Church, 348-51, and more
structure of the rite followed that of the Book of Common Order.

<table>
<thead>
<tr>
<th>Book of Common Order</th>
<th>1620 Ordinal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Edict previously served</td>
<td>Edict served on previous Sunday</td>
</tr>
<tr>
<td>Sermon</td>
<td>Sermon</td>
</tr>
<tr>
<td>Challenge to congregation</td>
<td>Challenge to public</td>
</tr>
<tr>
<td>Questions to congregation</td>
<td>Oath of Supremacy</td>
</tr>
<tr>
<td>Questions to candidate</td>
<td>Exhortation</td>
</tr>
<tr>
<td>Questions to congregation</td>
<td>Questions to candidate</td>
</tr>
<tr>
<td>Prayer for candidate</td>
<td>Prayer for candidate</td>
</tr>
<tr>
<td>Our Father</td>
<td>Our Father</td>
</tr>
<tr>
<td></td>
<td>Laying on of hands (including material from Benediction of B.C.O.)</td>
</tr>
<tr>
<td>Right hand of fellowship</td>
<td>Delivery of Bible</td>
</tr>
<tr>
<td>Benediction</td>
<td>Right hand of fellowship</td>
</tr>
<tr>
<td>Final exhortation</td>
<td>Final exhortation</td>
</tr>
<tr>
<td>Psalm 23</td>
<td>Psalm 23</td>
</tr>
<tr>
<td></td>
<td>Prayer and Benediction</td>
</tr>
</tbody>
</table>

Moreover, important elements in the English rite were ignored recently by Leonel L. Mitchell, 'Episcopal Ordinations in the Church of Scotland, 1610-1688', 148-51. For a detailed comparison of the rites, see Appendix C.

1 The English structure for the Ordination of Priests is quite different: exhortation, collect for purity, epistle from Acts or Timothy, gospel from Matthew or John, Veni Creator, presentation, challenge to people, litany, collect, oath of supremacy, exhortation to candidates, questions to candidates, silent prayer, prayer, laying on of hands, delivery of Bible, creed, English communion service, final prayer (post-communion), blessing.
in 1620; the service was not set within the framework of the Holy Communion, and neither the Litany nor the Veni Creator was included. The latter half of the service (after questions to the candidate) was taken almost entirely from the Book of Common Order.

However, a number of important English elements were introduced, especially in the first half of the rite. In almost every case The Form of Ordering of Priests was preferred to The Forme and Manner of Ordering Deacons, and the compilers appear to have regarded Scottish ministers as the counterpart of English priests. The oath of supremacy, an exhortation to the candidate, and the questions asked of the candidate were all from the English book. In other words, the structure was basically that of the Book of Common Order with insertions of much material from English sources.

The preface to the Ordinal began with an appeal to Scottish reformation history — the edicts of the General Assembly of 1570 — and closed with the ambiguous statement that this form 'hereafter shall be observed by these that have power to ordaine or consecrate'. Thereafter material was taken from the English Prayer Book with a number of minor modifications, and from the Book of Common Order with little alteration.

1 The Veni Creator was in the Scottish Psalm Book.
2 The 'Address to the Nobility' from the Book of Common
Everywhere the English assumption that several men were to be ordained at the same time was altered to the more usual Scottish practice of ordaining men individually. Although the Ordinal did not require ordination of a man in his own parish church, its most natural use would be the ordering of an individual minister in the place where he was to serve. The word 'priest' was regularly changed to 'minister', and unpopular English congregational responses (such as the Litany) were not introduced. Short English collects were not retained in their collect form but were inserted into longer Scottish prayers. Even the manner of administration of the Oath of Supremacy was altered and the Scottish minister, unlike the English deacon or priest, did not give his oath upon 'the contents of this booke'. The episcopal 'we' was changed

---

1 'These persons' became 'this Brother'; 'the persons' became 'this person'; 'your selves' was altered to 'your selfe', etc. (Appendix C, 385, 386, 391.)

2 Thus, after the laying on of hands 'the Commissionars of the Church whereunto hee is admitted' were to 'take the admitted by the hand'. (Appendix C, 398.)

3 Appendix C, 386, 392. The word 'minister' was not, of course, unknown in the south, and the rubric 'There shall be an exhortation, declaring the duety and office of such as come to be admitted Ministers' comes at the beginning of the English Ordinal and (with a few changes) at the beginning of the Scottish Ordinal as well.

4 The English postcommunion collect was inserted into the long preordination prayer taken over from the Book of Common Order. (Appendix C, 396.)

5 The Scottish minister concluded his oath, 'So help mee God'. In England the form was 'So help mee God, and the
to a simpler 'I' in some cases, but not all;¹ and Scottish egalitarianism (as well as the language of the Book of Common Order) may well be reflected when both the Archdeacon and the Bishop address the ordinand as 'Brother'.²

In a number of cases minor alterations of language were made, mostly in the interests of a clearer, simpler, less stylized and formal text. 'Take heed that the persons' became simply 'Is this persone'.³ 'Of what dignitie, and of how great importance this office is (whereunto yee be called) became 'the dutie and office of him that is called';⁴ and 'Yee know the greatnesse of the fault, and also of the horrible punishment which will ensue' was reduced to 'The fault is great, and the punishment fearfull which shall ensue'.⁵ 'Yee perceive how studious ye ought to be in reading, and in learning the Scriptures' was put more directly in Scotland. 'Be diligent in reading and learning the Holy Scriptures.'⁶

The 1620 Ordinal can hardly be called a very original composition, but it may well have been typical of the general tradition of ordinations in Scotland between 1610 and 1635.

---

contents of this booke'. (Appendix C, 388.)

1 Appendix C, 389, 392.
2 Ibid. 385, 386, 387, 388, 395, 396.
3 Ibid. 386.
4 Ibid. 389.
5 Ibid. 389.
6 Ibid. 391.
There are some interesting parallels between the 1620 Ordinal and the ordinations held by Archbishop Gladstanes. The structure of the rite used by the Archbishop, insofar as it can be determined, was almost identical with the 1620 rite. An edict was served, often on the previous Sunday. The ordination began with prayers and a sermon. A challenge to the congregation was followed by the oath of supremacy and questions to the candidate. After prayers, the candidate was ordained with imposition of hands by the Archbishop and ministers present and was then received by his elders with the right hand of fellowship. The service concluded with a final thanksgiving.

The questions asked by Gladstanes varied somewhat from service to service and may have been extemporary ones. However, there was one striking parallel between the text used by Gladstanes and the 1620 Ordinal.†

<table>
<thead>
<tr>
<th>Archbishop Gladstanes</th>
<th>1620 Ordinal</th>
</tr>
</thead>
<tbody>
<tr>
<td>And wes with prayer and imposition of the handis of the said ryt reverend father and brethren of the ministrie admitted to the holy ministrie with power to preach the word, minister the holy sacraments, and exercise discipline.</td>
<td>The BISHOPE, with the MINISTERS that are present, shall lay their hands upon the head of him that is to be admitted ...and the BISHOPE shall say,— In the name of God...wee give unto thee power and authoritie to preach the Word of God, to minister his holie Sacraments, and exercise Discipline.</td>
</tr>
</tbody>
</table>

Subsequent ordinations by other bishops usually record only the use of prayers and imposition of hands. The evidence

† Fife Synod, 33; Appendix C, 397.
is meagre, but a tentative conclusion is that a general tradition was followed by Scottish bishops between 1610 and 1635. Prayer and the imposition of hands were universal. Although some prayers and questions may have been extemporary, the general structure of the rite was probably that of the Book of Common Order, perhaps with the insertion of some texts from the English Ordinal. The 1620 Ordinal was in this general tradition.

Near the end of the period, references to the English Ordinal are found. James Gordon, who wrote after the Restoration, declared that 'the Bishopps, whilst they gave Orders to Ministers, did use the English Service Booke'. The Large Declaration, which was printed in 1639, was more cautious in its judgement. 'The Bishops, or some of them never

---

1 The ordination of Mr William Row as assistant minister to his father at Forgandenny is the only known reference to the use of the Book of Common Order. Mr Row, the historian, wrote, 'Mr William Row younger was admitted his fellow-helper in the ministrie. Mr Alexander Lindesay, Bishop of Dunkel, professed two things, 1. He came there not as a bishop, but as a member of the presbyterie. 2. Should not ask a word but what was in the Psalme book, (meaning the Liturgie prefixed to the Psalme book usuallie,) and so he did' (Row, History, 326-7). However, Row's point was that the use of the Psalm Book at an ordination was a special and unusual concession. Bishop Lindsay was a moderate bishop who renounced episcopacy in 1638, and he probably made this concession because of the strong antiepiscopal beliefs of the minister of Forgandenny. An official record of this ordination is in the minutes of the Presbytery of Perth. The last reference in the minutes reported that Mr Row was ordained 'be Alexander, Bishop of Dunkeld (within quhaiis diocie the said kirk lyis) and the remanent bretherene that wes appoynteit to accompanye his Lordship and that the said Mr William Row wes plesantlie resavit be the saids parochioneris' (Perth Presb. 9, 23, 30 June, 1624).

2 J. Gordon, History of Scots Affairs, I, 6.
gave Orders...but they used the English Service-book.'

A new Scottish Ordinal was being considered in 1635 and may have been issued shortly thereafter. An ordinal was included in the manuscript liturgy produced in Scotland in 1635 and sent to Charles in April of that year. Although the contents of this draft liturgy are not precisely known, an ordinal was mentioned by Charles when he replied to the Scottish bishops in May. 'We have seen and approved of the Liturgie sent by yow to ws with the Book of Canons, [and] the forme and maner of making and consecrating of bishops, presbiteris and deacones...We recommend that all be furthwith printed.'

However, a year later the 1620 Scottish Ordinal was still being considered. In April, 1636 Archbishop Laud sent an important letter to James Wedderburn, the new Bishop of Dunblane.

By these last Letters of yours, I find that you are consecrated; God give you joy. And whereas you desire a Copy of our Booke of Ordination, I have heere sent you one. And I have acquainted his Majesty with the two great reasons that you give, why the Booke which you had in K. James his time is short and insufficent. At first, that the order of Deacons is

---

1 Large Declaration, 20, italics added. Although attributed to Charles, this work was probably written by Dr Balcanquahall, perhaps with the assistance of Archbishop Spottiswood and Bishop Maxwell (Baillie, Letters and Journals, I, 140, 175, 208).


3 'that you give' certainly implies that these criticisms of the Scottish Ordinal originated with the Bishop of Dunblane and not with Archbishop Laud.
made but as a Lay Office at least, as that Booke may be understood.¹ And secondly, that in the admission to Priesthood, the very essential words of conferring Orders are left out. At which, his Majesty was much troubled...[and] he hath commanded me to write, that either you doe admit of our booke of Ordination, or else that you amend your owne in these two grosse oversights...and then see the Booke reprinted.²

A Scottish Ordinal may have been printed in 1636. Row declared, 'In the yeare 1636, the Bishops caused print a Book of Ordination'.³ A new ordinal was also discussed at the Glasgow Assembly of 1638.

Then there was a large and learned Treatise red by these reverend brethren...descriyying the Idolatrie and Superstition of the Service book, the tyranny and usurpation of the Booke of Cannons and Ordination, and the unlawfulnes of the High Commission.

And in the discussion which followed, Mr Andrew Cant declared, 'I think that Booke of Ordination like the beast in the Revelation'.⁴ If an Ordinal was printed in 1636, no copy is known to exist.

Further evidence of the increasing influence of English practice can be seen in the ordination of at least one man as

---

¹ This is a surprising statement since there is no mention of the diaconate in the surviving 1620 Ordinal. Dr Sprott conjectured that a subsequent edition may have been issued with more definite provisions for the diaconate as an order of the sacred ministry (G.W. Sprott, Scottish Liturgies [1871], lviii).

² W. Prynne, Hidden Works of Darkness, 152-3, italics added. The last lines of this letter suggest that the English Ordinal had not even been tacitly accepted by the whole church and was not being universally used, although of course some bishops may have been using it by this time.

³ Row, History, 391.

a 'preaching deacon' in 1637. In that year Mr John Trotter became minister of Dirleton. A year later some of his parishioners registered a large bill of complaints against him, including the fact that he 'did befor his admission to that calling receave the ordour of a preaching deacon, quhilk office [was] never heard of in this kirk till of lait'. Mr Trotter replied that 'as for the receaving the ordour of deaconship, treuly I grant I did receave that ordour, bot presentlie efter the order of ane presbyter'. There may have been other cases. The 1638 Assembly took care to include 'Preaching-deacons' among those titles such as 'Abbots, Pryors, Deans, Arch-deacons' which were to be 'banished out of this reformed Kirk'.

Between 1610 and 1637 a bishop was invariably the presiding minister at an ordination, although other ministers, and sometimes a presbytery, normally assisted. Although it has often been asserted that presbyteries occasionally ordained ministers by themselves, evidence for such ordinations is singularly slight. In some cases an ordination has been confused with an institution. Other exceptions have assumed

1 Haddington Presb. 18 April, 2 May, 1638.
2 A. Peterkin, Records of the Kirk, 37.
3 Thus, Mr William Forbes was not ordained 'to one of the town charges of Aberdeen by the laying-on of the hands of three ministers' in 1616 (W.G.S. Snow, Patrick Forbes, 156). Forbes was minister of Alford in 1614 and was moved to Monymusk in 1615. The General Assembly of 1616 'transportis' Mr Forbes to Aberdeen and in October two ministers 'admittit and resaued Mr. Willeame Forbes, minister at Monymusk, one of the ordinar ministeris of this burgh...with full and vniforme
that a man who refused to take an oath of conformity to obey the Perth Articles was therefore ordained only by a presbytery.

The two best known examples of men who may have been nonepiscopally ordained were John Forbes of Corse and Samuel Rutherford of Anwoth. John Forbes has often been said to have been 'ordained by a Dutch presbytery' in 1619. Dr Henderson has examined the evidence in some detail and concluded that 'what precisely happened is not completely evident, but certainly this statement is wrong'. His conclusion is based mainly on the facts that two of the five 'ordaining' presbyters consent and applause of the haill congregatioun, and with earnest prayeris to God for a blessing on his travellis, and with all vther solemnitie requisitt' (Selections from the Ecclesiastical Records of Aberdeen, 85; Fasti, VI, 118, 175).

1 Thus we do not 'read of ministers being admitted to their office without any semblance of episcopal ordination' (W.G.S. Snow, Patrick Forbes, 156). This assertion is based on a statement by John Livingston who attempted to secure the parish of Torphichen in 1626. 'But Mr John Spotswood, the pretended Bishop of St Andrews, stopped all because of my unconformity; and when the Earle of Lithgow, and Lord Tarphichen, and some others, dealt with him upon my behalf, for even at that time some few by moyen were suffered to enter the ministrie without conformity, he pretended that, notwithstanding of my unconformity, he should not hinder my entrance in some other place' (Wodrow, Select Biographies, I, 136, italics added). After 1618 'conformity' was a common term and always referred to conformity to the Perth Articles. Some men were ordained without taking an oath of conformity, especially in the early years of the reign of Charles I; and Charles found it necessary to threaten bishops with deposition if they continued to ordain men without first requiring a 'band of conformity' (Balfour, Works, II, 143-4). There is no evidence of any connection between refusal to take an oath of conformity and ordination by a presbytery.
were not members of the Presbytery of Walcherin, nor is there any evidence in the minutes of that presbytery of any ordination of Mr Forbes'.\(^1\) Samuel Rutherford is also said to have been 'ordained according to the Presbyterian form to the parish of Anworth'.\(^2\) This conclusion is based upon a statement by the editor of Mr Rutherford's Letters written in 1664.

Of his being called thence to the Ministry in Anworth (to which charge he entered, by the means of that worthy Noble-man my Lord Kenmur, without giving any engagement to the Bishop) where he laboured night & day with great success.\(^3\)

The term 'engagement' was not in common use in 1627. This statement may mean that Rutherford was ordained by the Presbytery of Kirkcudbright, but it more probably means that Rutherford was one of several ministers who were admitted after 1625 without giving an oath of obedience to his bishop that he would conform to the Perth Articles.\(^4\) In any case, the evidence that either of these men received nonepiscopal ordination is hardly conclusive.

Ordinations by presbyteries did begin in 1638. On April 11th the Presbytery of Haddington ordained Mr Robert Ker at Prestonpans. 'By impositione of hands of the presbiterie and

---

1 G.D. Henderson, 'The Ordination of John Forbes of Corse', 33-5.

2 W.G.S. Snow, Patrick Forbes, 156; Historical Papers of the Christian Unity Association, 139.

3 S. Rutherford, Joshua Redivius, or Mr Rutherford's Letters, Preface, B2.

4 Cf. William Row's statement that Mr Rutherford was confined in Aberdeen for his book against Arminianism and his 'want of conformitie' (Row, History, 396).
earnest prayer to God, he was admitted to the ministerie thair. ¹ Two weeks later the Presbytery of Kirkcaldy ordained Mr George Gillespie. Although Archbishop Spottiswood 'had refused both by word and wreate ever to admitt the said George unless he gave ane oath', yet the Presbytery 'having the power of ordination and admission jure divino...admitted and ordained the said Mr Georg Gillespie...according to the forme of admission set downe befoir the Psalm Book'. ² And in May, 1638 the minister of Lanark requested his Presbytery 'to give ordination to Mr Thomas Vassie, expectant' as his assistant. The Presbytery agreed and 'ordanes that without more delay he sall receive imposition of handes from the presbyterie'. ³ These ordinations were part of the growing revolt against episcopal authority in 1638, but there is little evidence that similar ordinations took place between 1610 and 1637.

Following his ordination, a minister received collation, either from a presbytery before 1610 or from his bishop after that date. He was then instituted into his parish, usually by one or two members of his presbytery. In 1609 a member of the Presbytery of Jedburgh reported 'that he had given institution to Mr Thomas Thompsoun upon his presentation to the kirk as wes ordaineit and that the people of Hopkirk had verie lovinglie imbraced the said Mr Thomas'. ⁴ A collation granted by the

---

¹ Haddington Presb. 11 April, 1638.
² Kirkcaldy Presb. 130.
³ Lanark Presb. 31 May, 1638.
⁴ Jedburgh Presb. 3 May, 1609.
Bishop of Moray in 1615 to a new minister at Farnua required the moderator of the Presbytery of Inverness to go to the parish kirk on Sunday and 'enter him to the reall possession of the saids personage and viccarage...be delyvering the bulk of God in his hands'.

One of the more significant facts about the ministers of the church is that their number was increasing. In 1596 an Assembly declared that there were still 'above foure hundreth paroch kirks destitute of the ministrie of the word' and this figure did not include vacancies in Argyll and the Isles. If this is an accurate report, the reformed Church of Scotland was served by not more than five hundred ministers in 1596 with only readers in other parishes. However, the brethren may have underestimated their own strength. According to the Register of Assignation and Modification of Stipends, which does not include ministers in Argyll or the Isles, five hundred and thirty-nine ministers received stipends in 1596. By 1601 the total had risen to six hundred and three.

An Assembly in 1608 still complained about 'the want of Preachers in many congregations in this land', but its report showed that some progress had been made. 'In ane province

---

1 Bught Papers, D/2 (30 Nov. 1615 [23 Feb. 1682]). This collation contains a good summary of the entire process of admission. See Appendix D.

2 B.U.K. III, 876 (Calderwood, V, 416).

3 These figures were compiled from the Register of Assignation and Modification of Stipends, 1596-7, 1599-1601.
thretie ane Kirks are to be found vakand, and in vthers some 17 as in Nithesdaill, and in vthers 28 as in Annerdaill, and sicklyke throughout many vther parts of this land.¹ In 1610 Patrick Forbes of Corse wrote to James that he lived in 'pairtes wheir, within the precinct of two Presbiteries at leist, twentie and one churches lay vnplaunted'.² The same year the General Assembly declared that 'through sundrie parts within this realme, as well in the highlands and borders, as in the mid countr...there be many Kirks lying destitute of a Pastor'.³

However, subsequent assemblies did not renew complaints about large numbers of vacant parishes, although they did continue to demand better stipends for ministers.⁴ Annandale and Nithsdale, which in 1596 had been described as 'destitute of Pastors',⁵ had progressed sufficiently to have three new presbyteries erected around 1625.⁶ Ministers were settled at Ruthwell (1605), Kirkbean (1609), Kirkpatrick-Juxta (1612), Dornock (1612), Dryfesdale (1612), Hutton and Corrie (1615), Johnstone (1615), Mouswald (1615), Middlebie (1615), and New Abbey (1618).⁷

¹ B.U.K. III, 1053 (Calderwood, VI, 765).
² O.L. I, 227.
³ B.U.K. III, 1101 (Calderwood, VIII, 83).
⁴ B.U.K. III, 1125 (Calderwood, VIII, 102).
⁵ B.U.K. III, 862.
⁶ Penpont, Lochmaben, and Middlebie (Annan). See above, 165.
⁷ Fasti, II, 254, 277, 211, 244, 203, 205, 207, 218, 252, 293.
In 1621 Archbishop Spottiswood referred in a letter to the 'nyn hundreth or thair about of Ministeris' in Scotland,\(^1\) and it would appear that by the death of James VI the ministry of word, sacraments, and discipline under qualified and reformed ministers was to be found generally throughout the parishes of Scotland.

During the early seventeenth century ministers continued to be admitted to their benefices by an ordered and lengthy process. After 1610 this included an ordination at which a bishop was invariably the chief minister. No church and no process of admission has ever been able to exclude all unqualified and unworthy ministers. However, by 1638 the ministry of the reformed Church of Scotland was certainly larger in number and probably included a higher proportion of men who had been trained in arts and divinity than at any time in the sixteenth century. That which had seemed only an ideal in 1560 had in some measure been realized.

\(^1\) O.L. II, 644.
Chapter Seven
PROVISION FOR THE MINISTRY

A parish ministry established throughout the country depended to a considerable degree upon the provision of a regular and sufficient stipend or other income. An Assembly in 1616 declared that 'the laik of competent maintenance to Ministers is the cheefe cause' of the evils facing the church.¹ Not all churchmen took such a completely economic view of the church's problems, but few would deny the importance of a satisfactory financial settlement. Both Books of Discipline had much to say on the subject, and many General Assemblies urged the establishment of a 'constant platt'.² An Assembly in 1596 was probably not exaggerating when it declared 'that in many places of the country, for lack of provision of sufficient stipends for provision of Pastours, the peiple lyis altogether ignorant of their salvatioun'.³ At Lenzie in 1596 the stipend was 'fourtie aucht lib. with the vicarage worth tuentie merkis'. Two years later the Presbytery of Glasgow 'fund that the parochin of Leinyae is dissolut and gevin to all kind of impietie, for laik of exercise of the word of God...and of all gud ordour

¹ B.U.K. III, 1125 (Calderwood, VIII, 102).
³ B.U.K. III, 876 (Calderwood, V, 416).
in discipline'. Shortly thereafter the Presbytery wrote 'the Abbot of Cambuskynett...schawing to him that for laik of stipend their is apperandlie na service to be maid in the ministerie at the kirk of Leinyae...for it is ane miserabill congregatioun at this present'.

By 1600 a cumbersome but workable system of stipends had developed. A minister usually received income from several different sources: the vicarage of his parish, perhaps the parsonage, an assignation from the thirds, and perhaps a pension or chaplaincy. The minister of Pittenweem drew a stipend from the Priory of Pittenweem, the Priory of St Andrews, the Bishopric of St Andrews and the Abbey of Jedburgh; and the minister of Kilconquhar received a much smaller stipend from the Priory of North Berwick and the Bishopric of St Andrews.

Not all stipends were inadequate. About five hundred merks would have been a very satisfactory minimum stipend in 1600. The stipends assigned in three areas in 1601 give some indication of the income to which ministers were entitled at the beginning of the century.

2 For the history of stipends before 1600, see Gordon Donaldson, Accounts of the Collectors of Thirds of Benefices; Scottish Reformation, 63-4, 93-5; R.P.C. (Second Series), I, cvii-clxxvi.
3 Reg. Assig. Stipends, 1601, Pittenweem, Kilconquhar (St Andrews).
### Deer

<table>
<thead>
<tr>
<th>Place</th>
<th>Owner</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deer</td>
<td>Mr Abraham Sibbald</td>
<td>500 m</td>
</tr>
<tr>
<td>Peterhead</td>
<td>Mr Thomas Bissett</td>
<td>460 m</td>
</tr>
<tr>
<td>Rathven</td>
<td>Mr Duncan Davidson</td>
<td>250 m</td>
</tr>
<tr>
<td>Cruden</td>
<td>Mr David Rattray</td>
<td>226 m</td>
</tr>
<tr>
<td>Aberdour</td>
<td>David Howeson</td>
<td>220 m</td>
</tr>
<tr>
<td>Ellon</td>
<td>Mr John Heriot</td>
<td>195 m</td>
</tr>
<tr>
<td>Crimond</td>
<td>Mr John Gordon</td>
<td>150 m</td>
</tr>
<tr>
<td>Fraserburgh</td>
<td>Mr Charles Ferme</td>
<td>130 m</td>
</tr>
<tr>
<td>Slains</td>
<td>Mr Alexander Bruce</td>
<td>120 m</td>
</tr>
<tr>
<td>Tyrie</td>
<td>Mr John Howeson</td>
<td>90 m</td>
</tr>
<tr>
<td>St Fergus</td>
<td>Mr David Robertson</td>
<td>60 m</td>
</tr>
</tbody>
</table>

### St Andrews

<table>
<thead>
<tr>
<th>Place</th>
<th>Owner</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pittenweem</td>
<td>Mr Nicol Dalgleish</td>
<td>1822 m</td>
</tr>
<tr>
<td>St Andrews</td>
<td>Mr George Gladstanes</td>
<td>1150 m</td>
</tr>
<tr>
<td>Dunino</td>
<td>Mr William Erskine</td>
<td>800 m</td>
</tr>
<tr>
<td>Abercrombie</td>
<td>Mr Alexander Forsyth</td>
<td>738 m</td>
</tr>
<tr>
<td>Kilrenny</td>
<td>Mr James Melville</td>
<td>690 m</td>
</tr>
<tr>
<td>Anstruther</td>
<td>Mr Robert Durie</td>
<td>675 m</td>
</tr>
<tr>
<td>Newburne</td>
<td>Mr John Carmichael</td>
<td>653 m</td>
</tr>
<tr>
<td>Forgan</td>
<td>Mr William Marche</td>
<td>650 m</td>
</tr>
<tr>
<td>Crail</td>
<td>Mr Andrew Duncan</td>
<td>550 m</td>
</tr>
<tr>
<td>St Andrews</td>
<td>Mr David Lindsay</td>
<td>500 m</td>
</tr>
<tr>
<td>Carnbee</td>
<td>Mr David Mearns</td>
<td>313 m</td>
</tr>
<tr>
<td>Kilconquhar</td>
<td>Mr John Rutherford</td>
<td>285 m</td>
</tr>
<tr>
<td>St Leonards</td>
<td>Mr Robert Wilkie</td>
<td>200 m</td>
</tr>
<tr>
<td>Largo</td>
<td>Mr John Auchenleck</td>
<td>91 m</td>
</tr>
</tbody>
</table>

### Paisley

<table>
<thead>
<tr>
<th>Place</th>
<th>Owner</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Renfrew</td>
<td>Mr John Hay</td>
<td>1990 m</td>
</tr>
<tr>
<td>Paisley</td>
<td>Mr Andrew Knox</td>
<td>900 m</td>
</tr>
<tr>
<td>Killellan</td>
<td>Mr George Sempill</td>
<td>460 m</td>
</tr>
<tr>
<td>Mearns</td>
<td>George Maxwell</td>
<td>420 m</td>
</tr>
<tr>
<td>Kilmacolm</td>
<td>Mr Daniel Cunningham</td>
<td>416 m</td>
</tr>
</tbody>
</table>
St Andrews was an old and strong centre of the reformed Church. Ten out of fourteen ministers were assigned a stipend of five hundred merks or more. In Paisley only two stipends exceeded five hundred merks, although over half of the stipends reached four hundred merks. In Deer, on the other hand, nine out of eleven stipends were two hundred and fifty merks or less. Clearly, the immediate problem was the need to increase low stipends in some parishes, as well as to provide adequate stipends for parishes which were as yet 'unplanted'.

In 1596 James declared that it was 'our good will to have all the kirks of Scotland plantit with Ministers, and sufficient livings appointit to them...Therfor we thought good to sett fordwart ane ordour for locall stipends, founded upon this ground, that all the kirks of Scotland could have Ministers, and all Ministers stipends within their awin paroches, of sick valour as...might be obtainit from the taksmen of teinds, present possessours of the said rent'. And he added:

We and our Counsell is most willing that the haill kirks be plantit, and the rents of the Ministers augmentit, so farre as lawfullie may be obtainit with consent of our Nobilitie, and vthers taksmen
of teinds, whose rights, but [i.e. without] ordour of law, We cannot impare."

James was not dissembling; his subsequent policies showed that this was an honest statement of his intentions. He was prepared to support the augmentation of low stipends, provided this did not mean ignoring the legal rights of the nobility and other tacksmen, and thereby alienating them.

The first significant step was taken in 1606. The same parliament which erected many abbeys into temporal lordships and which restored the temporalities of bishoprics also approved the appointment of a commission of bishops, ministers, and noblemen 'to set down and conclude ane sufficient and reasonable stipend for the minister of ilk kirk that salbe conteined in any of the creations quhilk salbe past in this present Parliament'. Moreover, the erections were not to pass the seals until 'the Ministeris sufficient and competent sti-pends be first modefeit decernit and declarit'. In spite of initial opposition in the Articles, the act was approved. ²

Meetings were held by these commissioners in subsequent years,³ and bishops vigorously maintained their right to an equal voice with laymen on the commission lest they should be forced 'to content so mony Churchis with a smal provisioun

---

1 B.U.K. III, 867-8 (Calderwood, V, 412-3).
2 R.P.C. VII, 222-3; A.P.S. IV, 299-300.
to every [one] of them'. 1

One hundred and thirty-three parishes are known to have had stipends assigned 'secundum modificationem dominorum commissionariorum', 2 and these stipends were cited in subsequent presentations. 3 The commissioners did not always raise low stipends, but a number were given substantial increases. At Ellon the stipend was raised from 195 merks to 550 merks, 4 at Clackmannan from 150 merks to 550 merks, 5 at Lenzie from 253 merks to 600 merks, 6 at Lauder from 338 merks to 600 merks, 7 at Pettinain from 150 merks to 300 merks, 8 at Carlyle from 132 merks to 600 merks, 9 at Tranent from 195 merks to 500 merks, 10 and at Eckford from 300 merks to 500 merks. 11

Not all stipends assigned by the commissioners were as high as these. Parliament set no minimum stipend, and some were left at a low figure. Some indication of the scope of

4 Reg. Assig. Stipends, Deer, 1601; R.M.S. VI, 2074.
5 Reg. Assig. Stipends, Stirling, 1601; R.M.S. VII, 1222.
the stipends assigned by the commissioners can be seen in the following table:

<table>
<thead>
<tr>
<th>Stipends assigned to parishes annexed to erected abbeys</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 150 merks</td>
</tr>
<tr>
<td>150 m. to 299 m.</td>
</tr>
<tr>
<td>300 m. to 399 m.</td>
</tr>
<tr>
<td>400 m. to 499 m.</td>
</tr>
<tr>
<td>500 m. to 599 m.</td>
</tr>
<tr>
<td>600 m. to 699 m.</td>
</tr>
<tr>
<td>700 m. and over</td>
</tr>
<tr>
<td>Total</td>
</tr>
<tr>
<td>3</td>
</tr>
<tr>
<td>33</td>
</tr>
<tr>
<td>16</td>
</tr>
<tr>
<td>19</td>
</tr>
<tr>
<td>33</td>
</tr>
<tr>
<td>19</td>
</tr>
<tr>
<td>11</td>
</tr>
<tr>
<td>133</td>
</tr>
</tbody>
</table>

Sixty-two of these parishes, or 46% of the total were assigned 500 merks or more. Thirty-six of them, or 27% could expect less than 300 merks.

To assign a stipend to a parish did not necessarily mean that a minister would receive the total amount assigned. Stipends were a matter for endless litigation, as can be seen in almost any volume of the Acts and Decrees of the Court of Session. Between February and July, 1612 the Court of Session heard nine cases involving unpaid stipends. In one case the son of a deceased minister sought to recover stipends due his father, and in two cases augmentations granted by the 1606 commissioners were in dispute. Moreover, the testaments of many

1 These figures were compiled from the charters of erections referred to above.

2 Register of the Acts and Decrees of the Court of Session, CCLXXII, 21, 83-4, 84-5, 90-1, 120-1, 152-3, 188-9, 238-9, 245-6.
ministers record large amounts of unpaid stipends and reveal the universal difficulty of collecting stipends. However, to assign a stipend was a first step, and the work of the commissioners appointed in 1606 must have helped to improve the income of a number of ministers.

The 1606 commissioners could only assign stipends to a limited group of parishes, nor were they required to establish any minimum figure. After 1610 some individual stipends were raised by those who possessed the teinds, and the 'bishopis and lords of platt' continued to meet in an effort to improve stipends. However, the commissioners had no authority to raise stipends which did not fall under the provisions of the 1606 act, and when they attempted to do so at Udny in 1615, they were forced to acknowledge that 'be thair trave-ells the minister or his provisoun wes litill or nathing betterit'.

By 1616 the question of adequate stipends was again being debated. At James' request, the Assembly at Aberdeen appointed a large commission to consider 'the lack of the competent manteinance to Ministers'. When Parliament assembled the

---

1 See below, Appendix F.
2 In 1613 the Earl of Mar raised a minister's stipend 'out of pitie and for a support to him' (Airlie Muniments, 4/35). In 1614 the Earl of Kinghorn raised a tack of the teinds of Belhelvie from 260 merks to 500 merks (Dalhousie Muniments, 13/33, 14/2392).
3 Ellon Presb. 8 May, 1616.
4 Ibid.
next year, there was much debate over the 'choosing of the Lords of the Articles. The noblemen...feared a prejudice to their estate, and namelie, touching the dissolution of the erectiouns, and of the right they had to the tythes.'\textsuperscript{1} However, James had no intention of alienating the nobility by challenging 'the right they had to the tythes', and the act passed by Parliament 'anent the Plantatioun of Kirkis'\textsuperscript{2} illustrated once again the government's skill at finding a compromise solution. The Act authorized a commission whose powers lasted for a year. The commission was composed of the chancellor and thirty-two members: bishops, noblemen, barons, and commissioners from burghs. They were allowed to consider any parish whose stipend was less than 500 merks and to assign a stipend from the teinds of the parish of not less than 500 nor more than 1000 merks. Tacksmen and others who possessed the teinds were not only confirmed in their tacks; but 're-soun and equitie' demanded that further recompence 'suld be made to the takismen', and extension of tacks 'efer the ex-pyring of the present takis' was authorized.

The commission was soon at work, hearing cases and issuing decrees. The exact number of decrees issued is unknown, but the number must have been considerable. Copies of thirty-two complete decrees are extant, and there are many references

\begin{footnotes}
\item[1] Calderwood, VII, 250.
\end{footnotes}
in these decrees to other actions of the commissioners. Usually a stipend of 500 to 600 merks was assigned, and a long extension was added to the existing tack. In many cases, the assigned stipend was a considerable increase over previous stipends. Thus Anwoth, which in 1601 was assigned a stipend of 163 merks, was now given a stipend of 520 merks, and the tacks were extended for ninety-five years. In 1601 the minister of Stow could expect 226 merks. In 1618 this figure was raised to 600 merks, and the tacks were extended for seventy-three years.

Other evidence of the work of the 1617 commissioners can be found in burgh records. On 10 December, 1617 the Council of Edinburgh sent four commissioners to meet with 'the commissioneris appoyntit in parliament to tak ordour with modeficatone of ministeris stipendis'. A week later the Council 'consentis that the stipend of the ministeris serving the cure at the Kirk of Currie salbe in all tyme cuming the soume of sex hundreth merks...conforme to the act of the commissioneris appoyntit be his Majestie'. Later the Council raised the stipend of Mr William Black, minister at Dumbarry, Pottie and Moncrieff from 400 merks (and vicarage) to 570 merks (and vicarage) by virtue

---

1 Appendix E. In addition to thirty-two complete decrees, a number of decrees are extant which deal with only a portion of the teinds of a parish and appoint a partial stipend. These decrees often refer to other decrees (now lost) for the remaining teinds. In addition, decrees which were revised by the Commission on Teinds after 1627 have disappeared from the extant records of the 1617 Commission (Connell, Tithes, I, 346n.).
of an agreement between the 'commissioners appointed for the modification of ministers' stipends' and the 'provost, bailies and council'.

Nor was it true that only ministers who favoured episcopacy received augmentations. One staunch opponent of episcopacy was Mr William Row, minister of Forgandenny. He had signed a protest against episcopacy in 1606 and the following year was imprisoned in Blackness Castle for his opposition to 'constant moderators'. Later he was warded in his parish, and even after his release in 1614 he refused to attend meetings of the Presbytery of Perth, presumably because Bishop Lindsay was moderator.

According to a report in 1627, the stipend at Forgandenny was '40 bolls, 1 firlot victual...together with the soume of 500 lib. assignit to the Minister be the Lordis Commissioneris in anno 1618 yeiris'. In other words the augmented stipend at Forgandenny was just over 1000 merks.

As with many compromises, none of the parties were completely satisfied with the decisions of the commissioners. Archbishop Spottiswood complained of the extensions of tacks whereby the church was 'more damnified than bettered'.

---


3 Reports on the State of Certain Parishes in Scotland, 166–7. After 1624 this stipend had to support two ministers, Mr Row and his son.

4 Spottiswood, History, III, 252.
However, James was not prepared to ignore the legal rights of tacksmen, and several Assemblies had proposed an extension of tacks as the best solution of a difficult problem.  

Calderwood accused the commissioners of uniting benefices 'to the number of two hundredth or thereby' and added that bishops were bribed to gain their consent. In the extant decrees of 1618 some parishes, such as Logie and Coldstone (Aberdeenshire) were united. However, if the commissioners did unite two hundred benefices, they must have issued a remarkable number of decrees. The proposal to provide a satisfactory stipend by the union of benefices was not new. Both Books of Discipline had recommended the practice, and an Assembly in 1581 actually proposed a drastic series of unions which would have left only six hundred parishes in Scotland outside of Argyle and the Isles.

1 B.U.K. III, 940-1, 983, 1026 (Calderwood, V, 687-8, VI, 178, 612).

2 Calderwood, VII, 302-3.

3 Reg. Dec. Teinds, I (1), 10. A stipend of 650 merks was assigned to the combined parish. Temple was also united to Clerkington and Moorfoot in 1618. A stipend of 550 merks was assigned to the 'thrie united paroches' (Reports on the State of Certain Parishes in Scotland, 93-4).

4 J. Knox, History of the Reformation (Dickinson), II, 310; B.U.K. II, 508 (Calderwood, III, 550). The recommendation of the Convention at Linlithgow in 1606 was an old one. 'Where kirks are near adjacent, and either mean in number or provision, then the Parliament shall unite two in one, and provide for them' (B.U.K. III, 1026 [Calderwood, VII, 612]).

5 B.U.K. II, 480 (Calderwood, III, 520).
No comprehensive settlement was intended or achieved by the 1617 commission, but its achievements did not go unnoticed in England. In 1628 Sir Benjamin Rudyerd reminded the English Parliament that many English vicars received only £5 a year, while James had settled ministers 'through all Scotland, the Highland and the Borders' with stipends of £30 stirling (540 merks).¹

A second commission was authorized by parliament in 1621.² No minimum or maximum stipend was specified. Little is known about the work of this commission, although some of its decrees were in existence in 1830.³ In 1622 the Synod of Fife ordered ministers who did not yet have 'local stipends, according to the rate of the lait platt' to appear before the commissioners at a meeting in November.⁴ The Presbytery of Jedburgh sent commissioners that year to appear 'befoir the Lords off the plat'.⁵ Probably both commissions issued similar decrees, although the second one was not required to establish a minimum stipend of 500 merks and probably did not do so in some cases.

At James' death in 1625 much progress had already been made toward providing satisfactory minimum stipends for ministers. No comprehensive settlement was attempted, but many

---


² A.P.S. IV, 605-9.


⁴ Fife Synod, 251.

⁵ Jedburgh Presb. 8 May, 12 June, 1622.
individual stipends had been raised substantially. Presbytery records show a striking contrast between the frequent complaints made about inadequate stipends before 1610 and the virtual disappearance of those complaints by 1625.

Shortly after his accession Charles issued his first Act of Revocation. This was the first of a series of acts, proclamations, letters, and eventually acts of parliament by which Charles sought to carry through a comprehensive reorganization of ecclesiastical finance. Although Charles' legislation had little real effect upon temporalities or ecclesiastical lands which had passed into the hands of the nobility, his scheme did establish machinery for the valuation and commutation of teinds and for the provision of adequate stipends from teinds which endured to the twentieth century. Probably no government could have carried through this comprehensive plan without alienating powerful groups, but the king's secretiveness and emphasis upon principle tended to increase opposition. Sir James Balfour's explanation of the 1638 Revolution was probably too simple, but he believed that the Act of Revocation 'was the ground stone of all the mischeiffe that followed after, bothe to this Kinges gouernment and family'.

A study of Charles' complex legislation which affected the income of farmers, tacksmen, and lords of erection, as well as ministers is beyond the scope of this work. The immediate

1 Source Book of Scottish History, III, 66-77.
2 Balfour, Works, II, 128.
question is the effect of this legislation upon the stipends of ministers. ¹

In February, 1627 a Commission on Teinds was appointed by Charles. ² Among its other duties the Commission was to provide 'ministers with sufficient local stipendes and fies'. The next month the Commissioners ordered 'the lowest minister's stipend to be eight chalders of victuall, or proportional in silver duties', that is 800 merks. ³ Between 1630 and 1633 the commissioners did assign stipends to a few parishes. However, they appear to have been uncertain of their competence over stipends, and some augmentations were not to go into effect until 'ratified in parliament'. ⁴ Until the Parliament of 1633 neither the bishops nor the clergy were at all certain they would benefit from Charles' scheme. In 1627 the bishops wrote Charles 'shewing that quhat was intendit be his Maiesty for a helpe to the churche, was lykly to prove the utter undowing therof'. The king assured them that 'his will was and is, that churches allredey not sufficiently provydit, be suppleid'. ⁵

In 1630 the Synod of Fife 'with one comoun voice, did heavelie regrait the apparant detriment and hurt quhilk is liklie to

¹ Much of this discussion is based upon Sir John Connell's study of Tithes, I, Book IV, Chapter One. Many important documents are printed in the Appendix to this work.

² R.P.C. (Second Series), I, 509-16.

³ Connell, Tithes, II, Appendix, 78.

⁴ Ibid. I, 339-44.

⁵ Balfour, Works, II, 156.
cum upon the estait of the Kirk, by occasion of the present
cours of valuation of the gryt and small tythes quhilk is in
hand!.

Parliament confirmed Charles' ecclesiastical acts in
1633. A new set of commissioners were appointed and were au-
thorized 'eftir the closing and allowance of ilk kirk and par-
occhin of the valuatione thairof, to appoint, modifie, and sett
downe a constant and locall stipend and maintenance to ilk min-
ister, to be payit our of the teinds of ilk parochine'! Par-
liament also approved the action of the commissioners in 1627
'whairby it is fund meit and expedient that the lowest propor-
tione for maintenance of ministers sail be aucht chalder of
victual or aucht hundreth markes proportionallie except such
particular kirks occure whairin thair sail be a just, reason-
able and expedient caus to goe beneath the forsaid quantitie'.

No maximum stipend was imposed.

Between 1634 and 1636 the commissioners augmented a number
of stipends. Eighteenth century copies of twenty-seven decrees
are extant, and in these some considerable augmentations were
made. Thus a stipend at Cockburnspath of 900 merks was aug-
mented by 150 merks, and a stipend at Eccles of 800 merks was

1 Fife Synod, 318-9.
3 A summary of their contents is in Connell, Tithe, II,
Appendix, 279-80. One original decree in 1634 raised the sti-
pend of the minister of Arbirlot from 600 m. to 700 m. (Dal-
housie Muniments, 13/3).
increased to 1000 merks. Stipends could be augmented only 'eftir the...valuatione' of local teinds, and the teinds in many parishes had not been valued by 1636. However, Charles' legislation achieved two objects. In some parishes augmentations of stipends were actually made. More important, Charles provided machinery whereby the whole of the teinds was potentially available for the use of the church. Charles' plan was essentially that of the first Book of Discipline which implicitly recognized that monastic lands were permanently alienated from the church, but demanded the whole of the spirituality for the use of the church. That reform of ecclesiastical finance which in England did not begin until the nineteenth century had in Scotland started two centuries earlier.

As has been seen, stipends were not always easy to collect. To augment a stipend did not mean that a minister would necessarily receive that augmentation. In 1630 the Synod of Moray asked the minister of Inverkeithney why he 'did not yeirlie exact his stipend as it was modified by the Lords of the Platt'. The minister 'answered that he had givin a Band to the Laird of Frendrocht that he suld seik no moir of him then he hed befoir'. Assignments of stipends must be used with caution in attempting to assess the actual income of ministers, and testaments left by ministers are probably a more accurate

2 Gordon Donaldson, Scottish Reformation, 95.
3 Moray Synod, 36.
index of their real income. The testaments of eighty-one ministers who died between 1600 and 1638 were filed in the Commissariat Courts of Edinburgh, Brechin, and Dunblane.\footnote{1} The average figures for each of the first four decades show a clear upward trend.

<table>
<thead>
<tr>
<th>Total number of testaments</th>
<th>Average value of movables</th>
<th>Average net assets</th>
</tr>
</thead>
<tbody>
<tr>
<td>1600 - 1609</td>
<td>£282</td>
<td>£1244</td>
</tr>
<tr>
<td>1610 - 1619</td>
<td>£271</td>
<td>£1529</td>
</tr>
<tr>
<td>1620 - 1629</td>
<td>£751</td>
<td>£3777</td>
</tr>
<tr>
<td>1630 - 1638</td>
<td>£597</td>
<td>£2160</td>
</tr>
</tbody>
</table>

In these testaments the value of movables left by ministers had doubled between 1600 and 1638. Both testaments and stipends indicate that the income of ministers was rising. Moreover, this increase represented a genuine advance in the prosperity of the clergy, for the inflationary movement of the late sixteenth century was beginning to subside by 1600 and prices remained relatively stable thereafter.\footnote{2}

The largest testaments were left by the ministers of Edinburgh, whose wealth often exceeded that of bishops. Mr Patrick Galloway, a prominent minister in Edinburgh, left net assets of

\footnote{1 See Appendix F. For testaments left by ministers in Shetland, see Gordon Donaldson, \textit{Shetland Life under Earl Patrick}, 82-3.}

\footnote{2 'Much of the upsurge of Scottish prices took place in the last quarter of the sixteenth century...But by about 1600 the upward rush was slackening, so that, for the last twenty-five years of James VI's reign, the overall rise was everywhere slight and, for some commodities, negligible' (S.G.E. Lythe, \textit{The Economy of Scotland}, 110).}
almost £11,000 including a library worth 4,000 merks and four thousand merks 'in reddie money'. 1 Mr William Struthers, the Dean of Edinburgh who died in 1633, left an estate of almost £16,000. He bequeathed 6,000 merks for the support of four 'students in divinitie be the space of four yeires'. 2

Outside of the major burghs a minister often had much of his wealth in victuals and livestock. Mr George Inglis, minister at Bathgate from 1575 to 1617, left in his estate 'tua naigis...thrie meirs...fyve oxin...seven ky [cows]...ten auld scheip' as well as oats and bear. 3 He had net assets of almost £1,400. 4 Even more impressive was the testament left by Mr James Mitchell, minister at Stow. At his death in 1626 he owned livestock and crops worth more than £1,000 including 110 hogs. His total assets exceeded £4,300. 5 At the other end of the scale was Mr James Hepburn, minister of Finhaven (now Oathlaw, Angus). At his death in 1595 his net assets were £38

1 Edinburgh Testaments, 18 May, 1626 (Appendix F, No. 56).

2 Edinburgh Testaments, 8 Aug. 1635 (Appendix F, No. 70). Stipends in Edinburgh were steadily rising: 1596, 500 merks; 1605, 800 merks; 1614, 1000 merks; 1616, 1200 merks; 1635, 2000 merks. Edinburgh had considerable difficulty in securing good ministers, which may in part account for their high stipends (Extracts from the Records of the Burgh of Edinburgh, 1604-26, 8, 10, 117, 139, 223, 230, 262, 1626-41, xl-xliv; cf. Spottiswood Misc. II, 292, 295, 298).

3 Barley of a hardy but inferior quality.


5 Edinburgh Testaments, 19 July, 1626 (Appendix F, No. 57).
including 'ane auld quhct naig, price 10 merks'.

Probably most ministers possessed a few books and many had substantial libraries. Almost half of the ministers listed in Appendix F had libraries large enough to be listed separately in their inventory. These libraries ranged in value from 15 merks to 4,000 merks. Most of the larger ones were left by men who died after 1616.

Ministers, like bishops, often had large sums due them at their death, much of it in unpaid stipend. Mr Andrew Strachan, minister of Dun, was an extreme example. His testament of over £13,000 consisted almost entirely of debts due him, much of it unpaid stipend and tacks extending from 1604 to 1622. More typical was the case of Mr John Duncanson who died in 1601. Some of his stipend had been unpaid since 1598.

However, not all of the debts due ministers were unpaid stipend, and in some cases ministers were lending money at interest. In 1611-12 about three hundred and fifty persons were summoned by the Privy Council for 'ockery', that is, usury or charging more than 10% interest on loans. Among the persons

---

1 Brechin Testaments, 24 Dec. 1599.

2 Before 1616 only one library (No. 18) exceeded 200 merks. After that date there were ten libraries worth more than 200 merks.

3 Brechin Testaments, 4 Dec. 1622, 31 Jan. 1624 (Appendix F, No. 48).

4 Edinburgh Testaments, 8 Feb. 1602 (Appendix F, No. 6).
summoned were eight ministers. In 1641 Mr Gilbert Power, minister of Stoneykirk, was tried on a number of charges by the Presbytery of Stranraer. Among other charges he was accused of lending money at excessive interest. A witness declared that in 1613 or 1614 he 'did borrow a 100 merks from him [i.e. Mr Power] and had it about 9 years'. The witness paid an annual rent of 10 merks with the option of paying 'a bol meal', an option he sometimes used. Also he added, 'I had it one year for nothing but do not remember what year it wer'. Since Mr Power had not received more than 10%, the charge was dismissed.

Ministers were entitled to a glebe of four acres of kirkland which was to be free of teinds. By the early seventeenth century most ministers appear to have had a glebe and many who did not soon acquired one. In 1611 fourteen out of ninety-nine ministers in the Synod of Fife had no glebe. A year later the number had dropped from fourteen to nine. By 1629, four parishes in the Synod of Fife were said to have no glebe.

In 1600 only four of the eight parishes in the Presbytery of Ellon had glebes. In 1605 glebes were designed at Slains.

1 R.P.C. (First Series), IX, 385, 387, 412, 425.
2 Stranraer Presb. 3 Nov. 1641.
3 A.P.S. III, 73, 98, IV, 17, 285-6, 612.
4 Fife Synod, 63, 70-2.
5 Fife Synod, 98-9, 114.
6 Fife Synod, 313.
and Cruden.¹ In 1607 'Mr Peter Blakburne, bishop of Aberdene' and the Presbytery of Ellon assigned a full glebe for Ellon.² In 1617 all the glebes were 'fullie designit and possessit' except at Logie-Buchan, and plans were made for a glebe there during a visitation by Bishop Patrick Forbes in 1620.³ At a visitation in 1611 Archbishop Gladstanes 'be delyverie of earth and stane as use is gave reall and actuall possessioune'⁴ of a glebe to a minister.

A minister was also required to have a manse, although the expenses of a manse often had to be paid by a minister himself. According to an Act of Parliament in 1612, expenses up to five hundred merks which a minister had spent on his manse were to be repaid by his successor.⁵ Repairs made to manses were carefully valued and entered in presbytery books.⁶ As a result, most ministers had a large sum to pay as soon as they entered a new parish. Thus Mr William Weir, the new minister at Hobkirk, had to pay the widow of the former minister in 1626. The Presbytery of Jedburgh appointed 'arbiters for the accord quhat satisfaction the said Mr William suld give to the said relick in contentment for the manse of the kirk

---

¹ Ellon Presb. 23 May, 17 July, 1605.
² Ellon Presb. 25 Nov. 1607.
³ Ellon Presb. 6 Sept. 1617, 5 Sept. 1620.
⁴ Fife Synod, 30.
⁵ A.F.S. IV, 472.
⁶ Kirkcaldy Presb. 7-8, 38, 102-4, 118-9.
built and repaired by hir and her unquhile husband'. In 1616 the new minister of Kilspindie was not resident 'becaus the relick of the laitt minister possessis the mans and will not remove thairfra' until she was reimbursed for expenses spent on the manse. Yet most ministers appear to have possessed manses. In 1611 only two ministers in the Synod of Fife were reported to have no manse. Of the twenty-two ministers in the Presbytery of Lanark, one had no manse in 1627.

In 1611 the Synod of Fife proposed an alternative arrangement for the provision of manses.

To assign responsibility for building a manse to heritors was obviously preferable, at least as far as ministers were concerned. However, this provision was not approved by Parliament until 1649, and more prosperous ministers made their own additions to their manses. In 1630 the minister of

---

1 Jedburgh Presb. 24 May, 1626.
2 Fife Synod, 194.
3 At Scoonie and Kinnaird (Fife Synod, 71).
4 Lanark Presb. 19 April, 1627.
5 Fife Synod, 63.
6 A.P.S. VI (II), 287-8, VII, 472-3; cf. W.R. Foster, Bishop and Presbytery, 111.
Kinglassie spent £341 in repairing his manse and in building 'ane stabill, and ane barn, and ane brewhouss'. The manse appears to have consisted of a large hall with a chamber on either side, two rooms above, and a kitchen at the back.¹

The church took some responsibility for widows and orphans of ministers. In 1612 the Synod of Fife agreed to collect 450 merks for the widow of the minister of Kinnoway.²

When Mr Samuel Cockburn, minister of Minto, died in 1623, the members of his presbytery ordered 'for the support of Mr Samuell Cockburne his bairne everie brother suld pay fourtie shillings in the yeir'.³ A few years later the Kirk Session of Trinity College also contributed to the 'sustentatioun of the bairnes of unquhill Mr Samuell Cockburne sumtyme minister at Minto'.⁴ The same Session gave money in 1633 to 'ane preicher seik both in bodie and memorie nameit Mr Colene Caldwell'.⁵

In 1626 the Synod of Moray established a small pension fund to enable an old minister to retire, but this arrangement was unusual.⁶

To conclude that satisfactory financial arrangements had been established for all ministers by 1638 would be an

---

¹ Kirkcaldy Presb. 7-8, 38.
² Fife Synod, 92.
³ Jedburgh Presb. 8 Oct. 1623.
⁴ Trinity College K.S. 6 Aug. 1629.
⁵ Trinity College K.S. 4 July, 1633. He was the son of Mr James Caldwell, former minister at Falkirk.
⁶ Moray Synod, 19.
exaggeration. Ministers could not take advantage of Charles I's legislation until the teinds had been valued, and this was not done in many parishes. Some ministers who died in the 1630's left small testaments, and any improvements in church finance which had been made probably meant little to them. However, an observer in 1641 wrote that Scottish ministers

beside their Gleab and Manse, are all provided to certaine, and the most part, to competent stipends, which are paid either in victuall or moneys, or in both: And if the charge of their family be great, and their children put to Schooles or Colledges, they are helped, and supplied by the charity of the people, which useth also to be extended, if need be, toward their widows and Orphanes.

Almost endless negotiations and plans were necessary before that statement could be made, and the achievement which it summarized was one of the major accomplishments of the Church of Scotland before 1638.

1 E.g. Appendix F, Nos 75, 76, 77, 80.

2 Alexander Henderson, Government and Order of the Church of Scotland, 32.
Chapter Eight
PARISH LIFE IN SCOTLAND

I

The first Book of Discipline demanded that 'churches and places where the people ought publicly to convene be with expedition repaired in doors, windows, thatch'.

Even though the resources of the church were very limited in the sixteenth century, repair of churches was not overlooked.

The seventeenth century visitation reports of Archbishop Gladstanes (1611-14) give a valuable picture of the state of church buildings in the northern half of the diocese of St Andrews. Nineteen of his visitations contained reports on church buildings. Repairs were needed in five parishes. Usually, as at Kennoway, 'ane gryt pairt of the roof is found ruinous'.

The other fourteen churches were all found to be 'in good caice', 'in good estate', or as at Forgan, 'in reasonable gude estate'. In other words, no major repairs were needed in almost 75% of the churches on

1 J. Knox, History of the Reformation (Dickinson), II, 320-1.
2 Gordon Donaldson, Scottish Reformation, 99-100.
3 Fife Synod, 53.
4 Fife Synod, 51. The churches which needed repair were Fettercairn (34), Falkland (45-6), Kennoway (53), Kilspindie (128), and Mains (133-4). Those in good repair were Perth (26), Rescobie (32), Kilmany (36), Liniithgow (39), Slamannan (40), Ferry-Fort-on-Craig (43), Forgan (51), Abdie (54), Inverkeillor (78), Kinfuans (127), Kimnaird (130), Liff, Invergowrie, and Logie (131), Murroes (135), and Monifieth (136).
which reports were made. A similar picture of the churches in Aberdeenshire was contained in the visitation reports of the Presbytery of Ellon. There were eight parishes in that presbytery, and in 1607 two churches needed repairs. At Logie-Buchan the slates on the roof needed repair and at Cruden the roof was not watertight and the windows were not glazed. By 1617 the presbytery reported to the new Bishop of Aberdeen that they had 'no ruynous kirks...They have all bells bot not bears [i.e. biers]. Ordainis bearis to be maid...Ordainis the kirk yaird dyks to be biggit.'

Repairs were the responsibility of the heritors, who were taxed by the church for necessary repairs. Thus both at Logie-Buchan and at Cruden 'the presbiterie...be advyce of the elderis present did nominat and chuse four taxtmaisters to stent the paroche'. At Culross the church was badly damaged in a storm in 1633. Repairs were estimated to cost 500 merks. 'Therfor it was concluded that an impost must needs be stented and imposed upon all parochineris in toun and land able to pay.' However, a year later the treasurer had only collected in 'taxatione silver for the thacking of the kirk...£50.16.4'. Nevertheless, other funds were also used, and that year the session spent £204.19.4 for the repair of the church.

---

1 Ellon Presb. 16 July, 23 July, 1607.
2 Ellon Presb. 6 Sept. 1617.
3 Ellon Presb. 16 July, 23 July, 1607.
4 Culross K.S. 10, 17 Feb. 1633, accounts at back, 6 May, 1634.
The reformed Church was able to build few new churches before 1600, the unusual square church at Burntisland in 1592 being a notable exception. However, by the second decade of the seventeenth century a number of new churches were under construction. The most notable examples were Greyfriars, Edinburgh (1612-20), Dirleton (1612 and after), Dairissie (1621), Auchterhouse (1630), South Queensferry (1633), and Anstruther Easter (1634). At least five churches were built in the diocese of Aberdeen during the episcopate of Bishop Patrick Forbes. A new church was also completed at Kiltarlity in the Diocese of Moray, and repairs were carried out on a number of other churches in the diocese.

The erection of a new church at Udny can be traced in some detail. A church was begun about 1597 when the parish was created by Parliament. By 1600 however, all work had stopped because the mason 'wad not entir to the wark until he be completly payit'. Two prominent heritors agreed to advance the money 'until Martimes nixt that the sam be collectit out of the hands of the parochinaris', and a tax upon the land of the parish was imposed. By 1602 that taxation was completed and 'a new

1 Ancient and Historical Monuments of Scotland, Fife, No. 68, Edinburgh, 1933.
3 W.G.S. Snow, Patrick Forbes, 112-3.
4 Moray Synod, 16-18, 21, 23, 27, 29, 30, 33, 34, 39, 75. Also see above, 97.
taxation imposit'. A year later the walls had been erected, but the church still had no roof. In 1605 the church lacked only 'the compleitit of the belhous' and a third tax was approved to complete the building and supply it with furniture and equipment.¹

The new churches were built in traditional rectangular shape, usually with a tower and belfry at the west end. In larger churches the east end or chancel was often set aside as a Communion Aisle and formed a railed off enclosure.² The pulpit was the dominant feature. It was usually a panelled enclosure with a reader's desk in the centre.³ Special lofts were often built by the crafts for their own use,⁴ and heritors built permanent desks or enclosed pews for themselves and their families. Other parishioners were expected to use movable 'brods' or stools, although the Kirk Session of Elgin found it necessary to order 'all the fixit wemen stuillis in the kirk...remouitt'.⁵ Instructions issued by the Presbytery of Lanark in 1627 were typical. 'Na man sall have within any of our kirks a daske or proper seat peculiar to himself, his

¹ Ellon Presb. 29 May, 1600, 18 Nov. 1602, 12 July, 1603, 30 May, 1605.
² Gordon Donaldson, 'Post-Reformation Church at Whit- horn: Historical Notes', 126-8.
⁴ E.g. Culross K.S. 1 June, 1634.
⁵ Elgin K.S. 79.
wyff or bairnes but they onlie that hes heritablie lands or few within the paroche. Others were to use the 'common seates or formes appoynted be the session for that effect'.

An English visitor in 1629 was quite impressed with the churches he visited. At Selkirk 'they have a very pretty church, where the Hammermen and other Tradesmen have several [i.e. separate] seats...The women sit in the high end of the church, with us in the choir.' Leith had 'two fairer churches for in-work than any I saw in London'. At Perth, which was as far north as he went, 'every Trade sitteth in the church by themselves. There be two churches in the town, the one called St John's Church having seven great bells, four little, and chimes, the finest in Scotland. The church is hung with many candlesticks.'

In addition to building and repairing a church, heritors were expected to equip it as well. At Udny the equipment which was required was 'formis and seittis, tabills for celebratioun of the Lords Supper, clothis, ane bassing and tasses [i.e. a basin and cups] for the said use, ane veschell for baptisme, ane bell, ane sackcloth for offenders and sundrie uther necessaries'. Perhaps the 'uther necessaries' included items such as 'ane gryt commoun bybill for the use of the kirk...as also a psalme buik and a sand glas' which were needed at Slains in

1 Lanark Presb. 3 Feb. 1627.
2 Agnes Mure Mackenzie, Scottish Pageant, 1625-1707, Oliver and Boyd, Edinburgh, 1949, 100.
3 Ellon Presb. 30 May, 1605.
Archbishop Gladstanes ordered many churches to secure new Bibles. And, as in almost all periods, the church received gifts from pious parishioners. At Belhelvie the parson delivered a bible, price thereof 21 merks, to the use of the Church for the burial of three of his bairnes who had been buried within the church. Moreover he gave also a Kist [i.e. chest] which he had caused make for the keeping of the vessels and cloathes which had been bought for the administration of the sacraments.

But the greatest change in church equipment came after an Act of Parliament in 1617 which required 'that all the paroche kirkis within this kingdome be provydit off Basines and Lavoiris for the Ministratioun of the sacrament of Baptisme and of Couppes tablis and table Clothes for the ministratioun of the holie Communion'. Plans were made at once at Elgin to collect money from both the town and rural areas for communion vessels. By March, 1619 the minister had 'receavit ane hundredthe pundis from the toun for ther pairt to furneis weschel-lis to the kirk for celebratting the sacraments', and vessels were secured shortly thereafter. In 1636 an 'act of counsell' was read to the Kirk Session of Belhelvie requiring every church to have 'cloathes and vessells...provided upon the expense of the parochiners' and about £50 was collected during the next two

---

1 Ellon Presb. 19 Oct. 1620.
2 E.g. Fife Synod, 38, 46.
3 Belhelvie K.S. 5 Nov. 1637.
4 A.P.S. IV, 534.
5 Elgin K.S. 158-9, 225.
months for this purpose. ¹ The elders at Ellon were ordered
to provide communion vessels in 1620, and some had been ac-
quired by 1634. ²

An outstanding set was obtained by Trinity College, Edin-
burgh. In 1633 a merchant gave 'ane silvir basein...frielie
for the sacrament of baptisme' and another merchant 'giftit
also frielie ane silvir laver for that same use'. ³ Later
that year the session authorized a voluntary collection for
communion vessels. Thirty-four persons gave contributions
ranging from £2 to £100. Almost £1400 was collected and
communion vessels were purchased for £1242.8s. A handsome
silver cup, two silver flagons, and a bread plate 20½ inches
in diameter still exist. ⁴ In 1636 the same Session spent al-
most £150 for linen cloths, including four 'communion cloath-
is' thirty-seven feet long, and 'tua schort cloathes' which
were about fifteen feet long. ⁵

Communion vessels still exist for forty-two parishes
which were either made or acquired during the early seventeenth

¹ Belhelvie K.S. 27 March, 24 April, 8 May, 15 May,
27 May, 1636.

² Ellon Presb. 27 Dec. 1620; Thomas Burns, Old Scottish
Communion Plate, 427-9. One cup is now in the National Museum
of Antiquities of Scotland, Edinburgh.

³ Trinity College K.S. 14 Feb. 1633. There is a descrip-
tion of this fine basin in T. Burns, Old Scottish Communion
Plate, 520-1.

⁴ Trinity College K.S. 26 Sept. 1633; T. Burns, Old
Scottish Communion Plate, 223-4.

⁵ Trinity College K.S. 1 Dec. 1636.
century. This figure is all the more remarkable since many vessels were destroyed after an act in 1640 requiring all silver and gold work in Scotland to be given in to the revolutionary government. Mr Burns' conclusion is certainly warranted. 'By the year 1638...the sacramental plate in the service of the Church must have been very considerable.'

1 Forty-one of these are listed in T. Burns, Old Scottish Communion Plate: Newtyle, 1606-10 (419-20), Fala and Soutra, 1611-13 (260), Duirinish-Bracadale, 1612-13 (417-8), Blantyre, 1613-4 (268), Straiton, 1613-4 (260-1), Town Church, St Andrews, 1615-35 (196-7), Balmagie, 1617-9 (265), Cambuslang, 1617-9 (268), Carstairs, 1617-9 (266), Cawdor, 1617-9 (261-2), Culter, Lanarkshire, 1617-9 (262-3), Dalry, Ayrshire, 1617-9 (263), Fyvie, 1617-9 (267), Glencairn, 1617-9 (276), Holywood, 1617-9 (263), Kirkwall, 1617-9 (269-70), Middlebie, 1617-9 (266), Penpont, 1617-9 (269), Tynron, 1617-9 (269), Carnwath, 1618 (209-10), St Giles, Edinburgh, 1618, given by the Bishop of Lincoln (235), St Cuthberts, 1619 (210-11), King Edward, 1619 (311), Inveresk, 1621 (212-3), Campsie, 1621 (244), Beith, 1623-5 (263), Dunfermline, 1628 (212), St Mary's College, St Andrews, 1628 (423-5), Bressay, Shetland, 1628 (312), Methlick, 1630 (296-7), Brechin, 1631 (382), Aberchirder, 1633 (208), Arbroath, 1633 (293-4), Fintry, Aberdeenshire, 1633 (264), Greyfriars, Edinburgh, 1635, now on loan to the National Museum of Antiquities of Scotland, Edinburgh, (222-3), Inverkeithny, 1633 (208-9), Trinity College, Edinburgh, 1633 (223-4), Tron, Edinburgh, 1633 (347-8), Kilsyth and Rait, 1634 (383), Ellon, 1634 (427-9), Kettins, 1636 (384-5). Colmonell also has some silver cups dated 1617-9 (Letter from the Rev. James Brown, former minister at Colmonell).

2 For this act and its implementation, see T. Burns, Old Scottish Communion Plate, 143-8.

3 Ibid. 143.
One of the more distinctive features of the church's worship was the widespread custom of daily services, especially in burgh churches. At Elgin on Saturday the elders met 'in the queir at the evening prayeris' and later that Session ordered 'na fishes to be sauld na day in the mornyng qhill the prayeris be said'. The bell was to be 'roung ilk day at four afternoone to the evenyng prayers' and every winter the session provided a four penny candle 'ilk nycht to the evening prayeris'. The hours of daily services were regularly altered to fit long summer days and shorter winter ones. At Culross, where the church was almost a mile from the centre of town, the session 'ordained se[ats?] to be seit up in the Tolbuith and the prayers to be [rea]d thair upon Wednesday and Fryday in the morning twixt 8 and 9 houres for the ease of the people and by the schoolmaister'. Even in the more remote village of Tarves (Aberdeenshire) the minister 'reids the prayers ilk oulk day at sax hours in the morning or thair-by'. A minute in the records of the Kirk Session of St Andrews described the beginning of the practice in that place.

1 Elgin K.S. 64, 71.
2 Elgin K.S. 100, 130, 136.
3 E.g. at Stirling (Maitland Misc. I, 469, 474).
5 Ellon Presb. 6 Aug. 1617, 14 June, 1621.
In 1598 commissioners from the town council 'desyrit of the sessioun that commoun prayaris may be publiclie red in the kirk ilk day mornyng and evinyng...as in uther townis of this realme'. The session agreed and ordered their reader 'to reid every day, morn and evin...ane chaptoir of the New Testament and ane uther of the Auld befoir none...with ane prayer befoir and eftir; and evining, sum Psalmes with ane prayer befoir and eftir'.

There are many references in church records to the reading of prayers, both at weekday and at Sunday services. In 1624 the Synod of Fife ordered 'readers in al Congregations...tyed to read in the publict audience of the peopl only such prayers as ar printed in the commoun psalme buik and ordained be the Kirk of Scotland to be red publictlie'. Even in 1640 when the practice of reading prayers was under attack, the Presbytery of Perth was prepared to challenge a candidate for ordination if he opposed this widespread custom. The candidate 'was posed befor the presbytrie whether it was lawfull to reid prayers because ther went a report of him that he distained reading of prayers altogethe. He declared he was never of that mynd bot thought them lawfull tho to conceive was better.'

A weekday sermon was maintained in some prominent parishes.

1 St Andrews K.S. II, 829-30.
2 E.g. Jedburgh Presb. 5 Dec. 1610; Fife Synod, 133.
3 Fife Synod, 271.
4 Perth Presb. 12 Aug. 1640.
The Session of St Andrews ordered 'the sermone in tymc cuming [to] begyn at viij houris on Weddinsday and Friday, and to be endit be nyne houris, prayaris and all'. For many years a sermon on Tuesday or Wednesday was held at Elgin, although the sermon was often suspended between January and March. In other parishes instruction in the catechism was often held on a weekday during the weeks preceding the celebration of Communion. However, weekday services were difficult to maintain, attendance was often poor, and visitation records suggest that most parishes had little public instruction during the week except during precommunion examinations.

Sunday morning services were marked by three bells: the first to call the people to church, the second to mark the beginning of the reader's service, and the third to announce the arrival of the minister into the pulpit. One of the best descriptions of this service was written by William Cowper, the moderate and pious Bishop of Galloway.

[At the beginning the people] bow themselues before the Lord, to make an humble confession of their sinnes which you will heare openly read out by the publique Reader...[Next, the people prepare] their Psalmebooke, that all of them, with one heart and mouth may sing vnto the Lord. There is the Psalme which the Reader hath proclaimed. [Next, the reader opens] the Bible: you will heare him read some portion of holie Scripture...[After the arrival of the minister] he will conceiue a Prayer...thereafter he reads his Text of holy Scripture...then hee falls to the preaching, which some heare with their heads couered, some otherwise...he concludes all with a thanksgiuing,

1 St Andrews K.S. II, 828-9.
2 Elgin K.S. passim.
after which there is a Psalme sung by the whole Congregation, and then the Minister blesseth the people in the name of the Lord, and so dimits them.  

Parishes which had schools often expected pupils to attend in a body. At St Andrews the 'maister of the sang schole' was ordered 'to caus the best of his scholaris sitt besyid him self, about the pulpeit, to help to sing the Psalmes'.  

2 The whole service was expected to take about two hours, and ministers were sometimes warned not to preach too long. The Kirk Session of Elgin ordered its minister to 'turn the glass quhen he gois to the pulpeit that the prayeris, psalme and preitching be all endit within the hour wnder the pain of 6s. 8d.'  

Although the Lord's Prayer and the Apostles' Creed (or the Belief) were to be attacked after 1638, they were in common use before that time. In 1608 an Assembly 'of new inactit, that all Ministers examine young children of the age of sixe yeirs, and try that they have the Lords Prayer, the Articles of Belief, and the Comandements; in the quhilk thair parents salbe haldin to instruct them'. At Aberdeen the people were ordered to repeat the Creed after their reader so that 'be the oft repeting' they could memorize it. At Elgin some ignorant

---

1 William Cowper, Works, 680,682.
2 St Andrews K.S. II, 908.
3 Belhelvie K.S. 8 May, 1631.
4 Elgin K.S. 167.
5 B.U.K. III, 1052.
6 Aberdeen K.S. 38.
parishioners were ordered 'to learne the crede and the Lords prayer betuix and Whitsunday nixt under the pain of 20s.'

Many kirk sessions required couples to know the Creed, the Lord's Prayer, and the Ten Commandments before they could be married, and sermons were preached on 'the Beleeff'.

Sermons were sometimes preached on Sunday afternoon, but instruction in the catechism was more common. Ministers were often charged to begin the morning 'sermone precislie at ten houres, thairefter hold thair sessioun and catechise ane part of the parochine in the afternoon'. During the summer, this practice was quite general.

Solemn fasts were kept on Sundays and sometimes on weekdays as well. These might be enjoined by a general assembly, a synod, the Privy Council, or a diocesan bishop. In 1627 the Presbytery of Lanark received 'ane letter from the Bischop injoyning thame to keep ane fast the eight of August being Weddnisday and the Sabbath nixt therafter'. Among other causes, the fast was kept for 'the reformed kirkes of Bohemia...whose blood is spilt by war into the streits...for prospering the kinges armies...[and] becaus of the extraordinarie raines

---

1 Elgin K.S. 88.
2 Belhelvie K.S. 8 May, 1631.
3 Fife Synod, 128. For other examples, see 31, 35, 40, 47.
4 B.U.K. III, 966 (Calderwood, VI, 116); Paisley Presb. 16 Sept., 1602; Perth Presb. 7 May, 1628; Belhelvie K.S. 3 July, 1636.
threatening famyn'. 1 According to Alexander Henderson 'the
dayes of the fast from morning to evening, are kept holy unto
the Lord in the nature of an Extraordinary Sabbath, with ab-
stinence from meat, and drink'. 2 And kirk sessions summoned
those who had eaten 'beif and vther meit...that day of pub-
licl Fast' or even those who had been 'at breid and sheis'. 3

III

Several important changes were introduced into the worship
of the church after 1600. James' accession to the English
throne almost inevitably meant that attempts would be made to
reintroduce into Scotland customs and practices which had been
retained by the English Church. A contemporary wrote that
James first 'gained an uniformity in government betwixt the
churches of the two nations; which being atchieved, [sic] his
majesty went on to press that there might be an uniformity al-
so in worship betwixt them: For which end he recommended to
the bishops the introduction of some English customs into this
church'. 4 Nevertheless, to alter the worship of a church is
to affect the life of every parish in an intimate and direct
way. Not surprisingly, some of James' attempts to alter

---
1 Lanark Presb. 2 Aug. 1627. A similar fast was kept by
the Presbytery of Dunblane (Dunblane Presb. 1 Aug. 1627).
2 Government and Order of the Church of Scotland, 25-6.
3 Dundonald K.S. 73.
4 Guthrie, Memoirs, 7-8.
Scottish worship appear to have aroused more general opposition than any changes in polity; and Charles' liturgical experiments in Scotland were completely disastrous.

The first changes centered around the observance of the Christian Year. The idea of a Christian Year had not disappeared completely in Scotland at any time during the Reformation. Throughout its eighty years of official history, editions of the Book of Common Order contained varying but full calendars of fixed and movable holy days. These calendars (which often included such feasts as the Assumption of Mary and Lucy Virgin) may have been retained for secular reasons -- to mark the time of local fairs. But Dr Lamb, in his study of the calendar, argued that the calendar was not wholly secular in purpose. Not only do some editions contain lists of fairs as well as a calendar, but 'some festivals in the Calendar do not appear to have been either Fairs or term days'. Dr Lamb concluded that the calendar 'must have tended to encourage the observance of at least some of the days as Holy Days', and it probably 'continued to exert its silent witness...to...the idea of the Christian Year'.

After James' escape from the Gowry conspiracy on 5 August, 1600, a day of solemn, public thanksgiving was ordered by the Council. The same year a Convention of Estates appointed the 'fyft day of August...yeirlie for Solempne thankis geving in all tyme cumyng', and the act was reinforced by an

---

act of council the following year. It is difficult to know how widely this order was obeyed. Session clerks often made no entry of special services even when they were held. However, the day appears to have been observed for a number of years in many parishes, at least until James' death in 1625. The last record of its observance at Elgin was in 1625. In 1618 the Presbytery of Perth postponed a regular meeting scheduled for August 5th because the 'brethren wilbe occupved in thair swin kirks in giving thankis to God for the Kings Majestys delyverance'. However, by 1629, when the regular day of meeting again fell on August 5th, no postponement took place.

November 5th was also observed in some parishes as a day of thanksgiving for the king's escape from the Gunpowder Plot. In 1608 the Presbytery of Edinburgh reported that 'this last fifth of November was here with great solemnitie observed'. In 1618 and again in 1623 the Presbytery of Perth postponed regular meetings 'becaus the bretherin of the ministrie will teich in thair particular kirks the fyft day of November'. In 1628 the Synod of Lothian 'appoyntit that the fyft day of November salbe solemnlie keiped'. In 1634 the Presbytery of

1 R.P.C. VI, 156-7, 256-8; A.P.S. IV, 213-4.
2 Elgin K.S. 5 Aug. 1625. For previous years see 5 Aug. 1614, 1617, 1620, 1623.
3 Perth Presb. 29 July, 1618, 5 Aug. 1629.
4 O.L. I, 166.
Jedburgh received a 'letter from the Archbishop to preach on
the 5 of November',¹ and the next year the moderator of the
Presbytery of Lanark 'advertised the brethren to keep the fyft
of November'.²

Days of thanksgiving had often been announced by the king
or council and they represented nothing new. To introduce re-
ligious observance of the ancient holy days of Yule, Good Fri-
day, Pasch, Ascension, and Whitsunday was a very different mat-
ter. Popular celebrations of Yule (or Christmas) had never
been completely suppressed. In 1604 the Presbytery of Paisley
described December 25th as 'ane day estemit superstitiouslie
solempter be the ruid multitude'.³ In 1605 Dundonald Kirk Ses-
sion found it necessary to punish all who had 'yokit thair
pleuch befoir Yvlle and sat ydill that day to the fostering of
superstition'.⁴ Many kirk sessions and presbyteries passed
acts against 'gwysing, dansing, singing carallis, play at the
fut ball...during the tyme callit Yooll'.⁵ Less frequently
persons were censured for the observance of Good Friday. At
Elgin a woman was accused of having 'come baairfuttit on ane
superstitious day callit guid Friedday...for observatioun of

¹ Jedburgh Presb. 15 Oct. 1634.
² Lanark Presb. 22 Oct. 1635.
³ Paisley Presb. 5 Jan. 1604.
⁴ Dundonald K.S. 70.
⁵ Elgin K.S. 158; Paisley Presb. 10 May, 1604; Maitland
Misc. I, 77.
hir aith'.

Even before the Perth Articles, James had begun to introduce observance of Yule. In 1609 the Court of Session was ordered to observe a Christmas vacation. By 1613 the Commissariat of Edinburgh had also started to observe a short Christmas recess. However, no general requirement to observe Yule was imposed until 1618 when, at the insistence of the king, five articles were passed at the Perth Assembly, the last of which required that all churches celebrate the feasts of 'our Lord Jesus Christ his Birth, Passion, Resurrection, Ascension, and Sending down of the Holy Ghost'.

Ascension Day and Whitsunday appear to have been largely ignored. Presbyteries which met on Thursday continued to do so on Ascension Day, and the day always passed without comment in presbytery or kirk session records. Whitsunday was often mentioned as a well-known time of year (as were Michaelmas and Lammas), but there is no evidence in church records that special religious observances took place on that Sunday. Moreover, neither bishops nor the government issued any injunctions after 1618 requiring the observance of Ascension Day or Whitsunday.

1 Elgin K.S. 154.
3 Edinburgh Testaments, 45-59. Testaments were regularly filed on December 25th until 1613. Thereafter, only rarely was a testament entered on that day.
4 B.U.K. III, 1167.
Yule, Good Friday, and Easter came to be widely, but not universally observed. Shortly after the Perth Assembly, Archbishop Law warned the Presbytery of Ayr to 'preache at least one sermon, of the Nativitie and Incarnation of the Sone of God' on December 25th.¹ Services were held in Edinburgh on 25 December, 1618, and thereafter, although congregations were said to be small.² Bishop Alexander Lindsay, moderator of the Presbytery of Perth, warned the ministers of that presbytery 'to teich in thair particular kirks the xxv day of December', but few did so. Archbishop Spottiswood learned that 'divers [in the Presbytery of Perth] hes disobeyit, and not onlie for-burne to [preach at Christmas]...bot also...soicht occasionis to condemn the proceedingis of the assemblie'.³ The Presbytery received similar charges in subsequent years, and at least by 1622 Yule was observed in some parishes of the Presbytery of Perth.⁴ References to 'Youll' first appear in the records of the Kirk Session of Elgin in 1620⁵ and at Belhelvie in 1629.⁶ By 1640 the observance of Yule at Aberdeen was an old tradition.⁷

---

¹ Calderwood, VII, 340-1.
² Calderwood, VII, 341-2, 410, 454, 518-9; O.L. II, 643.
³ Perth Presb. 16 Dec. 1618, 10 March 1619.
⁵ Elgin K.S. 22 Dec. 1620. Also in subsequent years from 1623 to 1638.
⁷ Spalding, History of the Troubles, I, 179-80.
However, even in the conservative north Christmas was not universally observed, and the Synod of Moray in 1634 had to warn 'some of the brethren [who] have not teached upon the day of the nativitie'.

Good Friday was also observed, although probably less widely than Yule. In 1619 the Presbytery of Dunblane held a special meeting on Good Friday and the bishop preached a 'sermone upon the passioun of Christ'. The first reference at Elgin to 'Gud Fryday' was in 1626, although the day was observed every year thereafter until 1639. Sermons were held in two Edinburgh churches on Good Friday, 1621, although the day does not appear to have been observed at Trinity College until 1637. Most kirk session records contain no evidence that services were held or collections taken on Good Friday.

Regulations concerning the observance of Pasch (or Easter) had been issued as early as 1614. In that year all persons were required by act of council to communicate at their own parish church on April 24th, although the act did not mention the fact that this day was Pasch. No equivocation was used the following year when an act ordered all ministers to celebrate the Communion 'in all tyme heirefter...upoun ane day

---

1 Moray Synod, 68.
2 Dunblane Presb. 26 March, 1619.
3 Elgin K.S. 7 April, 1626, 23 March, 1627, 12 April, 1628, etc.
4 Calderwood, VII, 457; Trinity College K.S. 30 March, 1637.
yeirlie, to witt, Fasche day'. In 1616 an Assembly at Aberdeen ordered the communion to be 'at the terme of Easter yeirlie'. The next year an Assembly at St Andrews ordered 'the minister himself...in the celebration [to] give the elements out of his own hand to every one of the Communicants'. And in 1618 the Perth Assembly ordered that the 'blessed Sacrament be celebrat hereafter meekly and reverently upon their knees'. This last act was one of the most controversial regulations issued during the period, and it aroused strong opposition in some areas.

There was much less opposition to the regulations requiring a celebration of Holy Communion at Easter. At Easter, 1614 'some ministeris hes nocht celebrate the communicione... becaus it wes Easterday', but many did so. The next year in the Kirk Session at Perth 'the Bishop of Galloway [Mr William Cowper] and the hail Elders present...ordain the Communion to be celebrated at this burgh on the 9th and 16th days of April...but Mr John Malcolm, Minister, dissented therefrom, alleging the celebration thereof on the said 9th day of April, which is Pasch Sunday, to be contrary to the Acts of Assembly'.

1 R.P.C. X, 316-7.
2 B.U.K. III, 1128 (Calderwood, VII, 229).
3 B.U.K. III, 1141 (Calderwood, VIII, 112).
4 B.U.K. III, 1165.
5 Fife Synod, 166. The report was made at a Provincial Assembly of St Andrews and included nine dioceses.
6 Spottiswood Misc. II, 287.
However, by 1621 members of the Presbytery of Perth regularly celebrated the Communion at Pasch. Suspected papists were ordered 'to communicat at Pashe nixt' and meetings were postponed before Easter 'becaus of the preparatioun to the communioun on Pashe day'. ¹ In 1617 the members of the Presbytery of Ellon were asked 'quhat tyme the communioun wes given. It wes ansserred at Pasch last'. ² At Elgin the Communion was celebrated in 1615 on Passion Sunday and Palm Sunday. By 1616 the celebrations took place on Easter Day and Easter I, and this practice continued until 1638.³ In the Synod of Fife in 1623 'the Communion is fund to have bien celebrat be the hail brethren almost at the ordinarie prescryved tyme'. ⁴ At Belhelvie the Communion was regularly celebrated at Easter,⁵ although Palm Sunday was more frequently the day of celebration at Culross.⁶ At Trinity College, Edinburgh the Communion was usually given on Easter and Easter I.⁷ In 1633 the Communion

---

1 Perth Presb. 7 March, 21 March, 1621.
2 Ellon Presb. 6 Sept, 1617.
3 Elgin K.S. 2 April, 1615, 31 March, 7 April, 1616, 13, 20, 27 April, 1617, 5, 12 April, 1618, 28 March, 4, 11 April, 1619, etc.
4 Fife Synod, 255.
5 Belhelvie K.S. 21, 27 March, 1630, 3, 10 April, 1631, 1 April, 1632, 14, 21 April, 1633, etc.
6 Culross K.S. accounts at back, 18, 25 March, 1632, 7, 14 April, 1633, 16, 23 March, 1634, 15, 22 March, 1635, etc.
7 Trinity College K.S. 9, 16 April, 1626, 25 March, 1 April, 1627, 28 March, 4 April, 1630, 10, 17 April, 1631, etc.
was probably celebrated on Easter Day at Lanark. And at Aberdeen in 1642 'na communion givin on good-frydday nor this Pash-day as wes usit befoir. Mervallous in Abirdene to sie no Mar-cat, foule or flesche to be sold on Pash-evin.'

However, the communion was not celebrated in all churches at Easter. At Forgandenny in 1629 the minister was 'giving of communion to his parochiners' a month after Easter, and the previous year the people at Kilspindie had their communion on Whitsunday. In 1634 the Presbytery of Jedburgh received a letter 'from the Archbishop of Glasgow for teiching on Good Fryday and giving the communion Pasche Sonday. The brethren for shortnes of tyme could not convenientlie give the communion that day.'

Far more controversial than the observance of Easter was the injunction requiring communion to be received by parishioners on their knees. Bishops had the main responsibility for enforcing this unpopular requirement, and they made many attempts to do so. Archbishop Spottiswood wrote to the Presbytery of Perth that the bishops had met at Edinburgh and decided that 'warning suld be gevin be everie bishop to the

---

1 Lanark Presb. 25 April, 1633.
3 Perth Presb. 20 May, 1629. Easter was on April 5th.
4 Perth Presb. 28 May, 1628.
exercises [i.e. presbyteries] within his diocese for a precis keiping of the said actis...speciallie for gevin communio
upone Easter Day in the forme prescryvit of kneilling'. And he added, 'we are commandit be his Majestie to suffer na man bruik [i.e. enjoy] the ministrie that dois not obey'.

The following year the Presbytery of Dunblane received a letter signed 'be the Bischopis of S. Androis, Glasgow, Galloway, Dumblane and Brechine...beiring the effect that the brethren yeild themselfis obedient to the actis of the generall a-
semblie'. Financial pressure was also used. A message was sent to James in which the bishops 'earnistlie desire that your Maistie may be pleased to send expresse command...not
to giue owt letters to any Minister vpon the late modificati-
ons...vnles the Ministers produce their Bischop's testi-
moniall of their conformitie to the Actis of the late Assem-
blie', and an appropriate command was issued by the king.

Opposition to kneeling communions was immediate and
strong in and near Edinburgh. According to Calderwood,
scandalous scenes took place in the Capitol. In 1619 'the
inhabitants of the toun went out at the ports in hundreths
and thousands, to the nixt adjacent kirks...Cold and grace-
less were the Communions.' A report to James in 1620

1 Perth Presb. 10 March, 1619.
2 Dunblane Presb. 22 June, 1620.
3 O.L. II, 536.
4 Calderwood, VII, 359.
confirmed Calderwood's account. According to the Earl of Melrose,

The number of communicants [at Edinburgh] was small...few of the townes people of good sort. The greatest part received kneeling...but sindrie of the base sort, and some women, not of the best, did sit. In the Collodge Church I heare...that the number of communicants far exceeding that of the Hie Church, verie few of them knelled.¹

The mood of those who opposed kneeling communions was reflected in a letter sent by Mr William Bowie from Haddington in 1619.

I wott nocht how your ministeris of Ergyle...wilbe handit with your Bischopis, but all the honest men of the ministrie heir luikis for nothing bot the werst...for everie honest minister in all our eist partis will rather leave their ministrie or they yield in one jot to the Bischopis. God mak your ministeris thair honest and constant mgn, for we heir thair is mony slim amongis thame.²

However, as Mr Bowie suggested in his closing lines, opposition was not universal throughout the nation. A careful record was made in the Synod of Fife in 1619 of those ministers who had not conformed at Easter of that year. The figures show not only the extent of nonconformity in that synod, but also the areas where it was strong.

¹ Melrose Papers, II, *637.
² The Black Book of Taymouth, Bannatyne Club, Edinburgh, 1855, 442-3.
<table>
<thead>
<tr>
<th>Presbytery</th>
<th>Number of ministers who had not conformed</th>
</tr>
</thead>
<tbody>
<tr>
<td>St Andrews</td>
<td>7</td>
</tr>
<tr>
<td>Couper</td>
<td>9</td>
</tr>
<tr>
<td>Kirkcaldy</td>
<td>6</td>
</tr>
<tr>
<td>Dunfermline</td>
<td>4</td>
</tr>
<tr>
<td>Mearns</td>
<td>6</td>
</tr>
<tr>
<td>Brechin</td>
<td>0</td>
</tr>
<tr>
<td>Arbroath</td>
<td>0</td>
</tr>
<tr>
<td>Dundee</td>
<td>0</td>
</tr>
<tr>
<td>Perth</td>
<td>0</td>
</tr>
<tr>
<td>Forfar</td>
<td>1</td>
</tr>
<tr>
<td>Meigle</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>34</strong></td>
</tr>
</tbody>
</table>

Although nonconformity was high in Fife, it was almost nonexistent in Angus. In addition to thirty-four ministers who had not conformed, seventeen were absent from this synod; and probably many of the absentees had also not conformed. In other words, not more than fifty-one ministers, or about half of the ministers of the Synod of Fife had failed to minister the communion in 1619 according to the manner prescribed by the Perth Assembly.¹

Nonconformity to this extent did not continue in the Synod of Fife. A year later at Easter only nine ministers had 'not given obedience to the acts of the General Assembly at Peirth nor as yet declar themselfs fullie purposed...to become

¹ Fife Synod, 220-224. Usually slightly over one hundred ministers attended meetings of the Synod of Fife.
conforme theirunto'. A commission was appointed to try them, and two cases were heard in July. One of the ministers, Mr William Wischart of Fettercairn, 'faithfully promised to give obedience and conforme himself in al poynts'. The other, Mr David Michell of Garvock, was given an extension of time. In October Mr Michell sent a letter to the Archbishop in which he not only agreed to conform but stated the reasons which led him to this difficult decision. His reasons must have been shared by many who became unwilling conformists. Mr Michell wrote:

I have taken pains be reading and conference with learned men to find reasons and warrant for conformitie, bot of al this one sttliketh deepest with me, that I must else suffer my mouth to be shutt from preaching the gospel whereunto I find myself in conscience to be called...being assured of that woe, if I desert my charge rashlie and without a weightie and violent cause. Thairfoir finding these ceremonies (though in themselfs unexpedient...) not of such moment as that I dare to venture to shut myself out of the service of God and his church...I wil rather give your Lord¬ship contentment in theis things, and pray God to turn al to the guid of his church.¹

The introduction of kneeling communions in the town of Perth was an interesting example of conformity where the minister at least could hardly have welcomed them. The minister, Mr John Malcolm, was a prominent leader of the opposition. In 1606 he had signed a protest against episcopacy, and in 1615 he had been admonished by the High Commission for support given to some banished ministers. The same year he had opposed the observance of Easter Day.² However, before Easter, 1619

¹ Fife Synod, 232, 236-7.
² Fasti, IV, 230; also see above, 345.
the matter of conformity was considered by the Kirk Session of Perth. 'Present Mr John Malcolm and Mr John Guthry, Ministers, the Elders and other members...Proposition being made if they will agree...that the Lord's Supper be celebrate at this burgh conform to the prescription of the Act of the General Assembly...viz. that the Ministers give the bread and wine with their own hands to the communicants, and that they be humbled on their knees...all agreed in one that the celebration thereof be made according to the said Act.'

In the north, conformity was general. The Bishop of Moray wrote after Easter, 1619 that the ministers of his diocese 'without exception...have all given obedience at this last Easter', and the extant minutes of the Synod of Moray (which begin in 1623) show that nonconformity was no problem there. An anonymous manifesto written after 1621 implied that nonconformity was now limited to a few areas. The author urged his readers to make no communion in Scotland, for those who tried to sit would 'have not liberty to distribute' and would 'be urged to kneele at lenth'.

However, opposition to the Perth Articles was still potent, and James' attempts to have the Articles approved by Parliament in 1621 met with some opposition. The

1 Spottiswood Misc. II, 289. Mr Guthry, the assistant minister, probably favored conformity. He later became the Bishop of Moray.


3 Clerk of Penicuk Muniments, 134/3955.
greatest amount of opposition came from burgh representatives who were against ratification by twenty-four votes to twenty.¹ The Earl of Melrose wrote that the Perth Articles passed 'albeit we were exceedinglie disapoynted by the treacherie of some small Borrowes, who violated their promises, and wer recom¬pensed by your Commissioner's refusing to authorise their Actes and Ratifications'.²

After 1622 there appears to have been some slackening of pressure upon nonconforming ministers. According to Calderwood, Archbishop Spottiswood 'held a diocesan synod in St Androes' in April, 1622. 'He rebuked some ministers that urged kneeling too much upon the people. It was reported that the Bishop of Canterburie [George Abbott] had written to him, and desired him not to urge the ceremonies now when weightier effairs were in hand.'³ A year later Calderwood also heard a report that a meeting of bishops had 'agreed that noe minister sould be urged heerafter with obedience to the Five Articles'.⁴ And the High Commission appears to have heard no cases between 1623 and 1625 against ministers accused of nonconformity.

During the early years of Charles' reign, a policy of le¬niency continued. In 1626 the king authorized an accommodation scheme which allowed those ministers who had been ordained

---

¹ Calderwood, VII, 500-1.
² O.J. II, 661.
³ Calderwood, VII, 547-8.
⁴ Calderwood, VII, 571.
before the Perth Assembly to ignore the Articles, 'providing they utter no doctrine publicly against our authority, the church government, nor canons thereof...[and] dissuade no wther nor privately nor publicly from the obedience thereof'. The accommodation also provided 'that the brethrin that are banished have liberty to returne, and be placed at churches againe; and the brethren confined or suspendit for their disconformity, be enlarged, and placed againe in the ministry if they agreed to the above conditions'.\(^1\) And in 1626 John Livingston wrote that a few ordinands 'at that time...were suffered to enter the ministrie without conformity'.\(^2\)

However, Charles had no intention of allowing the Perth Articles to be abandoned, and after 1629 a series of injunctions required conformity to the Perth Articles and numerous other English customs as well.\(^3\) It is difficult to know how widely the Perth Articles were observed in the 1630's. A disciplinary case at Kilspindie in 1632 showed that communicants there did not kneel for their communion. A parishioner had been barred from communion 'because he was under censure...The said William confessed that he sat downe upon a seat of his owne hard by the table but such a seat whereon diverse otheris used to sitt and communicat, neither could he

---


2 Wodrow, Select Biographies, I, 136. Cf. above, 294n.

3 For a convenient summary of these developments, see George B. Burnet, The Holy Communion in the Reformed Church of Scotland, 88-93.
deny bot that under pretext of sitting upon his owne seat he intendit to communicat'. However, a sudden inquiry into conformity in the Synod of Moray in 1635 showed that only six ministers in the diocese had not 'given the communion [at Easter] out of their own hands unto their people sitting reverently upon their knees'. By the following Easter one minister in the Synod had not conformed. Johnston of Wariston wrote in 1638 that 'after tuentie yeirs interruption, the Comunion was celebrat purly in the College and Grayfrears churche' in Edinburg. And kneeling communions had to be suppressed after 1638 not only in Aberdeen, but also in Dundonald. However, full reports on the extent of conformity were probably contained only in synod records, most of which are no longer extant, and only tentative conclusions are possible. Probably conformity was general throughout much of the north; but in a number of areas in the south, and especially in the burghs, kneeling communions were not common, or were openly resented when urged.

1 Perth Presb. 25 April, 1632.
2 Moray Synod, 75-81.
3 Johnston of Wariston, Diary, I, 334; cf. The Chronicle of Perth (Maitland Club), 37-8, for a similar report at Perth in 1638.
4 Spalding, History of the Troubles, I, 179, 322; Dun-donald K.S. 522. To prevent kneeling was probably the reason for the Session's injunction that communion seats 'be not al- tered neirer to or farder from the table'.
5 Cf. Sir William Brereton's report that the minister of Ayr in 1635 'doth...violently press the ceremonies, especially ...kneeling at the communion; whereupon, upon Easter day last,
Apart from the minister, elders, and deacons, the most important church officials in most local parishes were readers and schoolmasters, although one person frequently held both offices. An Assembly in 1580 concluded 'after long reasoning, That...[the office of reader] is no ordinar office within the Kirk of God', and later ordered readers who were unable 'to be pastors and preach the word' to be 'depos- it from the reiding'. However, the shortage of ministers made it impossible to suppress the office of reader. In 1596 stipends were assigned to 129 readers. An attempt was made at an Assembly in 1597 to revive the old act against readers, but the proposal was 'not muche regairded, or taikin notice of'. By 1600 readers still had a well-established place in many parishes, and even parishes which had settled ministers often had readers as well.

At the end of the sixteenth century readers were still solemnizing marriages and baptizing children in some places. In 1589 the Presbytery of Edinburgh deposed a reader who 'had so soon as he went to the communion-table, the people all left the church and departed' (Brereton, Travels, 121).

1 B.U.K. II, 455-7 (Calderwood, III, 471).
2 This figure was compiled from the Register of Assignment and Modification of Stipends, 1596.
3 Calderwood, V, 703-4, 706.
baptized thrie barns', although the Presbytery of St Andrews authorized a reader in 1592 'to solemnize the bannes of marriage'. An Assembly in 1597 tried to regulate the practice, but did not condemn it. The Assembly 'ordaines that no Reidar minister the sacrament of baptisme...and that they presume not to celebrate the bands of marriage without speciall command of the Minister of the Kirk; and in case ther be no Minister therat, of the Presbytrie'. According to Calderwood, this act was designed to prevent 'the abuse of readers baptizing childrein gottin in adulterie and fornicatioun...and celebrating unlawfull mariages', and cases involving irregular ministrations by readers continued to come before presbyteries. In 1602 the Presbytery of Paisley considered a marriage which had been solemnized in Kilmarnock without proclamation of banns by 'Hew P[... ] bering the office of ane redar in the kirk and having pe[rmision?] of the kirk to celebrat marnidges'. However, references to marriages or baptisms conducted by readers soon disappeared from church records, and evidently these rites ceased to be administered by readers.

Readers were admitted by presbyteries, usually upon a recommendation of a local minister and kirk session. Their

---

1 Edinburgh Presb. 3 June, 1589.
2 St Andrews K.S. II, 742.
3 B.U.K. III, 927 (Calderwood, V, 646).
4 Calderwood, V, 646-7.
5 Paisley Presb. 16 Sept. 1602.
chief duty was to conduct the first part of the Sunday service. In addition they were sometimes expected to read daily services or to catechize. A reader at Udny was ordered to 'read the Word and publick prayers' every Sunday, and a reader at Ellon was 'authorized to reid and catechize at Ellon'. The parish of Dundonald engaged a reader to assist at the chapel of Corsbie. His duties were 'reading at Corsbie and teiching the bairnes at the Kirk'. The reader at Aberdeen was given a new Psalm Book in 1611, and in 1621 he was ordered to catechize the poor on Monday afternoon.

The position of reader was often combined with other offices. Sometimes a reader was also a kirk officer, that is an officer of the session who delivered formal summonses to offenders or witnesses. More frequently, a reader was also a clerk of session and was responsible for keeping the session minutes. Parishes which had schools usually expected one man to be both schoolmaster and reader. At Jedburgh in 1609 a man was admitted 'reidar to the Kirk of Jedburgh, and to be doctor [i.e. assistant schoolmaster] in the grammar scholl and to teitch a musik scholl'. At Belhelvie in 1628 'Mr Robert

---
1 Ellon Presb. 29 May, 6 Feb. 1600.
2 Dundonald K.S. 121.
3 Aberdeen K.S. 77, 97-8.
4 E.g. Ellon Presb. 23 July, 1607.
5 E.g. Extracts from the Records of the Burgh of Edin-
   burgh, 1604-26, 10; Ellon Presb. 14 Aug. 1611.
6 Jedburgh Presb. 3 Oct. 8 Nov. 1609.
Thomsoun be multuall consent of the minister, gentlemen and eldares of the parochin was admittit Clark, Reader, and schoolmaster to the churche and parochin of Balhelvie'. In 1636 the Presbytery of Perth admitted 'Mr Patricke Gourlay, recommendit to be reader at Kilspindie kirke and teacher off the shoole there'.

Readers received small stipends for their services. At Belhelvie a reader was given ten merks a year 'for his reading and service making', but the readers at Elgin and at Trinity College, Edinburgh each received twenty pounds a year.

Schools were established in most burghs by 1600. They were supported by town councils and sometimes by kirk sessions as well. The stipends of schoolmasters in burghs steadily rose. At Ayr the master of the grammar school received £40 in 1590, but by 1608 his stipend had doubled. The schoolmaster at Lanark received five merks in 1570 but £60 in 1615. At Stirling the schoolmaster received 100 merks in 1602 but four times that amount in 1662.

Burgh schools were not divorced from church discipline; presbyteries jealously maintained their right to examine and admit burgh schoolmasters, and pupils in burgh schools were often ordered to attend church in a body or even

1 Belhelvie K.S. 30 Dec. 1628.
2 Perth Presb. 28 Sept. 1636.
4 George S. Pryde, Ayr Burgh Accounts, lxiii-lxv.
5 See above, 217-8.
to assist in singing the psalms on Sunday. 1

Parochial schools developed more slowly in rural parishes. The lack of rural schools was often reflected in visitation reports in the late sixteenth century. At Crudin in 1599 the session book was found to be 'informallie penned and that in a part throche the negligence and ignorance off their scryve'. 2 The legal basis for the establishment of rural schools was an act of the Privy Council in 1616 which ordered the establishment of a school 'in everie parroche of this kingdome whair convenient meanes may be had', and an act of Parliament in 1633 which allowed bishops, with or without the consent of heritors, to 'set downe and stent [i.e. a tax]...for maintenance and establisching of the saids schooles'. 3

However, establishment of rural schools began long before 1616. The development of parochial schools in two very different presbyteries may illustrate the way in which parochial schools were established after 1600. There were eight parishes in the Presbytery of Ellon. A school may have been established at Ellon before 1600, but one was certainly in existence by 1605. The school was maintained with some difficulty and in 1616 the presbytery regretted 'the want of a scole in Ellen being sic a toun as quher ane scole mycht

1 Records of Elgin, (New Spalding Club) II, 401-2; St Andrews K.B. 908; Maitland Misc. I, 89-90.
convenientlie be'. Although at that time the 'parochiners and heritors war unwilling to contribut' to a school, a schoolmaster was being sought by the session at Ellon in 1617, and the school was again in operation at least by 1620.¹

A school was established at Slains at least by 1608 when a schoolmaster was admitted reader.² At a visitation at Foveran in 1605 the elders 'thocht it convenient that thair suld be ane grammar scuill' at Foveran. By 1609 a man was admitted by the Presbytery of Ellon 'to teich ane scuill in the town of Newburgh' (in the parish of Foveran), and shortly after the 1616 Act Bishop Alexander Forbes met with the elders of Foveran and agreed upon a regular stipend 'viz. 13s.4d. or ane firlot meill of ilk pleuch for maintenance of the scuillmaster'.³

By 1614 'ane Inglis scole' was organized at Udny. The reader there was also schoolmaster between 1614 and 1620.⁴ The first evidence of a school at Methlick was in 1614 when a schoolmaster was admitted.⁵ Plans were made in 1621 to

¹ Ellon Presb. 18 Sept. 1605, 19 June, 1616, 26 March, 1617, 27 Dec. 1620.
² Ellon Presb. 30 March, 1608. For subsequent references to the school at Slains, see 19 July, 1610, 25 July, 1627, 29 June, 1640.
³ Ellon Presb. 26 Aug. 1605, 8 Feb. 1609, 9 Oct. 1617. An unlicenced school existed in Newburgh in 1605 but was closed by the Presbytery (Ellon Presb. 26 Aug. 27 Aug. 1605).
⁴ Ellon Presb. 14 Sept. 1620.
⁵ Ellon Presb. 6 April, 1614. For a subsequent report on Methlick, see 6 Sept. 1617.
establish a school at Tarves. The following year Bishop Patrick Forbes ordered the minister to 'rais letters' in Edinburgh to force the heritors to contribute toward the school, and in 1623 the first schoolmaster was admitted at Tarves.  

Apparently no school was established at Cruden. In 1605 Cruden was described as a place which 'wantit ane scuill for education', but only readers were ever admitted at Cruden and a school was first mentioned in visitation reports in 1640.  

Nor is there any evidence of a school at Logie-Buchan.

By 1638 six of the eight parishes in the Presbytery of Ellon had some kind of school. Five of these six were probably established between 1600 and 1625.

A number of schools were also in existence in the Presbytery of Jedburgh by 1638. When the presbytery records begin in 1606 the school at Jedburgh was well established, and a schoolmaster had been at work in Hawick since 1592. In 1608 a schoolmaster at Eckford was teaching 'a common school their without licens...of the presbitery', but the

---

1 Ellon Presb. 14 June, 1621, 24 April, 25 July, 1622, 23 July, 1623. For Bishop Forbes' visitation, see above, 88. For a subsequent report on the school at Tarves, see 29 May, 1627.

2 Ellon Presb. 17 July, 1605, 17 July, 1633, 26 May, 1640.

3 No school was mentioned in visitation reports in 1635, or in 1640. (Ellon Presb. 14 July, 1635, 29 May, 1640).

4 Jedburgh Presb. 20 Nov. 1606, 3 May, 1609, 6 Nov. 1616.

5 Jedburgh Presb. 8 Jan. 1607, 13, 20 Nov. 1616.
school was probably soon closed. There was a 'scholmaister at Baderwill' (Bedrule) in 1608, and the following year the 'scholemaister at Howname' was allowed 'to read some chapteris before preaching'. Disciplinary cases involved schoolmasters at Minto in 1616, at Hobkirk in 1619, and at Suden (Southdean) in 1620.

The records of the Presbytery of Jedburgh are less complete than those of Ellon, and schools may have been in existence in the other parishes of the presbytery. However, there is no evidence in church records that schools existed before 1638 at Ancrum, Cavers, Crailing and Nisbet, Abbotrule, Kirkton, Langnewton, Hassendean, or Oxnam. In other words, at least seven of the sixteen parishes in the Presbytery of Jedburgh had established some kind of local school before 1625.

The main problem was financial support, and many complaints were made by schoolmasters about their meagre stipends. Reports sent in by parishes in 1627 certainly wanted to emphasize the poverty of their schools, but the complaint was real enough. There had been a school at Cockpen 'bot for fault of maintenance it deserted', and a similar report was received from Killin. The report from Kirknewton

1 Jedburgh Presb. 21 Dec. 1608.
3 Jedburgh Presb. 9 Oct. 1616, 5 May, 1619, 14 June, 1620; cf. 8 May, 1622.
declared that their school was 'lyilelie to dissolve the nixt terme for want of maintenance'.¹ Many reports complained about the lack of 'fundation' for a school.²

The 1633 Act allowed a bishop to establish a formal tax for the support of schools, with or without the consent of heritors; and advantage was taken of this act in some areas. In 1636 the Presbytery of Kirkcaldy received a special licence from Archbishop Spottiswood to conduct visitations, and twelve parishes were visited that summer. The main purpose of these visitations was to establish a regular income for parish schools. At Kinghorn, for example, 'the commissioun direct from my Lord of St Androis being read with the act of Secret Counsell, for establishing of scholes, and appoynting ane sufficient maintenance for the schoolemaster...all heretors and elders thinks it verie meit and expedient that thair be ane schoole'. The presbytery first asked the heritors 'to mak ane voluntar offer of a sufficient maintenance for ane scholemaster' but they 'wold offer nothing'. The presbytery concluded that 'thrie hundreth merks is little enough for the yearlie maintenance of ane scholemaster in Kingorne' and ordered this sum to be paid 'yeirlyie in all tyme coming -- the half thairof to be payit be the towne, and the other half be the heretors of the paroshe according as they stent

¹ Ibid. 84.
² Ibid. 21, 22, 23, 27, 70, 110, 167.
themselves'. 1 Similar actions were being raised in Moray. When
the Synod of Moray learned in 1634 that the schoolmaster of Kil-
tarlity had 'no mantinance...the synod orders that they rais
letters for mantinance'. 2

Considerable progress was made toward the establishment of
parochial schools between 1600 and 1638. The Acts of 1616 and
1633 gave legal support to this movement, but equally important
were the persistent efforts of presbyteries, synods, and bish-
ops 3 to establish schools in every parish. A report on Mor-
ington in 1627 declared that 'theire is an greit necessatie of
ane skule for not ane of the paroche can Reid nor wryt except
the Minister'. 4 No church could be complacent about this situ-
ation if it believed, as did the Church of Scotland, that
schools were 'necessar instruments to come to the true mean-
ing and sense of the will of God revealed in his Word'. 5

---

1 Kirkcaldy Presb. 97.
2 Moray Synod, 63.
3 See, for example, the efforts of the Archbishop of
St Andrews in Fife (Fife Synod, 51, 127, 129, 131).
4 Reports on the State of Certain Parishes in Scotland, 22.
5 B.U.K. II, 723 (Calderwood, IV, 665); cf. Source Book
of Scottish History, III, 399.
Chapter Nine

CONCLUSIONS

Generally speaking, two different systems of exercising oversight developed in the Church of Scotland during the sixteenth century -- oversight administered by bishops, superintendents, and commissioners, or by presbyteries. In the early seventeenth century a compromise settlement was effected which embraced many of the features of both these systems. This Jacobean compromise or settlement of 1610 was probably not anticipated by many. As late as 1610 Archbishop Spottiswoode hoped to see presbyteries soon 'evansiche'.¹ Nor did writers try to defend its inclusive terms, either before or after 1610. The settlement was probably based less upon theoretical considerations than upon the practical need to reconcile the conflicting interests of various forces -- the crown, the nobility, and different parties within the ministry. And although the compromise may have seemed an unlikely one, it was not only one which worked, but one which worked surprisingly well.

The ordinary functioning of kirk sessions was little affected by this settlement. Kirk sessions continued to exercise much the same authority after 1610 as they did before that date. Kirk sessions did lose their authority over adultery cases to presbyteries by 1625, although there appears to have been no formal order transferring this jurisdiction.

¹ O.L. I, 235.
Otherwise, jurisdiction exercised by kirk sessions underwent little change. Both bishops and presbyteries used their influence to establish kirk sessions where none existed, and many new kirk sessions were organized between 1600 and 1638. The establishment of a new kirk session was closely related to the 'planting' of a new minister, and the two movements probably took place together.

Kirk sessions were of enormous importance in the administrative life of the church. All of the special funds which presbyteries, synods, or assemblies might seek to raise, whether for poor relief, support of bursars in divinity, or building a bridge, ultimately depended upon the efficiency of kirk sessions for their collection. To administer discipline in a parish was almost impossible without an effective kirk session, and most of the spiritual penalties imposed by both presbyteries and synods had to be enforced by kirk sessions. These sessions brought many laymen into intimate contact with the work of the church and gave them a share in the church's cure of souls as well as its administration of finances and properties. The reformed Church of Scotland, as it existed in the sixteenth and seventeenth centuries, would have been impossible without the work of kirk sessions. General Assemblies, bishops, even presbyteries might come and go, but kirk sessions remained one unchanging element in the administration of the church.

Some new and unwelcome changes were introduced into parish worship. Not only was the time for the celebration of
Holy Communion affected, but the manner of celebration was also altered at a particularly intimate and sensitive place — the communion of the people. However, the Perth Articles had no effect upon the ordinary Sunday worship of parishes, which continued to be based upon the Book of Common Order. And by 1638 even the Perth Articles were observed in some areas and were probably popular in the northern sections of the country.

The first four decades of the seventeenth century also saw considerable progress made in the repair and furnishing of churches as well as in the building of new churches. A number of schools were certainly established, although satisfactory provision for schoolmasters had probably not been achieved in many parishes.

The jurisdiction of presbyteries was altered by the 1610 settlement, and they no longer exercised an almost exclusive authority over excommunications and admissions to the ministry as they had done since about 1590. Nevertheless, presbyteries still had considerable authority even in these matters. All preliminary trials involving excommunication were heard by presbyteries. Also the examination of ordinands and the institution of ministers into their benefices were usually assigned to presbyteries, often by warrant from bishops. The ordinary work of presbyterial discipline, and the older work of exercising continued without interruption. The number of presbyteries substantially increased during the period, and bishops used their influence to establish new presbyteries, and often to support the actions of presbyteries as well.
Synods were more directly affected by the revival of episcopacy than either of the two lower courts. Little change took place after 1610 in the actual work which synods did. Examination of presbyteries, major disciplinary cases, and important administrative decisions continued to be the major work of synods. However, after 1610 the bishop's voice was an important, and probably a dominant factor in the decisions reached by any synod.

General assemblies also came to be profoundly altered after 1596. Not only did they meet less regularly than before, but also delegates to some crucial assemblies were nominated. No assembly met between 1618 and 1638. But the greatest change was the establishment of the principle that 'the Generall Assemblie of a realme has not power to conveene themself, but upon a great and weightie occasioun, intimat to the prince, and licence graunted thereto'. Although James tried to manipulate assemblies and succeeded in doing so, he never ignored them. Indeed, prior to the Canons of 1636 no major ecclesiastical change was introduced into the church without at least the nominal assent of an assembly. And much of the routine disciplinary work which had been handled by assemblies was continued either by provincial assemblies or by the Court of High Commission.

The achievements of the reformed ministry in Scotland between 1600 and 1638 were impressive. By 1638 a university

---

1 This was one of the proposals made by Archbishop Adamson in 1584 (Calderwood, IV, 54).
education was standard for all ministers, and rare indeed was the minister who was not a university graduate. The number of expectants was increasing, and many were doing additional study in divinity at the universities. A bursary system developed in the church after 1616 and was in full operation within a few years. This period also saw the planting of ministers in almost every parish, and the extension of the discipline of the kirk sessions throughout the lowlands. Probably most cures which had inadequate incomes in 1600 had received substantial increases by 1638; and if financial issues were not settled, at least the 'constant platt' demanded by many general assemblies had been determined upon and in part put into effect.

The first Book of Discipline had urged that every parish in Scotland should have a godly and learned minister provided with a competent maintenance. Between 1600 and 1638 the Church came closer to achieving that ideal than at any previous time in the history of the reformed Church of Scotland.

That bishops as well as presbyteries were both vigorous agents within the church after 1610 is obvious. To what extent, however, was episcopacy really integrated into the life of the church? Were bishops merely a superficial imposition of the crown, easily eliminated when the opportunity arose? The extent of royal authority over bishops is undeniable. Indeed, much of the opposition to episcopacy was certainly due to its association with royal authority. Bishops were spiritual lords and had important positions in parliament, on the articles, in the privy council, and as officers of state.
However, bishops were much more than civil officers used to control the church. The word 'bishop' had never been secularized in Scotland as had the word 'abbot' or 'prior'. The bishops who were appointed after 1600 were men who had been ministers of the church for some years. They continued to preach, to administer the Lord's Supper, and even on occasion to baptize. They were closely related to many projects designed to increase the church's material resources and took an active part in providing better stipends for ministers. Their spiritual or pastoral authority within the church was demonstrated in episcopal visitations, in their review of excommunications and other disciplinary cases, and in their supervision of much of the process of admission to the ministry. Some bishops at least took these duties seriously and appear to have discharged them conscientiously and faithfully.

The Church of Scotland between 1610 and 1638 inevitably invites comparison with the Church during the Restoration period. The Restoration settlement of 1662 was in many ways a revival of the settlement of 1610, and the basic terms of both settlements were much the same. During both periods the church was governed by kirk sessions, presbyteries, synods, and bishops. Neither in 1610 nor in 1662 did the introduction of episcopacy change the basic doctrine or worship of the church, and Calvinist ideals of faith and worship were unaltered. Bishops invariably presided at ordinations, although ordination of deacons and presbyters was exceedingly rare, and most men were simply ordained to the ministry. There is no known case of a
minister who had been ordained by a presbytery before 1610 being reordained thereafter, although there were probably a few cases of reordination in 1662.

However, no restoration can restore everything, and there were some interesting contrasts between the two periods. The most obvious contrast was the existence of conventicles and covenanters after 1662. By the Restoration period schism had become a permanent feature of the Scottish church, and the Restoration settlement was unacceptable to about one third of the ministry and a significant minority of the laity. There may have been a few conventicles before 1638, but they were small and insignificant. The 1610 compromise was the last time in Scottish history when all in Scotland who considered themselves part of the reformed Church were part of one unbroken communion.

Another marked contrast was the extent of royal authority. Royal supremacy was as staunchly held in 1610 as in 1662, but it was exercised by James VI and even by Charles I with more restraint than Restoration monarchs showed. James might threaten in 1617 to have Parliament pass an act asserting his right to determine all 'matters of external policy' in the church, but he withdrew this proposal after opposition developed. However, no act before 1638 ever asserted royal supremacy in as sweeping terms as did the Assertory Act of 1669, nor was anything like the oath required by the Test Act of

1 Spottiswood, History, III, 241.
imposed upon clergy or bishops by James VI or his son. No bishop was deposed by the crown before 1638, although during the Restoration two archbishops and two bishops were summarily dismissed from their posts, one of them because he supported a movement to call a National Synod of the Church.¹ Only on the subject of worship was the Restoration government more conservative than the earlier Stuarts. Changes in traditional Scottish worship had been difficult for James VI and disastrous for Charles I. After the Restoration, bishops were forbidden to introduce canons and a liturgy 'lest such things should provoke to a new Rebellion'.²

Between 1600 and 1638 an interesting compromise settlement developed in Scotland. It was primarily a compromise over administrative issues rather than doctrinal ones or even questions of worship. The compromise worked well because it was comprehensive and took account of the claims of presbyteries, noblemen, tacksmen, and the crown, as well as those who supported episcopacy. It certainly provided the major precedent for the settlement of 1662, and it remains of interest today to those who are considering similar comprehensive schemes.

¹ R.E. Head, Royal Supremacy and the Trials of Bishops, Chapters V, VI.
² Miscellany of the Scottish History Society, II, 354n.
APPENDIX A

A comparison of stipends assigned to parishes where ministers had strongly opposed episcopacy. See Chapter One, 20-2.

<table>
<thead>
<tr>
<th>Name and parish</th>
<th>1599</th>
<th>1601</th>
<th>1607</th>
<th>1608</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 George Johnstone</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ancrum (Jedburgh)</td>
<td>240 m.</td>
<td></td>
<td></td>
<td>240 m.</td>
</tr>
<tr>
<td>2 John Cunningham</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dalry (Irving)</td>
<td>230 m.</td>
<td></td>
<td></td>
<td>230 m.</td>
</tr>
<tr>
<td>3 John Dykes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Newburn (St Andrews)</td>
<td>650 m.</td>
<td>650 m.</td>
<td>650 m.</td>
<td></td>
</tr>
<tr>
<td>4 James Martin</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peterhead (Deer)</td>
<td>460 m.</td>
<td></td>
<td></td>
<td>460 m.</td>
</tr>
<tr>
<td>5 William Row</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forgandenny (Perth)</td>
<td>380 m.</td>
<td>380 m.</td>
<td>305 m.</td>
<td>305 m.</td>
</tr>
<tr>
<td>6 John Hepburne</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cranshaws (Duns)</td>
<td>80 m.</td>
<td>80 m.</td>
<td>80 m.</td>
<td></td>
</tr>
<tr>
<td>7 William Hog</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ayton (Chirnside)</td>
<td>547 m.</td>
<td>477 m.</td>
<td>477 m.</td>
<td></td>
</tr>
<tr>
<td>8 John Smyth</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maxton (Melrose)</td>
<td>430 m.</td>
<td>430 m.</td>
<td>375 m.</td>
<td>375 m.</td>
</tr>
<tr>
<td>9 Tobias Ramsey</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Foulden (Chirnside)</td>
<td>180 m.</td>
<td>160 m.</td>
<td>160 m.</td>
<td></td>
</tr>
<tr>
<td>10 James Greig</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loudoun (Irvine)</td>
<td>150 m.</td>
<td></td>
<td></td>
<td>150 m.</td>
</tr>
<tr>
<td>11 Nathan Inglis</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Craigie (Ayr)</td>
<td>651 m.</td>
<td></td>
<td></td>
<td>651 m.</td>
</tr>
<tr>
<td>12 Robert Wallace</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tranent (Haddington)</td>
<td>195 m.</td>
<td>195 m.</td>
<td>500 m.</td>
<td></td>
</tr>
<tr>
<td>13 John Carmichael</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kilconquher (St Andrews)</td>
<td>284 m.</td>
<td></td>
<td></td>
<td>224 m.</td>
</tr>
<tr>
<td>Name and parish</td>
<td>1599</td>
<td>1601</td>
<td>1607</td>
<td>1608</td>
</tr>
<tr>
<td>-----------------</td>
<td>------</td>
<td>------</td>
<td>------</td>
<td>------</td>
</tr>
<tr>
<td>14 David Calderwood</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crailing (Jedburgh)</td>
<td>516 m.</td>
<td></td>
<td></td>
<td>396 m.</td>
</tr>
</tbody>
</table>


m. = merks.
APPENDIX B
The Consecration of a Bishop

1620 Scottish Ordinal

THE FORME AND MANER OF CONSECRATING ANE ARCHBISHOPE, OR BISHOPE.

WHEN the day is come of consecrating ane Archbishop or Bishop, the Bishops Consecrators, who must be three at the least, according to the law in the consecration of a Bishop, and foure at the consecration of ane Archbishop, doe meet in some solemn place, and there have prayers publickly first, and then a sermon touching the office and due-tie of a Bishop; which ended some officiar of the Church shall gravellie, and with a loud voice, three severall tymes, call on this maner: If there be any person who can object in form of law any thing against the lyfe or doctrine of the Archbishop or Bishop now to be confirmed, let him now come forth, or from henceforth he shall be preclud-ed. No objection being made, the Bishop elected shall be presented by two Bishops unto the Archbishop of the province, or to some other Bishop appointed by his commission: The Bishops that present him saying,

Most reverend father in God, wee present unto you this godlie and learned man to be consecrated Bishop.

Then the ARCHBISHOPE shall require the KINDES mandate for the consecration, and deliver it to his Chancellor, or some speciall officiar of the Archbishoprick; and cause him to reade the same aloud.

English Ordinal

The forme of consecrating of an Archbishop, or Bishop.

After the Gospel and Creede ended, first the elected Bishop shall be presented by two Bishops, unto the Archbishop of that province, or to some other Bishop appointed by his Commission: the Bishops that present him, saying:

Most reverend father in God, we present unto you this godly and well learned man to be consecrated Bishop.

Then shall the Archbishop demand the Kings mandate, for the consecration,

and cause it to be reed,
This being read, the Oath of Supremacie shall be ministred unto the persona elec¬ted, as it is set doune before in the order of admitting Ministers.

If hee be a Bishop that is to be consecrated, then must hee take the Oath of obedience to the Archbishope, as followeth: --

IN the name of God, I, N., chosen Bishop of the Church and sea of N., doe profess and promise all due reverence and obedience to the Archbishope and Metropolitall Church of S., and to their successors. So helpe me God, through Jesus Christ.

And then shall be ministred the Othe of due obedience unto the Archbishop, as followeth.

The othe of due obedience to the Archbishop.

IN the name of God, Amen. I, N. chosen Bishop of the church and See of N. doe profess and promise all due reverence and obedience to the Archbishop, and to the Metropolitall Church of N. and to their successors: so helpe me God, through Jesus Christ.

(The exhortation which follows here is inserted below at A.)

Brother, forasmuch as Holy Scripture, and the old Canones of the Church, requireth that wee should not be hastie in laying on hands, and admitting of any persone to the government of the Church of Christ, which hee hath purchased with no lesse pryce then the shedding of his owne most pretious blood: Before I admitte you to this administration whereunto yee are called, I will examine you in certane Articles, to the end the Congregation present may have a tryall, and bear

Then the ARCHBISHOE, sitting in a chayre, shall thus speake unto him who is to be consecrated: --

Then the Archbishop sitting in a chaire, shall say this to him that is to be consecrated.

Brother, forasmuch as holy scripture, and the old Canones commandeth, that we should not be hastie in laying on hands, and admitting of any person to the government of the Congregation of Christ, which he hath purchased with no lesse price then the effusion of his owne blood: afore I admitte you to this administration whereunto ye are called, I will examine you in certane articles, to the end the congregation present, may have a triall and bear
witnesse, how ye are mynded to behave your selfe in the Church.

Are you persuaded that ye are truely called to this ministration, according to the will of our Lord Jesus Christ, and the order of this Realme?

Answer.

I am so persuaded.

THE ARCHBISHOPE.

Are you persuaded that the Holy Scriptures containe sufficiently all doctrine required of necessitie for eternall salvation, through faith in Jesus Christ? And are you determined with the same Holy Scriptures to instruct the people committed to your charge, and to teach or maintaine no thing as required of necessitie to eternall salvation, but that which you shall be persuaded may bee concluded by the same?

Answer.

I am so persuaded, and resolved by God's grace.

THE ARCHBISHOPE.

Will you then faithfullie exercise your selfe in the saide Holy Scriptures, and call upon God by prayer, for the true understanding of the same, so as yee may be able by them to teach, and exhort, with wholesome doctrine, and withstand and convince the gainesayers?

Answer.

I will so doe, by the helpe of God.
1620 Scottish Ordinal

THE ARCHBISHOPE.

Will you bee readie, with all faithfull diligence, to banish and drive away all erroneous and strange doctrines contrarie to God's word, and both privatlie and openlie call and encourage others to the same?

Answer.

I shall so doe, the Lord being my helper.

THE ARCHBISHOPE.

Will you deny all ungodlinesse and worldly lustes, and live soberly, righteously, and godly in this world, that you may shew your selfe in all things an example of good works, that the adversarie may be ashamed, having no thing to lay against you?

Answer.

I purpose to doe so, by God's helpe.

THE ARCHBISHOPE.

Will you maintaine and set forward (as much as shall lye in you) quietnes, peace, and love, amongst all men, and correct such as are unquiet, disobedient, and criminous within your diocese, by the authoritie you have of God, and as shall be committed to you by the ordinance of this Realme?

Answer.

I will doe so, by the helpe of God.

English Ordinal

The Arch-bishop.

BE you ready with all faithfull diligence, to banish and drive away all erroneous and strange doctrine contrary to Gods word, and both privately and openly to call upon and encourage other to the same?

Answer.

I am ready, the Lord being my helper.

The Arch-bishop.

Will you deny all ungodlinessse and worldly lustes, and live soberly, righteously, and godly in this world, that you may shew your selfe in all things an example of good workes unto other, that the adversarie may be ashamed, having nothing to lay against you?

Answer.

I will doe so, the Lord being my helper.

The Arch-bishop.

Will you maintaine and set forward (as much as shall lye in you) quietnes, peace, and love, among all men: and such as be unquiet, disobedient, and criminous within your Diocesse, correct and punish according to such authoritie as you have by Gods word, and as to you shall be committed by the ordinance of this Realme?

Answer.

I will doe so, by the helpe of God.
1620 Scottish Ordinal

THE ARCHBISHOE.

Will you shew your selfe gentle, and be mercifull for Christes sake to poore and needie people, and to all strangers destitute of helpe?

Answere.

I will show my selfe such, by God's helpe.

THE ARCHBISHOE.

Almighty God, our Heavenlie Father, who hath given you a goodwill to doe all these things, grant also unto you strength and power to performe the same, that hee accomplishing in you the good worke which hee hath begunne, yee may be found perfect and irreprehensible at the latter day, through Jesus Christ our Lord. Amen.

Then shall be sung this Songe,

Come, Holy Ghost, eternall God, &c., to the end.

After which, THE ARCHBISHOE shall say to the Congregation present,

Brethren, wee reade in the Gospell of St Luke, that our Saviour continued a whole night in prayer, before hee did send forth his twelve Apostles; and in the Book of the Acts, that the Disciples at Antioch did fast and pray, before they layd handes

English Ordinal

The Arch-bishop.

Will you shew your selfe gentle and be mercifull for Christes sake to poore and needie people, and to all strangers destitute of helpe?

Answere.

I will so shew my selfe, by God's helpe.

The Archbishop.

Almighty God our heavenly Father, who hath given you a good will to doe all these things: grant also unto you strength and power to performe the same, that hee accomplishing in you the good worke which he hath begun, yee may bee found perfect, and irreprehensible at the latter day, through Jesu Christ our Lord, Amen.

Then shall be sung or sayd,

Come holy Ghost, &c. As it is set out in the order of Priests.

That ended, the Archbishop shall say.

Lord heare our prayer.

Answere.

And let our crie come unto thee.

Let us pray.

Brethren, it is written in the Gospell of S. Luke, that our Saviour Christ continued the whole night in prayer, or ever that he did choose and send forth his twelve Apostles. It is written also in the Acts of the Apostles, that the Disciples which were at Antioch did fast and pray, or ever they layd handes
581

1620 Scottish Ordinal

upon Paul and Barnabas.

In lyke maner will wee first fall to prayer, before wee send fourth this person presented unto us to the works, whereunto wee trust the Holy Ghost hath called him:

and therefore wee will beseech you that are hear assembled, to assist us with your seaven devotions to Almighty God, saying:

Almighty God, and most mercifull Father, who of thy infinite goodness hast given thy only and most deare beloved sonne Jesus Christ, to bee our Redeemer, and author of everlasting lyfe, who

also by thy Holie Spirit hee appointed diverse orders of Ministers in thy Church

pouring downe thy giftes abundantly upon men, and sending some to be Apostles, some Prophets, some Evangelists, some Pastours and Doctors, for the perfecting of the saints, and for the edifying of the bodie of Christ:

Grant, wee beseech thee, to this thy Servant, whom we are now to receive unto the office of a Bishop within thy house

such grace as hee may evermore be ready to preach the glad tidings of reconciliation and use the authoritie given unto him, not to destroy but to save, not to hurt but to helpe;

upon, or sent fourth Paul and Barnabas.

Let us therefore, following the example of our Saviour Christ and his Apostles, first fall to prayer, or that we admit and send fourth this person presented unto us, to the works whereunto we trust the holy Ghost hath called him. (From A above) /

Almighty God, and most mercifull father, which of thine infinite goodness hast given thy only and most deare beloved sonne Jesus Christ, to bee our redeemer and author of everlasting life, who...

/Almighty God, giver of all good things, which by thy holy spirit hath appointed divers orders of ministers in thy Church...(From the collect at the end of the Litany.) /

After that hee had made perfect our redemption by his death, and was ascended into heaven, poured downe his giftes abundantly upon men, making some Apostles, some Prophets, some Evangelists, some Pastours and Doctors, to the edifying and making perfect his congregation:

Grant we beseech thee, to this thy servant

such grace, that hee may evermore be ready to spread abroad thy Gos- pel, and glad tidings of reconciliation to God, and to use the authoritie given unto him, not to destroy, but to save, not to hurt, but to helpe;...
send downe upon him, O God, 
thy heavenly blessing, and 
so endue him with thy Holy Spirit, 
that he preaching thy Word, may 
not only bee earnest to reprove, 
exhort, and rebuke, with all pa-
tience and doctrine, but also may 
be, to such as believe, one whol-
some example in word, in conver-
sation, in love, in faith, in 
chastitie, and puritie, that 
faithfullie fulfilling his course 
at the latter day, hee may re-
ceive the crowne of righteousness 
laid up by the Lord, the right-
eous Judge, who liveth and reign-
eth one God with the Father and 
the Holy Ghost, world without end. 
Amen.

Then the ARCHBISHOPE AND BISH-
OPS present shall lay their hands 
upon the head of the elected BISH-
OPE, the ARCHBISHOPE saying,

Wee, by the authorite given us 
of God, and of his Son the Lord 
Jesus Christ, give unto thee the 
power of Ordination, imposition of 
hands, and correction of maners, 
within the Dioceses whereunto thou 
art, or hereafter shall be called. 
And God Almighty bee with thee in 
all thy wayes, encrease his graces 
into thee, and gyde thy minis-
trie to the praise of his holie 
name, and the comfort of his 
Church. Amen.

Then the ARCHBISHOPE shall de-
lyver unto him the Booke of Holy 
Scriptures, saying,

Give head unto reading, exhor-
tation, and doctrine; meditat 
upon the things contained in this 
Booke, bee diligent in them, that 
thy proffitting thereby may be 
made manifest unto all men: take

Most merciful father, we beseech 
thee to send downe upon this thy 
 servant thy heavenly blessing, and 
so endue him with thy holy spirit, 
that he preaching thy word, may 
not only bee earnest to reprove, 
beseech, and rebuke with all pa-
tience and doctrine, but also may 
be, to such as believe, an whole-
some example, in word, in conver-
sation, in love, in faith, in 
chastitie, and puritie: that 
faithfully fulfilling his course, 
at the latter day hee may re-
ceive the crowne of righteousness, 
laid up by the Lord the right-
eous Judge, who liveth and reign-
eth, one God with the Father and 
the holy Ghost, world without end. 
Amen. (From the Post-communion 
collect)

Then the Archbishop and Bish-
ops present, shall lay their hands 
upon the head of the elected Bish-
op, the Archbishop saying.

Take the holy Ghost, and remember 
that thou stirre up the grace of 
God, which is in thee, by imposition 
of hands: for God hath not given us 
the spirit of fear, but of power, 
and love, and sobernesse.

Then the Archbishop shall de-
lyver unto him the Bible, 
saying,

Give head unto reading, exhor-
tation, and doctrine. Thinks 
upon these things contained in this 
Booke. Be diligent in them, that 
the encrease comming thereby, may be 
made manifest unto all men. Take
heed unto thy selfe, and unto teaching: so doing thou shall save thy selfe, and them that heare thee: bee to the flocke of Christ a sheep-herd, not a wolfe: feede them, devour them not: hold up the weake, heale the sicke: bind together the broken, bring againe the outcasts, and seeke the lost: bee so mercifull that thou be not too remisse: so minister discipline that thou forget not mercie; that when the cheife Sheep-herd shall come, yee may receive the immarcessible crowne of glory. Through Jesus Christ our Lord. Amen.

Then shall the ARCHBISHOPE and the BISHOPS, with the new consecrated BISHOPE, and others of the Assemblie, communicat, and after communion, the blessing shalbe given, and so the action end.

The post-communion collect above comes here.
APPENDIX C

Ordination of a Minister

1620 Scottish Ordinal

THE FORME AND MANER OF ORDAINING MINISTERS: AND CONSECRATING OF ARCH-BISHOPS AND BISHOPS USED IN THE CHURCH OF SCOTLAND.

THE PRAEFACE.

IN the Church of Christ it hath always been helden unlawfull for any man, by his owne privat authoritie, to preach the Word of God, to administer the holy Sacraments, or execute any part of the Spirituall office of a Pastor, except he were first called, tryed, examined, and being found qualified for the function, by publick prayer, with imposition of hands, orderlie admitted unto the same: Accordinglie hath our Church in diverse Assemblies, and speciallie in the Assemblie which was keept at Edinburgh, the fyft of March 1570, appointed diligent examination to be made of the learning, qualities, and good conversation of pastours, before their entrie. And their admittance to bee by a publick and solemnme forme of ordination. Wherefore, to the intent this good and commendable order may be kept hereafter in the Church, it hath beene thought meet to praescribe a speciall forme of ordaining ministers and consecrating of archbishops and bishops to their places, which in all tymes hereafter shall be observed by these that have power to ordaine or consecrate. And it is this which followeth:<br>
The Forme and Maner of Ordaining Ministers

After that sufficient tryall hath beene taken of the giftes and qualities of him that is to bee admitted Minister, and a certificat sent to the Bishop of his qualification for the office, by these to whom his tryall was committed; the Bishop is by his edict to appoint a certaine day for the Ordination, and make the said edict to bee published in the parish church where the Minister is called to serve; which day being come, there shall be ane Sermon made, declaring the duetie and office of Ministers, with their necessitie in the Church, and how reverentlie the people ought to esteeme of them and their vocation.

When the Sermon is ended,

the Archdeacon or his deputie shall present the person who is to bee admitted to the Bishop, saying these wordes:

**Reverend Father in God, I present unto you this Brother**

Sources

(B.C.P. Deacon)

The Forme and manner of ordering of Deacons.

(B.C.P. Priest)

The forme of ordering of Priests.

(B.C.P. Deacon)

First, when the day appointed by the Bishop is come, there shall be an exhortation, declaring the duetie and office of such as come to be admitted Ministers, how necessarie such orders are in the Church of Christ, and also how the people ought to esteeme them in their vocation.

(B.C.P. Priest)

When the exhortation is ended, then shall follow the Communion.

(B.C.P. Deacon)

After the exhortation ended, the Archdeacon, or his deputie, shall present such as shall come to the Bishop to be admitted, saying these wordes.

(B.C.P. Priest)

And then the Archdeacon shall present unto the Bishop, all them that shall receive the order of Priesthood that day, the Archdeacon saying.

Reverend father in God, I present unto you these persons.
here present, to be admitted unto the holy ministrie.

Then shall the BISHOPE say,

Is this person whom yee present unto us, apt and meet for his learning, prudence, and godly conversation, to exercise the office of a Minister?

Hath hee beene duely tryed, and intimations made to the People, amongst whom hee should serve, of his admissione to be done this day?

THE ARCHDEACONE shall answer,

They to whom his tryall was committed have certified so much, and the edict is returned duely served unto this same verie day and houre.

The BISHOPE thereupon shall desire the Archdeacon to read first the Testimoniall, then the execution of the Edict, both which hee shall reade with a loude voice, in the hearing of the people who are assembled.

After these the BISHOPE shall say unto the People,

Good People, this is the Brother whom wee (God willing) purpose to admit this day unto the holy function of the Ministrie:

The tryall and examination present, to be admitted to the order of Priesthood.

The Bishop

TAke heed that the persons whom yee present unto us, be apt and meete, for their learning and godly conversation, to exercise their ministerie duely, to the honour of God and edifying of his Church.

It was declared...that sufficient warning was made by publicke edict to the Churches of Edinburgh, (etc.)...as also to Earles, (etc.)...or others, that have or that might claim, to have voyce in election...

The Archdeacon shall answer.

(Scot. B.C.O.)

/continued from above/...to bee present that day at that same houre.

(B.C.P. Deacon)

And then the Bishop shall say unto the people

(B.C.P. Priest)

Good people, these bee they whom we purpose, God willing, to receive this day unto the holy office of Priesthood: for after due examination, we find
required in such cases hath beene used, and yee have heard what testimonie is returned unto us.

Now, if there be any of you, who knoweth any impediment or notable crime in him for which hee ought not to bee received into this sacred office, let him appeare, and in the name of God declare the same.

If no cryme nor impediment be objected, the BISHOPE shall proceed, and speake in this maner to him who is to bee ordained:

Brother, Forasmuch as no man speaketh against your admissions; and that wee have received testimonies sufficient of your fitnesse and qualification to this holy office, wee are now to proceed unto the ordination; and first, according as the lawes of the Church and kingdome doe appoint, I must minister unto you the Oath of Supremacie, asweel that you may bee the more myndfull of your due-tie in this point of his Majestie's obedience, as that yee may set your selfe carefullie against all the enemies thereof, whether they be forraigne or domestick usurpers.

**THE OATH OF THE KING'S SOVEREIGNITIE.**

Sources

(B.C.P. Priest)

not to the contrary, but that they be lawfully called to their function and ministerie, and that they bee persons meete for the same: But yet if there bee any of you, which knoweth any impediment, or notable crime in any of them, for the which he ought not to bee received into this holy ministerie, now in the name of God declare the same.

(B.C.P.)

And if any great crime or impediment be objected, the Bishop shall surcease from ordering that person...

The Litany

(B.C.P. Priest)

The Veni Creator
I, A.B., doe utterly testifie and declare in my conscience, that the King's Highnes is the onlie supreme governour of this realme, and of all other his Highnes' dominions and countreis, aswell in all spirituall or ecclesiasticall things or causes, as temporall, and that no forraine prince, person, prelate, state, or potentata, hath or ought to have any jurisdiction, power, superrioritie, preheminence, or authority, ecclesiasticall or spiruiall, within this realme. And, therefore, I doe utterly renounce and forsake all forraine jurisdictions, powers, superiorities, and authorities: And doe promise that from henceforth, I shall beare faith and true allegiance to the King's Highnes, his heires, and lawfull successors, and to my power, shall assist and defend all jurisdictions, privileges, preheminences, and authorities, granted or belonging to the King's Highnes, his heires and successors, or united and annexed to the imperiall crowne of this realme. So help me God.

The persone to be admitted shall take this oathe upon his knees, the Bishop ministring the same unto him.

That done, the BISHOPE shall read this Exhortation which followeth.

You have heard, Brother, asweel by the sermon at this tymke delivered, as in your privat examinations,
what is the dusty and office of him that is called to this holy function:
Now I exhort you, in the name of our Lord Jesus Christ, rightly to consider what is this dignitie whereunto ye are called; namelie, to bee the messenger, the watchman, the pastor, and the steward of the Lord, to teach, to admonish, to feede, to proyde for the Lords familie, and seeks for Christes sheppe that bee dispersed abroad; and for his children which be in the midst of this naughtie world, that they may be saved through him for ever. Have always printed in your mynde, what a treasure this is that is committed to your charge: They are the sheepe of Christ which hee bought with his death, and for whom hee shedde his blood: The Church and congregation whom you must serve is his spouse and his bodie.

And if it shall chance the same Church, or any member thereof, to take any hurt or hinderance, by reason of your negligence, the fault is great, and the punishment fearfull
which shall ensue:
Therefore, consider with yourself the end of your ministrie.

and see that ye never cease your labour and care, until you have done all that lyeth in you.
to bring such as are, or shall be committed to your charge, unto that agreement in faith and knowledge of God, and to that ripeness and perfectness of age in Christ, as there be no place left amongst them, either for error in religion, or for viciousnes in life.

And seing this charge is of such difficulty, as of your selfe ye cannot have, either the will or the power to performe the same, see that ye be careful in prayer, and seek continuallie after the heavenly assistance of the Holy Ghost, from God the Father, by the mediation of our onlie Mediator and Saviour Jesus Christ.

that ye may everie day waxe riper and stronger in your ministrie:

according to your bounden dutie
to bring all such as are, or shall be committed to your charge, unto that agreement in faith, and knowledge of God, and to that ripeness and perfectness of age in Christ, that there be no place left among you, either for error in religion, or for viciousnes in life.

Then, forasmuch as your office is both of so great excellencie, and of so great difficulty, ...

(And that you will continually pray for the heavenly assistance of the holy Ghost from God the Father, by the mediation of our onely mediatour and Saviour Jesus Christ, that by daily reading and weighing of the Scriptures, ye may waxe riper and stronger in your ministrie:)

(This section is taken from a later portion of the exhortation, at A below.)

ye see with how great care and studie ye ought to apply youreselves, as well that you may shew your selves kind to that Lord who hath placed you in so high a dignitie, as also to beware that neither you your selves offend, neither be occasion that other offend. Howbeit, ye cannot have a mind and a will thereto of your selves, for that power and abilitie is given of God alone. Therefore ye see how ye ought and have need earnestly to pray for his holy spirit. And seing that you cannot by any other meanes, compasse the doing of so weightie a worke
Be diligent in reading and learning the Holy Scriptures, that the doctrine ye deliver to God's people may be the more powerful, and strive above all things to frame your manners according to the rule of the same.

forsake and set aside (as much as you may) all worldly cares and studies:

And, finallie, apply your selves only to this vocation, that your labours may bee found profitable, and you never found unfaithfull unto that Lord who hath trusted you with his high function and charge.

Wee have good hope, brother, that ye have weighed and pondered these things with your selves long before this time, and that you have resolved with all diligence, by the grace of God, to perform the same:

Sources

(B.C.P. Priest)

pertaining to the salvation of man, but with doctrine and exhortation, taken out of the holy Scripture, and with a life agreeable unto the same: Yee perceive how studious ye ought to be in reading, and in learning the Scriptures,

...and in framing the manners, both of your selves and of them that specially pertains unto you, according to the rule of the same Scriptures: And for this selfe same cause, ye see how ye ought to forsake and set aside (as much as you may) all worldly cares and studies...

that you have clearly determined, by Gods grace, to give your selves wholly to this vocation,

whereunto it hath pleased God to call you, so that (as much as lieth in you) you apply your selves wholly to this one thing, and draw all your cares and studies this way, and to this ende.

Wee have good hope, that you have well weighed and pondered these things with your selves, long before this time, and that you have clearly determined, by Gods grace, to give your selves.../}

(Taken from B.C.P. above)
Yet, that the congregation here assembled may understand your mynd and will in these things, and that your promise may bind you to the greater care in your calling, yee shall answer to these things plainlie, which I, in their names, shall demand of you touching the same.

Doe you think in your heart, that yee are truely called according to the will of our Lord Jesus Christ, and the order of this Church of Scotland, to the holy function of the Ministrie?

I think it.

THE BISHOE.

Are you persuaded that the holy Scriptures contain sufficientlie all doctrine required of necessitie for eternall salvation, through faith in Jesus Christ? And are you determined with the saide Scriptures to instruct the people committed to your charge; and to teach nothing (as required of necessitie to eternall salvation) but that you shall be persuaded may be concluded and proved by the Scripture?

I am so persuaded, and have resolved by God's grace so to doe.

THE BISHOE.

Sources
(B.C.P. Priest)

And that this present congregation of Christ here assembled, may also understand your mindes and wils in these things: and that this your promise shall more move you to doe your dutties, yee shall answer plainly to these things, which we in the name of the congregation shall demand of you touching the same.

Doe you thinke in your heart that you bee truely called according to the will of our Lord Jesus Christ, and the order of this Church of England, to the ministerie of Priesthood?

I thinkes it.

The Bishop.

BE you persuaded that the holy Scriptures contain sufficientlie all doctrine required of necessitie for eternall salvation, thorow faith in Jesus Christ? And are you determined with the sayd Scriptures to instruct the people committed to your charge, and to teach nothing (as required of necessitie to eternall salvation) but that you shall be persuaded may be concluded, and proved by the Scripture?

I am so persuaded and have so determined by Gods grace.

The Bishop.
Will you, then, give your faithfull diligence so to minister the Doctrine and Sacraments and the Discipline of Christ, as the Lord hath commanded, and as this Church hath received the same, according to the commandements of God; so that you may teach the People committed to your cure with all diligence to keep and observe the same?

**Answered.**

_I will so doe, by the grace of God._

**The Bishop.**

Will you be ready with all faithfull diligence to banish and drive away all erroneous and strange doctrine contrarie to God's word, and to use both publick and privat admonitions and exhortations, as well to the sicke as to the whole, within your cure, as need shall require and occasion be given?

**Answered.**

_I will, by the helpe of God._

**The Bishop.**

Will you be diligent in prayers, and in reading of the holy Scriptures, and in such studies as helps to the knowledge of the same, laying aside the studie of the world and the flesh?

**Answered.**

_I will endevour my selfe so to doe, God being my helpe._
Will you be diligent to fashion your selfe and your familie according to the doctrine of Christ, and to make both your selfe, and them, as much as in you lyeth, wholesome examples and spectacles to the flock of Christ?

Answere.
 I will so apply my selfe, by God's grace.

THE BISHOPE.

Will you maintaine and set forward (as much as lyeth in you) quietnesse, peace, and love, amongst all Christian people, and specially amongst them that are, or shall be committed to your charge?

Answere.
 I will so doe, God being my helper.

THE BISHOPE.

Will you reverendlie obey your Ordinary and other chiefe ministers, unto whom the government and charge is committed over you; following with a gladde mind and will their godlie admonitions, and submitting your selfe to their godlie judgements?

Answere.
 I promise so to doe, by the grace of God.

Then shall the BISHOPE say.

Almighty God, who hath given you a will to doe all these
things, grant also unto you strength and power to performe the same; that hee may accomplish his worke which hee hath begun in you, until the tyme hee shall come at the latter day to judge the quicke and the dead.

Then shall the BISHOPE stand up, and speake to the Congregation these worde:

Brethren, you see all the willingnes of this our Brother to undergoe this charge, and have heard the promises which hee hath made to performe the duties of the same; yet because no man is able to doe any good thing without the speciall grace of God in Jesus Christ, and that hee hath promised to give the same to all that aske, as lyke wayes to bee found of them that seek him; let us all joyne in prayer to Almighty God, and earnestlie crave his blessing and benediction to this worke that this which was noe doe may tend to the glorie of his holy name, the profite of his Church, and all our comforts in Jesus Christ our Lord.

This said, the BISHOPE shall pray in this maner:

O Lord, to whom all power is given in heaven and in earth, Thou that art the eternall Sonne of the eternall Father, who hast not onlie so loved thy Church, that, for the redemptione and purgation of the same thou hast

---

O Lord, to whom all power is given in heaven, and in earth, Thou art the Eternall Sonne of the Eternall Father, who hast not onlie so loved thy Church, that for the redemption and purgation of the same, thou hast
humbled thy selfe to the death of the crosse; and thereupon sheddesth thy most innocent blood, to prepare to thy selfe a spouse without spot, but also to retaine this thy most excellent benefite in recent memorie, hast appointed in thy Church teachers, pastors, and apostles, to instruct, comfort, and admonish the same: Look upon us mercifully, O Lord, thou that only art King, Teacher and high Priest to thine owne flock, and send into this our brother, whom in thy name wee are now to admitte unto the ministrie of thy Church,

such a portion of thy Holy Spirit as thereby hee may rightlie devyde thy Worde, to the instruction of thy flock, and confutation of all pernicious errores,

replenish him with truth of doctrine and innocencie of lyfe; that as by thy word, so by good example hee may ever faithfully serve thee in this office,

give him that mouth and wisedome whereby the enemies of thy truth may bee confounded, the wolves expelled and driven from thy fold, the sheepe fed in the most wholesome pastures of thy holy Word, the blind and the ignorant may bee illuminated with thy true knowledge. Finally, that the dregges of superstition and idolatrie,

Sources

(Scot. B.C.O.)

humbled thy selfe to the death of the Crosse, and thereupon hast shed thy most innocent blood, to prepare to thy selfe a spouse without spot, but also to retaine this thy most excellent benefite in recent memorie, hast appointed in thy Church Teachers, Pastors, and Apostles, to instruct, comfort, and admonish the same: Look upon us mercifully, O Lord, thou that only art King, Teacher and high Priest to thine owne flock: And send unto this our brother, whom in thy Name we have charged with the cheife care of thy Church within the bounds of Louthian, such portion of thine holy Spirit, as thereby hee may rightly divide thy word to the instruction of thy flock and to the confusion of pernicious errores and damnable superstitions:

(B.C.P.)

...replenish them so with truth of thy doctrine and innocencie of life, that both by word, and good example, they may faithfully serve thee in this office,...

(Scot. B.C.O.)

Give unto him, good Lord, a mouth and wisedome, whereby the enemies of thy truth may bee confounded, the wolves expelled and driven from thy fold, the sheepe may bee fed in the wholesome pastures of thy most holy word, the blind and ignorant may bee illuminated with thy true knowledge: Finally, that the dregges of superstition and idolatrie,
which yet resteth within this Realme, being purged and removed, we may all not only have occasion to glorifie thee, our only Lord and Saviour, but also daily grow in godliness and obedience of thy most holy will, to the destruction of the body of sinne, and to the restitution of that image, to the which we were once created, unto the which after our fall and defection we are renewed by participation of thy Holy Spirit; which by true faith in thee, we do profess as the blessed of thy Father, of whom the perpetuall increase of thy graces we crave, as by thee, our Lord, King, and onlie Bishop we are taught to pray, Our Father who art in Heaven, hallowed be thy Name, thy Kingdom come, Thy will bee done, &c.

&c.

The Prayer ended, the BISHOPE, with the MINISTERS that are present, shall lay their hands upon the head of him that is to bee admitted, hee in the meane while kneeling humblie upon his knees, and the BISHOPE shall say,—

In the name of God, and by the authoritie committed unto us by the Lord Jesus Christ, wee give unto thee power and authoritie to preach the Word of God, to minister his holy Sacraments, and exercise Discipline in such sort as is committed unto minis-
ters by the order of our Church; and God, the Father of our Lord Jesus Christ,

Sources

(Scot. B.C.O.)

When this prayer is done, the Bishop with the Priestes present, shall lay their hands severally upon the head of every one that receiveth Orders: The Receivers humbly kneeling upon their knees, and the Bishop saying.

(Scot. B.C.O.)

GOD the Father of our Lord Jesus Christ, who hath commended his Gospell to bee preached to the comfort of his Elect,
who has called thee to the office of a watchman over his people, multiply his graces with thee, illuminat thee with his Holy Spirit, comfort and strengthen thee in all vertue, governe and guide thy ministrie, to the praise of his holy name, to the propagation of Christe's kingdome, to the comfort of his Church, and to the discharge of thy owne conscience in the day of the Lord Jesus, to whom, with the Father and the Holy Ghost, be all honour, praise and glorie, now and ever. Amen.

The BISHOPE shall then deliver the Bible in the hands of the admitted, saying,

This is the Books of Scripture, which thou must studie continuallie, and mak the ground and rule of thy doctrine and living.

After that hee shall take the admitted by the hand, and so shall the Ministers that are present, with the Commissioners of the Church whereunto hee is admitted.

This done, the admitted person standing in the same place where hands were layed upon him, this last Exhortation shall be read by the BISHOPE.

Take heed to thy selfe, and unto the flock committed to thy charge; feede the same carefullie, not as it were be compulsion, but of varie love which thou

and hath called thee to the office of a watchman over his people, multiply his graces with thee, illuminat thee with his holy Spirit, comfort and strengthen thee in all vertue, governe and guide thy Ministry, to the praise of his holy Name, to the propagation of Christe's Kingdome, to the comfort of his Church, and finally, to the plain discharge and assurance of thine owne conscience, in the day of the LORD JESUS, to whom with the Father, and with the holy Ghost, bee all honour, praise and glory, now and ever: So bee it.

The Bishop shall deliver to every one of them the Bible in his hand, saying,

The Prayer ended, the rest of the Ministers and Elders of that Church, if there bee any present, in signe of their consent shall take the elected by the hand.

The last exhortation to the elected.

Take heed to thy selfe and unto the flocke committed to thy charge, feede the same carefully, not as it were by compulsion, but of very love, which thou
bearest to the Lord Jesus; walk in simplicity and pureness of life, as it bcommeth the true servant and embassadour of the Lord Jesus, usurpe not dominion nor tyrannical authority over thy brethren, bee not discouraged in adversity, but lay before thy selfe the example of the prophets, apostles, and of the Lord Jesus, who in their ministry sustained contradiction, contemp, persecution, and death; feare not to rebuke the world of sinne, justice, and judgment: If any thing succeed prosperouslie in thy vocation, be not puft up with pride, neither yet flatter thy selfe as that the good successe proceded from thy vertue, industrie, or care; but let ever that sentence of the apostle remaine in thy heart, "What hast thou which thou hast not received? If thou hast receaved, why glories thou?" Comfort the afflicted, support the poore, and exhort others to support them; be not solict for things of this life, but be fervent in prayer to God for the increase of his Holy Spirit: And, finallie, behave thy selfe in this holy vocation with such sobrietie as God may be glorified in thy ministrie: So shall thou shortly obtaine the victorie, and receive the crowne promised, when the Lord Jesus shall appear in his glory, whose omnipotent Spirit assist thee and us to the end.

Then shall they sing the 23d Psalme, which being ended, the BISHOPE shall conclude with this prayer:--
Most mercifull Father, wee render unto thee all heartlie thanks for the care thou vouch-afes to tak of thy Church, in pro-\vathing unto her pastors and teachers throughout the world; particu-\larlie, for that thou hast beene pleased to call this thy servand (wife we have now admitted) unto the same office and ministrie, once againe wee entreat thee, O God, to send upon him thy heavenly blessing, that hee may be clothed with true holines and that thy word spoken by his mouth may have such success, as it may never be spoken in vaine. Grant also that they unto whom hee is, or shall be appointed minister, may have grace to heare and receiue the same as thy most holy word, and the meanes of our sal-
vation; and, finallie, give unto us all thankfulness for thy benefites, grace to proceede in the knowledge and faith of thy Sone, that in all our words and deeds wee may seek thy glorie and the increas of thy kingdom, through Jesus Christ our Lord.

The grace of our Lord Jesus Christ, and the love of God, with the fellowships of the Holy Ghost, bee with us all for ever-\more. Amen.

Abbreviations

Scot. B.C.O. = Scottish Book of Common Order

B.C.P. = Book of Common Prayer: Ordination of Deacons and Ordination of Priests

Sources

(B.C.P. Priest)
B.C.P. Priest = Book of Common Prayer: Ordination of Priests
B.C.P. Deacon = Book of Common Prayer: Ordination of Deacons
APPENDIX D

Collation granted by the Bishop of Moray on 30 November, 1615.

ALEXANDER, be the Mercy of God Bischope of Murray, To our Lovinge Brother Maister James Bischope, minister at Invernes and Moderator of the Presbiterie there. Wishis Salvation in oure Savior Jesus Christ. Forsamikill as wee understanding that the Benefice of the personage and vicarage of Farnuay [now in Kirkhill] is vacant Lyke as it hes vakit continuallie since the deceis of umquhill Androw Makphaill person and viccar thairof, quha departit this present lyffe, the yeir of God 1606 years, And that the patronage thairof appertains to the airis of ane honorabell man, umquhill Alexander, sumtyme Lord of Spynie, And seing the kirk of Farnuay hes been destitute of ane lauchfull pastor thir many yeirs bypass, And now be the Lawes of this realme no qualifeit person to use the office of the Ministrie within the said kirk being duly and orderly presentit to the said personage and viccarage of Fernuay according to the ordour observit be act of parliament be the space of sex months after the deceis of the last possessor thairof, the gift and disposition is cum in the kirks hands, Jure devoluto. And thairfore willing that the Congregation belonging to the said Kirk of Fernuay be nocht destitute of ane lauchfull pastour and minister, and having tryit & examinit the literatour & qualification and gud conversation of our belovit brother Maister John Huistoun, And also understanding that the said Mr John is able to travell at the saids
kirk in his ministrie, as also having receavit the testimony of the saids Master Johns qualificatione and conversatioune from the brethren thair, As also having takin his aith for acknowledging of our Soveraine Lords authority and dew obedience to Us his Ordinar, wes thairfor with advyss of the Brethreene of the exercesis of Elgin and Invernes receavit and admittit, And be thir presents receaves and admitts the said Mr John Houstoun to the personage and vicarage forsaid, with all pairts pendickills mans gleib kirklands teyndsheaves and all utter teyndrents proffeits provents emoluments and comodities whatsumever pertaining or belonging to the said personage and vicarage for all the dayes of the said Mr John his lifetyme, And hes given & disponit, And be the tenor hereoff gives and disposn the samyn to the said Mr John during that ilk space, The said benefice now vacant thir monie yeirs bygon be the deceass of the last titular thairof and being now at our dispositions in manner forsaid, Quhairffor wee requyre you that after the sight heirof ye pass with the said Mr John Houstoun, to the parroch kirk belonging to the said personage and vicarage and thairin enter him to the reall possession of the saids personage and viccarage abovementionat be delyvering the buik of God in his hands, as you will answer upon your dewtie and obediens, Provydeing the said Maister John make residence at the said Kirk of Farnuay and preach the Evangell of Christ & minister the halie Sacraments and be cairfull in exerceseing discipline and remaine honest in his life and conversation, so that no sclander aryss to the Evangell, And in
case be decree of the Generall Assembly or Bischope or Synodoll
Assembly and Presbitrie of Inverness, unto whois judgements he
shall be alwayes subject, he be found negligent in doctrein or
lyffe, Or for gud occasion [be found] worthie to be transportit
to ane uther place & charge, This present disposition to be of
none effect and some other qualifeit person to be presentit
thairto of new. Requhyring the Lords of Session & Counsall to
grant letters thairupon...Subscryvit be Us & our presbiterie at
Elgin the last day of November 1615 years. Sic Subscribitur,
A.B: off Moreye, moderator of the provinciall assembly thair-
off: [and seven ministers of the chapter].

(Bught Papers, D/2, attested copy
dated 23 Feb. 1682.)
### Appendix E

**DECREETS OF THE COMMISSION FOR PLANTATION OF KIRKS: 1618**

<table>
<thead>
<tr>
<th>Parish</th>
<th>1601 Stipend</th>
<th>1618 Stipend</th>
<th>Extension of tack</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Anwoth</td>
<td>163 m.</td>
<td>520 m.</td>
<td>95 years</td>
<td>II, 999.</td>
</tr>
<tr>
<td>2 Boleskine and Abertarff</td>
<td>146 m.</td>
<td>520 m.</td>
<td>101 years</td>
<td>I(1), 126.</td>
</tr>
<tr>
<td>3 Birse</td>
<td>215 m.</td>
<td>608 m.</td>
<td>114 years</td>
<td>I(1), 29.</td>
</tr>
<tr>
<td>4 Borgue</td>
<td>213 m.</td>
<td>520 m.</td>
<td>95 years</td>
<td>II, 999.</td>
</tr>
<tr>
<td>5 Bothkennar</td>
<td>204 m.</td>
<td>600 m.</td>
<td>114 years</td>
<td>II, 1063.</td>
</tr>
<tr>
<td>6 Convinth and Kiltarliety</td>
<td>20 m. (reader)</td>
<td>520 m.</td>
<td>101 years</td>
<td>I(1), 113.</td>
</tr>
<tr>
<td>7 Cullen</td>
<td>none</td>
<td>550 m.</td>
<td>203 years</td>
<td>I(1), 65.</td>
</tr>
<tr>
<td>8 Dunbar</td>
<td>200 m.</td>
<td>1000 m.</td>
<td>? years</td>
<td>I(1), 193.</td>
</tr>
<tr>
<td>9 Dunning</td>
<td>296 m.</td>
<td>557 m.</td>
<td>100 years</td>
<td>II, 881.</td>
</tr>
<tr>
<td>10 Dalmellington</td>
<td>48 m.</td>
<td>510 m.</td>
<td>? years</td>
<td>III, 221.</td>
</tr>
<tr>
<td>11 Ettrick</td>
<td>none</td>
<td>520 m.</td>
<td>200 years</td>
<td>II, 871.</td>
</tr>
<tr>
<td>12 Eddleston</td>
<td>1375 m.</td>
<td>600 m.</td>
<td>3 lifetimes and 38 years</td>
<td>IV, 235.</td>
</tr>
<tr>
<td>13 Fordyce</td>
<td>600 m.</td>
<td>850 m.</td>
<td>203 years</td>
<td>I(1), 65.</td>
</tr>
<tr>
<td>14 Glassary</td>
<td>none</td>
<td>420 m.</td>
<td>101 years</td>
<td>I(2), 181.</td>
</tr>
<tr>
<td>15 Gordon</td>
<td>124 m.</td>
<td>625 m.</td>
<td>73 years</td>
<td>I(2), 315.</td>
</tr>
<tr>
<td>16 Glendevon</td>
<td>50 m.</td>
<td>500 m.</td>
<td>95 years</td>
<td>I(2), 374.</td>
</tr>
<tr>
<td>17 Glasserton</td>
<td>430 m.</td>
<td>510 m.</td>
<td>95 years</td>
<td>II, 999.</td>
</tr>
<tr>
<td>18 Inch</td>
<td>322 m.</td>
<td>880 m.</td>
<td>133 years</td>
<td>III, 933.</td>
</tr>
<tr>
<td>19 Kirkmaiden</td>
<td>34 m. (reader)</td>
<td>620 m.</td>
<td>57 years</td>
<td>I(2), 40.</td>
</tr>
<tr>
<td>20 Kincardine O’Neil</td>
<td>310 m. and v.</td>
<td>558 m.</td>
<td>? years</td>
<td>II, 243.</td>
</tr>
<tr>
<td>Parish</td>
<td>1601 Stipend</td>
<td>1618 Stipend</td>
<td>Extension of tack</td>
<td>Reference</td>
</tr>
<tr>
<td>------------------------</td>
<td>--------------</td>
<td>--------------</td>
<td>-------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>21 Kettins</td>
<td>163 m.</td>
<td>630 m.</td>
<td>94 years</td>
<td>II, 920.</td>
</tr>
<tr>
<td>22 Logie, Stirlingshire</td>
<td>278 m.</td>
<td>520 m.</td>
<td>3 lifetimes and 94 years</td>
<td>III, 842.</td>
</tr>
<tr>
<td>23 Mochrum</td>
<td>219 m.</td>
<td>510 m.</td>
<td>95 years</td>
<td>II, 999.</td>
</tr>
<tr>
<td>24 Menmuir</td>
<td>240 m.</td>
<td>575 m.</td>
<td>57 years</td>
<td>III, 242.</td>
</tr>
<tr>
<td>25 Monymusk</td>
<td>250 m.</td>
<td>880 m.</td>
<td>94 years</td>
<td>III, 663.</td>
</tr>
<tr>
<td>26 St Nicholas, Aberdeen</td>
<td>450 m.</td>
<td>598 m.</td>
<td>? years</td>
<td>II, 30.</td>
</tr>
<tr>
<td>27 Sorbie</td>
<td>none</td>
<td>520 m.</td>
<td>95 years</td>
<td>II, 999.</td>
</tr>
<tr>
<td>28 Stow</td>
<td>226 m.</td>
<td>600 m.</td>
<td>73 years</td>
<td>I(2), 91.</td>
</tr>
<tr>
<td>29 Tulloch</td>
<td>228 m.</td>
<td>520 m.</td>
<td>100 years</td>
<td>II, 364.</td>
</tr>
<tr>
<td>30 Wigtown</td>
<td>1350 m.</td>
<td>515 m.</td>
<td>76 years</td>
<td>III, 74.</td>
</tr>
<tr>
<td>31 Whithorn</td>
<td>430 m.</td>
<td>620 m.</td>
<td>95 years</td>
<td>II, 999.</td>
</tr>
<tr>
<td>32 Wardlaw</td>
<td>133 m. (1599)</td>
<td>520 m.</td>
<td>3 liferents and 57 years</td>
<td>I(1), 119, I(2), 9.</td>
</tr>
</tbody>
</table>

1 The Commission was appointed in 1617. All of the extant degrees were issued in 1618. Although stipend was often paid in victuals and money, all figures in this table have been converted to merks for purposes of comparison.

2 These figures were compiled from the Reg. Assig. Stipends, 1601.

3 Many of these figures are also given in Connell, Tithes, II, Appendix, 44-5.

4 References are to the Registers of Old Decreets Recorded in the Books of the Commission on Teinds.

5 Several decreets mention an extension of tacks but refer to the 'Acts of Recompence' for the exact period of the extension.

6 Although these high stipends were assigned in 1601, the actual stipend prior to 1618 was probably not this high. The commissioners had no authority to deal with parishes where the existing stipend exceeded 500 merks.

v. = vicarage
## Appendix F

### TESTAMENTS OF MINISTERS

<table>
<thead>
<tr>
<th>Name and Parish</th>
<th>Date of death</th>
<th>A¹</th>
<th>B²</th>
<th>C³</th>
<th>D⁴</th>
<th>Library</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Brand</td>
<td>3 Sept. 1600</td>
<td>96</td>
<td>389</td>
<td>259</td>
<td>226</td>
<td>30</td>
<td>Edin. Test. 15 Mar. 1602</td>
</tr>
<tr>
<td>Holyroodhouse</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Craig</td>
<td>12 Dec. 1600</td>
<td>222</td>
<td>1100</td>
<td>-</td>
<td>1322</td>
<td>-</td>
<td>Edin. Test. 23 Mar. 1601</td>
</tr>
<tr>
<td>Royal chaplain</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Spittell</td>
<td>May, 1601</td>
<td>154</td>
<td>555</td>
<td>-</td>
<td>709</td>
<td>-</td>
<td>Edin. Test. 11 Dec. 1605</td>
</tr>
<tr>
<td>Drimmin</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Hynschaw</td>
<td>14 June, 1601</td>
<td>36</td>
<td>237</td>
<td>-</td>
<td>274</td>
<td>26</td>
<td>Edin. Test. 13 Jan. 1602</td>
</tr>
<tr>
<td>Kilmany</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Wilkie</td>
<td>19 July, 1601</td>
<td>162</td>
<td>708</td>
<td>150</td>
<td>718</td>
<td>-</td>
<td>Edin. Test. 14 June, 1606</td>
</tr>
<tr>
<td>Kilmarnock</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Duncanson</td>
<td>4 Oct. 1601</td>
<td>133</td>
<td>2794</td>
<td>312</td>
<td>2612</td>
<td>-</td>
<td>Edin. Test. 8 Feb. 1602</td>
</tr>
<tr>
<td>Royal chaplain</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Ramsey</td>
<td>29 June, 1602</td>
<td>140</td>
<td>575</td>
<td>-</td>
<td>715</td>
<td>-</td>
<td>Edin. Test. 18 May, 1603</td>
</tr>
<tr>
<td>Alyth</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Hepburne</td>
<td>Oct. 1602</td>
<td>237</td>
<td>350</td>
<td>694</td>
<td>deficit of 106</td>
<td>100 m.</td>
<td>Edin. Test. 22 Feb. 1603</td>
</tr>
<tr>
<td>Stobo</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Norie</td>
<td>Nov. 1602</td>
<td>441</td>
<td>636</td>
<td>12</td>
<td>1065</td>
<td>-</td>
<td>Edin. Test. 31 May, 1603</td>
</tr>
<tr>
<td>Fern</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Kinnear</td>
<td>Jan. 1603</td>
<td>20</td>
<td>190</td>
<td>10</td>
<td>200</td>
<td>-</td>
<td>Edin. Test. 8 July, 1603</td>
</tr>
<tr>
<td>Greich</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name and Parish</td>
<td>Date of death</td>
<td>A¹</td>
<td>B²</td>
<td>C³</td>
<td>D⁴</td>
<td>Library</td>
<td>Reference</td>
</tr>
<tr>
<td>----------------------</td>
<td>-----------------</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>---------</td>
<td>---------------</td>
</tr>
<tr>
<td>11 Anderson Kettins</td>
<td>31 Jan. 1603</td>
<td>213</td>
<td>261</td>
<td></td>
<td>475</td>
<td>Edin. Test. 21 June, 1606</td>
<td></td>
</tr>
<tr>
<td>12 Tulas Auchtertool</td>
<td>Feb. 1603</td>
<td>100</td>
<td>787</td>
<td>13</td>
<td>873</td>
<td>Edin. Test. 7 Dec. 1603</td>
<td></td>
</tr>
<tr>
<td>13 Morrison Garvock</td>
<td>4 May, 1603</td>
<td>227</td>
<td>1630</td>
<td>143</td>
<td>1714</td>
<td>Edin. Test. 15 Mar. 1606</td>
<td></td>
</tr>
<tr>
<td>14 M'Lagan Dull</td>
<td>Aug. 1603</td>
<td>20</td>
<td>675</td>
<td></td>
<td>695</td>
<td>Edin. Test. 8 Aug. 1607</td>
<td></td>
</tr>
<tr>
<td>15 Leslie Rothes</td>
<td>14 Sept. 1603</td>
<td>1377</td>
<td>639</td>
<td>133</td>
<td>1892</td>
<td>Edin. Test. 2 Apr. 1606</td>
<td></td>
</tr>
<tr>
<td>16 Greig North Berwick</td>
<td>Oct. 1603</td>
<td>252</td>
<td>770</td>
<td>29</td>
<td>993</td>
<td>Edin. Test. 17 June, 1606</td>
<td></td>
</tr>
<tr>
<td>17 Muirhead Hamilton</td>
<td>10 Oct. 1603</td>
<td>388</td>
<td>538</td>
<td>901</td>
<td>26</td>
<td>Edin. Test. 28 Feb. 1605</td>
<td></td>
</tr>
<tr>
<td>18 Couper Glasgow</td>
<td>25 Dec. 1603</td>
<td>787</td>
<td>2199</td>
<td></td>
<td>2986</td>
<td>Edin. Test. 21 June 1606</td>
<td></td>
</tr>
<tr>
<td>19 Douglas Grailing</td>
<td>Dec. 1604</td>
<td>69</td>
<td>849</td>
<td></td>
<td>918</td>
<td>Edin. Test. 22 July, 1607</td>
<td></td>
</tr>
<tr>
<td>20 Writtoun Kilwinning</td>
<td>12 Feb. 1605</td>
<td>100</td>
<td>780</td>
<td></td>
<td>880</td>
<td>Edin. Test. 1 Oct. 1606</td>
<td></td>
</tr>
<tr>
<td>21 Edmonstone Cargill</td>
<td>Nov. 1605</td>
<td>1471</td>
<td>4663</td>
<td>354</td>
<td>5780</td>
<td>Edin. Test. 21 July, 1607</td>
<td></td>
</tr>
<tr>
<td>22 Hastie Living in Canongate</td>
<td>21 April 1606</td>
<td>125</td>
<td>293</td>
<td>40</td>
<td>378</td>
<td>Edin. Test. 21 July, 1606</td>
<td></td>
</tr>
<tr>
<td>Name and Parish</td>
<td>Date of Death</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------</td>
<td>--------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Body Holm, Orkney</td>
<td>April, 1606 100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tullie Dalmeny</td>
<td>19 Aug., 1606 200</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scrogie Flisk</td>
<td>25 June, 1607 291</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hislop Whitsome</td>
<td>25 June, 1607 290</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Watson Innerwick</td>
<td>25 June, 1607 290</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hislop Whitsome</td>
<td>10 Feb., 1608 306</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scrogie Flisk</td>
<td>24 Aug., 1608 306</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Watson Innerwick</td>
<td>24 Aug., 1608 306</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fraser Stracathro</td>
<td>22 Aug., 1609 378</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Keir Ecclesmachan</td>
<td>10 Mar., 1611 149</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manvall Whittingehame</td>
<td>7 Oct., 1611 149</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hamilton Kirknewton</td>
<td>31 May, 1612 769</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fairhead Leith</td>
<td>2 Nov., 1612 3112</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Young Tynninghame</td>
<td>13 Nov., 1613 224</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes:
- Edin. Test.
- Brec. Test.
<table>
<thead>
<tr>
<th>Name and Parish</th>
<th>Date of death</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>Library</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>35 Ambrose</td>
<td>1 May, 1615</td>
<td>77</td>
<td>64</td>
<td>-</td>
<td>141</td>
<td>10</td>
<td>Edin. Test. 12 July, 1625</td>
</tr>
<tr>
<td>Newbattle</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36 Rutherford</td>
<td>25 April, 1616</td>
<td>200</td>
<td>40</td>
<td>162</td>
<td>178</td>
<td>100</td>
<td>Edin. Test. 21 July, 1616</td>
</tr>
<tr>
<td>Corstorphine</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37 Monypenny</td>
<td>Mar. 1616</td>
<td>127</td>
<td>1423</td>
<td>20</td>
<td>1531</td>
<td>100 m.</td>
<td>Edin. Test. 15 May, 1616</td>
</tr>
<tr>
<td>Livingston</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38 Nimbill</td>
<td>Oct. 1616</td>
<td>301</td>
<td>1486</td>
<td>16</td>
<td>1471</td>
<td>100 m.</td>
<td>Edin. Test. 10 Dec. 1616</td>
</tr>
<tr>
<td>Newton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39 Bennet</td>
<td>29 Oct. 1616</td>
<td>172</td>
<td>1600</td>
<td>110</td>
<td>1660</td>
<td>-</td>
<td>Edin. Test. 5 Nov. 1617</td>
</tr>
<tr>
<td>Heriot</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40 Gilmour</td>
<td>23 Nov. 1616</td>
<td>249</td>
<td>3653</td>
<td>26</td>
<td>3876</td>
<td>-</td>
<td>Edin. Test. 27 Feb. 1618</td>
</tr>
<tr>
<td>Calder</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41 Inglis</td>
<td>10 Mar. 1617</td>
<td>997</td>
<td>387</td>
<td>-</td>
<td>1384</td>
<td>-</td>
<td>Edin. Test. 27 Aug. 1617</td>
</tr>
<tr>
<td>Bathgate</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>42 Forrester</td>
<td>Nov. 1617</td>
<td>71</td>
<td>504</td>
<td>144</td>
<td>431</td>
<td>-</td>
<td>Dunb. Test. 16 Dec. 1618</td>
</tr>
<tr>
<td>Tulliallan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>43 Wallace</td>
<td>25 Dec. 1617</td>
<td>521</td>
<td>2030</td>
<td>30</td>
<td>2511</td>
<td>500 m.</td>
<td>Edin. Test. 24 June, 1618</td>
</tr>
<tr>
<td>Tranent</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>44 Hepburne</td>
<td>28 Aug. 1618</td>
<td>395</td>
<td>3524</td>
<td>-</td>
<td>3919</td>
<td>100</td>
<td>Edin. Test. 25 Feb. 1619</td>
</tr>
<tr>
<td>Prestonkirk</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>45 Young</td>
<td>1619</td>
<td>40</td>
<td>590</td>
<td>-</td>
<td>630</td>
<td>-</td>
<td>Dunb. Test. 14 Mar. 1620</td>
</tr>
<tr>
<td>Comrie</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>46 Futhie</td>
<td>May, 1620</td>
<td>238</td>
<td>3509</td>
<td>27</td>
<td>3720</td>
<td>133</td>
<td>Brec. Test. 19 Feb. 1622</td>
</tr>
<tr>
<td>Lundie</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name and Parish</td>
<td>Date of Death</td>
<td>A</td>
<td>B</td>
<td>C</td>
<td>Library</td>
<td>Reference</td>
<td></td>
</tr>
<tr>
<td>----------------</td>
<td>--------------</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---------</td>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td>Macgillicallum Balquhidder</td>
<td>Feb. 1621</td>
<td>135</td>
<td>1871</td>
<td>2006</td>
<td>Dunb. Test.</td>
<td>5 July, 1622</td>
<td></td>
</tr>
<tr>
<td>Strachan Dun</td>
<td>Sept. 1622</td>
<td>133</td>
<td>13,509</td>
<td>13,643</td>
<td>Brec. Test.</td>
<td>4 Dec. 1622</td>
<td></td>
</tr>
<tr>
<td>Seymour HolYROodhouse</td>
<td>30 Nov. 1623</td>
<td>600</td>
<td>781</td>
<td>1381</td>
<td>Edin. Test.</td>
<td>3 April, 1624</td>
<td></td>
</tr>
<tr>
<td>Glover Guthrie</td>
<td>Nov. 1623</td>
<td>104</td>
<td>1241</td>
<td>1345</td>
<td>Brec. Test.</td>
<td>14 Mar. 1625</td>
<td></td>
</tr>
<tr>
<td>Rollock Strathmartine</td>
<td>1623</td>
<td>10</td>
<td>907</td>
<td>917</td>
<td>Brec. Test.</td>
<td>31 Dec. 1624</td>
<td></td>
</tr>
<tr>
<td>Lindsay Corstorphine</td>
<td>April, 1624</td>
<td>30</td>
<td>333</td>
<td>270</td>
<td>Edin. Test.</td>
<td>30 Oct. 1624</td>
<td></td>
</tr>
<tr>
<td>Balfour Kirknewton</td>
<td>7 July, 1624</td>
<td>268</td>
<td>430</td>
<td>672</td>
<td>Edin. Test.</td>
<td>5 Aug. 1625</td>
<td></td>
</tr>
<tr>
<td>Mitchelson St Bathans (Yester)</td>
<td>July, 1625</td>
<td>367</td>
<td>1492</td>
<td>1789</td>
<td>Edin. Test.</td>
<td>28 June, 1626</td>
<td></td>
</tr>
<tr>
<td>Galloway Edinburgh</td>
<td>1626</td>
<td>6096</td>
<td>4884</td>
<td>10,980</td>
<td>Edin. Test.</td>
<td>18 May, 1626</td>
<td></td>
</tr>
<tr>
<td>Mitchell Stow</td>
<td>1626</td>
<td>1106</td>
<td>3510</td>
<td>4373</td>
<td>Edin. Test.</td>
<td>19 July, 1626</td>
<td></td>
</tr>
</tbody>
</table>
| Name and Parish       | Date of death | A¹ | B²   | C³ | D⁴ | Library | Reference
|----------------------|---------------|----|------|----|----|---------|------------|
| 58 Lindsay Leith     | Jan. 1627     | 300| 400  | -  | 700| 300 m. | Edin. Test.
|                      |               |    |      |    |    | 8 Feb. 1627 |
|                      |               |    |      |    |    | 26 Jan. 1628 |
| 60 Hall Edinburgh    | Aug. 1627     | 440| 12,808| 24| 13,224| -       | Edin. Test.
|                      |               |    |      |    |    | 1 April, 1628 |
| 61 Greir Haddington  | 1628          | 1069| 40   | 89 | 1019| 500 m. | Edin. Test.
|                      |               |    |      |    |    | 27 Nov. 1628 |
|                      |               |    |      |    |    | 3 Dec. 1628 |
| 63 Lumsden Duddingston| 30 Nov. 1630| 1000| 853  | 684| 1169| 1200 m. | Edin. Test.
|                      |               |    |      |    |    | 4 June, 1631 |
| 64 Oswald Pencaitland| Feb. 1631     | 220 | -    | -  | 220| -       | Edin. Test.
|                      |               |    |      |    |    | 6 July, 1631 |
| 65 Ramsay Montrose   | April, 1631   | 133 | 1316 | -  | 1450| -       | Brec. Test.
|                      |               |    |      |    |    | 30 April, 1632 |
|                      |               |    |      |    |    | 9 Feb. 1632 |
|                      |               |    |      |    |    | 14 Nov. 1632 |
|                      |               |    |      |    |    | 6 Sept. 1633 |
| 69 Forrester N. Leith| June, 1633    | 180 | 3790 | 17 | 3953| 40 m.  | Edin. Test.
<p>|                      |               |    |      |    |    | 1 Aug. 1633 |</p>
<table>
<thead>
<tr>
<th>Name and Parish</th>
<th>Date of death</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>Library</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>70 Struthers Edinburgh</td>
<td>9 Nov. 1633</td>
<td>2800</td>
<td>13,933</td>
<td>800</td>
<td>15,933</td>
<td>3000 m.</td>
<td>Edin. Test. 8 Aug. 1635</td>
</tr>
<tr>
<td>71 Turner Dalkeith</td>
<td>Aug. 1634</td>
<td>1201</td>
<td>1877</td>
<td>118</td>
<td>2959</td>
<td>700 m.</td>
<td>Edin. Test. 16 Dec. 1634</td>
</tr>
<tr>
<td>73 Forrest Whitekirk</td>
<td>31 Dec. 1634</td>
<td>399</td>
<td>1543</td>
<td>-</td>
<td>1942</td>
<td>100</td>
<td>Edin. Test. 21 Mar. 1635</td>
</tr>
<tr>
<td>74 Blyth Eccles</td>
<td>Feb. 1635</td>
<td>493</td>
<td>2083</td>
<td>62</td>
<td>2513</td>
<td>500 m.</td>
<td>Edin. Test. 20 Jan. 1636</td>
</tr>
<tr>
<td>75 Home Duddingston</td>
<td>1635</td>
<td>100</td>
<td>-</td>
<td>-</td>
<td>100</td>
<td>-</td>
<td>Edin. Test. 5 April, 1636</td>
</tr>
<tr>
<td>76 Rig Dunnichen</td>
<td>Nov. 1635</td>
<td>173</td>
<td>193</td>
<td>-</td>
<td>366</td>
<td>200 m.</td>
<td>Edin. Test. 20 Sept. 1636</td>
</tr>
<tr>
<td>77 Cook Stenton</td>
<td>31 Dec. 1635</td>
<td>80</td>
<td>183</td>
<td>-</td>
<td>263</td>
<td>50</td>
<td>Edin. Test. 8 Mar. 1637</td>
</tr>
<tr>
<td>78 Sinclair Penicuik</td>
<td>1637</td>
<td>101</td>
<td>415</td>
<td>18</td>
<td>498</td>
<td>-</td>
<td>Edin. Test. 19 May, 1637</td>
</tr>
<tr>
<td>79 Maitland Garvald</td>
<td>Oct. 1637</td>
<td>587</td>
<td>333</td>
<td>-</td>
<td>920</td>
<td>-</td>
<td>Edin. Test. 6 April, 1639</td>
</tr>
<tr>
<td>80 Campbell Dundee</td>
<td>13 June, 1638</td>
<td>267</td>
<td>-</td>
<td>16</td>
<td>251</td>
<td>200</td>
<td>Brec. Test. 24 Nov. 1640</td>
</tr>
<tr>
<td>Name and Parish</td>
<td>Date of death</td>
<td>A(^1)</td>
<td>B(^2)</td>
<td>C(^3)</td>
<td>D(^4)</td>
<td>Library</td>
<td>Reference(^5)</td>
</tr>
<tr>
<td>----------------</td>
<td>--------------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
<td>----------------</td>
</tr>
<tr>
<td>31 Aird Newbattle</td>
<td>1638</td>
<td>1363</td>
<td>707</td>
<td>-</td>
<td>2069</td>
<td>338</td>
<td>Edin. Test. 12 Nov. 1638</td>
</tr>
</tbody>
</table>

1. A = Total movables, including library if any.
2. B = Debts due to the deceased.
3. C = Debts owed by the deceased.
4. D = Total net assets
5. Reference = Date of filing.
   - Dunb. Test. = Dunblane Testaments.

m. = merks.

All figures are given to the nearest pound (Scots) unless otherwise indicated.
BIBLIOGRAPHY

I

Manuscript Sources

(All manuscripts are in the Scottish Record Office, Edinburgh, unless otherwise noted.)

General Works:

Aberdeen Parish Register, 168a (12), New Register House, Edinburgh.

Canongate Parish Register, 685 3 (12), New Register House.

Court Book of the Bishopric of Orkney, 1614–38.

Dunfermline Parish Register, 424(1), 424(2), New Register House.


Inverness Parish Register, 98(1), New Register House.


Records of Testaments, Commissariat Court of Brechin.

Records of Testaments, Commissariat Court of Dunblane.

Records of Testaments, Commissariat Court of Edinburgh.

Records of Testaments, Commissariat Court of Glasgow.

 Records of Testaments, Commissariat Court of Hamilton and Campsie.

Records of Testaments, Commissariat Court of St Andrews.
Register of the Acts and Decrets of the Court of Session, COLXXII.


Register of Assignation and Modification of Stipends, 1596-7, 1599-1601, 1607-8.

Registrum Secreti Sigilli

Register of Presentations to Benefices


Synod Records:

Records of the Synod of Fife, 1610-1636 (CH2/154/1).

Records of the Synod of Lothian and Tweeddale, 1589-1596 (CH2/252/1).

Records of the Synod of Moray, 1623-1644 (CH2/271/1).

Presbytery Records:

Records of the Presbytery of Aberdeen, 1598-1610 (CH2/1/1).

Records of the Presbytery of Dunblane, 1616-1628. These records are in the possession of the Presbytery of Stirling and Dunblane.

Records of the Presbytery of Edinburgh, 1586-1593 (CH2/121/1), 1601-1607 (CH2/121/3).

Records of the Presbytery of Ellon, 1597-1607 (CH2/146/1), 1607-1628 (CH2/146/2), 1634-1643 (CH2/146/3).

Records of the Presbytery of Haddington, 1627-1639 (CH2/185/4).

Records of the Presbytery of Jedburgh, 1606-1621 (CH2/198/1), 1622-1644 (CH2/198/2).

Records of the Presbytery of Lanark, 1623-1657 (CH2/234/1).
Records of the Presbytery of Paisley, 1602-1607 (CH2/294/1), 1626-1647 (CH2/294/2).

Records of the Presbytery of Melrose (or Selkirk), 1607-1619 (CH2/327/1).

Records of the Presbytery of Perth, 1618-1647 (CH2/299/1).

Kirk Session Records:

Records of the Kirk Session of Belhelvie, 1623-1641 (CH2/32/1).

Records of the Kirk Session of Culross, 1630-1646 (CH2/77/1).


Records of the Kirk Session of Trinity College, Edinburgh, 1626-1638 (CH2/141/1).

Family Papers:

Airlie Muniments
Breadalbane Letters
Barclay Allardie Papers
Bught Papers
Cardross Writs
Clerk of Penicuk Muniments
Graven Bequest
Cunninghame Graham Muniments
Dalhousie Muniments
Dunecht Writs
Duntreath Muniments
Lord Forbes Collection
Morton Papers
Newbattle Collection
Reay Papers
II
Printed Works


BALFOUR, SIR JAMES, Historical Works, Edinburgh, 1824.


BIRRELL, ROBERT, Diary, printed in Sir John Graham Dalyell, Fragments of Scottish History, Edinburgh, 1798.

BONAR, HORATIO, Catechisms of the Scottish Reformation, James Nisbet and Co. London, 1866.

BOTFIELD, BERIAH, editor, Original Letters Relating to the Ecclesiastical Affairs of Scotland from 1603 to 1625, Bannatyne Club, Edinburgh, 1851. Cited as O.L.

BRERETON, SIR WILLIAM, Travels in Holland, the United Provinces, England, Scotland, and Ireland, Chatham Society, 1844.

BRUNTON, GEORGE, and HAIG, DAVID, Senators of the College of Justice, Thomas Clark, Edinburgh, 1832.


BURNS, THOMAS, Old Scottish Communion Plate, R. & R. Clark, Edinburgh, 1892.


Canons and Constitutions Ecclesiastical... for the Government of the Church of Scotland, Edward Raban, Aberdeen, 1636 (Aldis 868).

CHARLES I, A Large Declaration, probably written by Walter Balcanquhail, Robert Young, London, 1639.


Chronicle of Perth, Maitland Club, Edinburgh, 1831.


GRAVEN, J.B. History of the Church in Orkney, 1558-1662, William Peace & Son, Kirkwall, 1897.

-----------------. A History of the Episcopal Church in the Diocese of Caithness, William Peace & Son, Kirkwall, 1908.

Detailed List of the Old Parochial Registers of Scotland, Murray and Gibb, Edinburgh, 1872, annotated copy, Scottish Record Office.


---------------------------- Shetland Life under Earl Patrick, Oliver and Boyd, Edinburgh, 1953.

DUNLOP, A. IAN, 'The Polity of the Scottish Church, 1600-1637', Records of the Scottish Church History Society, XII (1953), 161-184.

Extracts from the Council Register of the Burgh of Aberdeen, 1625-1642, Scottish Burgh Records Society, Edinburgh, 1871.

Extracts from the Presbytery Book of Strathbogie, 1631-1654, Spalding Club, Aberdeen, 1843.


Extracts from the Records of the Burgh of Glasgow, 1573-1642, Scottish Record Burgh Society, 1876.

FORBES, WILLIAM, Considerationes modestae et pacificae, Library of Anglo-Catholic Theology, 1850-56.

Form and Maner of Ordaining Ministers and Consecrating of Arch-bishops and Bishops, used in the Church of Scotland, Thomas Finlason, 1620, Edinburgh (Aldis 549).


FRASER, JAMES, Chronicles of the Frasers, edited by William Mackay, Scottish History Society, Edinburgh, 1905.


GORDON, JAMES, History of Scots Affairs, I, Spalding Club, Aberdeen, 1841.


GUTHRIE, HENRY, Memoirs, Glasgow, 1748.


[HENDERSON, ALEXANDER], Government and Order of the Church of Scotland, Edinburgh, 1641.


-----------------'The Exercise', Records of the Scottish Church History Society, VII (1941), 13-29.

-----------------'The Ordination of John Forbes of Corse', Scottish Notes and Queries, Third Series, X, March, 1932, 33-4.

HEYLYN, PETER, Aerius Redivivus, or The History of the Presbyterians from ...1536 to ...1647, Oxford, 1670.

Historical Papers Submitted to the Christian Unity Association of Scotland, T. and A. Constable, 1914.


JOHNSTON, SIR ARCHIBALD OF WARISTON, Diary, 1632-39, Scottish History Society, Edinburgh, 1911.

KEITH, ROBERT, An Historical Catalogue of the Scottish Bishops, Edinburgh, 1324.


MAIR, THOMAS, Narratives and Extracts from the Records of the Presbytery of Ellon, W. Jolly & Sons, Aberdeen, 1898.

Maitland Club Miscellany, I, Edinburgh, 1834.


MATHIESON, WILLIAM LAW, Politics and Religion, James Maclehose and Sons, Glasgow, 1902.


M'CRIE, C.G. The Confessions of the Church of Scotland, Macniven & Wallace, Edinburgh, 1907.


MITCHELL, LEONEL L. 'Episcopal Ordinations in the Church of Scotland: 1640 - 1688', Historical Magazine of the Protestant Episcopal Church, XXXI (June, 1962), 143-59.

PEARSON, A.F. SCOTT, Church and State, Cambridge, 1928.

PETERKIN, ALEXANDER, editor, Records of the Kirk of Scotland, John Sutherland, Edinburgh, 1838.


RAIT, ROBERT S. The Parliaments of Scotland, Maclehose, Jackson and Co. Glasgow, 1924.


Registrum Magni Sigilli, edited by J. M. Thomson, Edinburgh, 1890, 1892, VI, VII.


ROW, WILLIAM, The Life of Mr Robert Blair...with Supplement, Wodrow Society, Edinburgh, 1848.

RUDIERD, SIR BENIAMIN, His Speech in Behalf of the Clergie and of Parishes, Oxford, 1628.

RUTHERFORD, SAMUEL, Joshua Redivius, or Mr Rutherfoord's Letters, 1664.


SPOTTISWOOD, JOHN, History of the Church of Scotland, III, Spottiswood Society, Edinburgh, 1851.


Wodrow Society Miscellany, edited by David Laing, Edinburgh, 1844.